

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-ASW-18]

RIN 2120-AA66

Realignment of Federal Airways and Jet Routes; TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule realigns three jet routes and eight Federal airways in the Austin, TX, area. The FAA is taking this action due to the decommissioning of the Austin Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC) and the installation of the Centex VORTAC, located approximately 10.5 nautical miles (NM) to the northeast of the present location of the Austin VORTAC. This action realigns the affected jet routes and Federal airways from the Austin VORTAC to the Centex VORTAC. The FAA is taking this action in support of a plan to close the Austin Robert Mueller Municipal Airport, and transfer airport operations to the Austin-Bergstrom International Airport.

EFFECTIVE DATE: 0901 UTC, December 3, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Sheri Edgett Baron, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:**Background**

As part of the relocation of airport operations from the Austin Robert Mueller Municipal Airport to the Austin-Bergstrom International Airport, the Austin VORTAC will be decommissioned. This relocation will affect the current Austin Robert Mueller Class C airspace area, and realign the affected jet routes and Federal airways from the Austin VORTAC to the new Centex VORTAC, approximately 10.5 NM to the northeast of the present location of the Austin VORTAC.

Public Input

On June 10, 1998, the FAA proposed to amend 14 CFR part 71 to realign three jet routes and eight Federal airways in the Austin, TX, area (63 FR 31679). Interested parties were invited to participate in this rulemaking proceeding by submitting written

comments on the proposal to the FAA. No comments were received. Except for editorial changes, this amendment is the same as that proposed in the notice.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) realigns three jet routes and eight Federal airways due to the decommissioning of the Austin VORTAC, and the installation of the Centex VORTAC, located approximately 10.5 NM northeast of the present location of the Austin VORTAC. Specifically, J-21, J-25, J-86, V-17, V-76, V-306, V-550, V-558, V-565, V-574, and V-583 are realigned from the Austin VORTAC to the Centex VORTAC. The FAA is taking this action in support of a plan to close the Austin Robert Mueller Municipal Airport and transfer airport operations to the Austin-Bergstrom International Airport.

Jet routes and VOR Federal airways are published in Sections 2004 and 6010(a), respectively, of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The jet routes and airways listed in this document will be published subsequently in the Order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 2004—Jet Routes

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J-21 [Revised]

From the INT of the United States/Mexican Border and the Laredo, TX, 172° radial via Laredo; San Antonio, TX; **Centex, TX**; Waco, TX; Ranger, TX; Ardmore, OK; Will Rogers, OK; Wichita, KS; Omaha, NE; Gopher, MN; to Duluth, MN.

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J-25 [Revised]

From Matamoras, Mexico, via Brownsville, TX; INT of the Brownsville 358° and the Corpus Christi, TX, 178° radials; Corpus Christi; INT of the Corpus Christi 311° and the San Antonio, TX, 167° radials; San Antonio; **Centex, TX**; Waco, TX; Ranger, TX; Tulsa, OK; Kansas City, MO; Des Moines, IA; Mason City, IA; Gopher, MN; Brainerd, MN; to Winnipeg, MB, Canada. The airspace within Canada is excluded. The airspace within Mexico is excluded.

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J-86 [Revised]

From Beatty, NV; INT Beatty 131° and Boulder City, NV, 284° radials; Boulder City; Peach Springs, AZ; Winslow, AZ; El Paso, TX; Fort Stockton, TX; **Junction, TX**; Humble, TX; Leeville, LA; INT Leeville 104° and Sarasota, FL, 286° radials; Sarasota; INT Sarasota 103° and La Belle, FL, 313° radials; La Belle; to Dolphin, FL.

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Paragraph 6010—VOR Federal Airways

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V-17 [Revised]

From Brownsville, TX, via Harlingen, TX; McAllen, TX; 29 miles 12 AGL, 34 miles 25 MSL, 37 miles 12 AGL; Laredo, TX; Cotulla, TX; INT Cotulla 046° and San Antonio, TX, 198° radials; **San Antonio, TX; Centex, TX**; Waco, TX; Glen Rose, TX; Milsap, TX; Bowie, TX; Duncan, OK; Will Rogers, OK; Gage, OK; Garden City, KS; to Goodland, KS.

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V-76 [Revised]

From Lubbock, TX, via INT Lubbock 188° and Big Spring, TX, 286° radials; Big Spring; San Angelo; Llano, TX; **Centex, TX**; Industry, TX; INT Industry 101° and Hobby, TX, 290° radials; to Hobby.

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V-306 [Revised]

From Junction, TX, via **Centex, TX**; Navasota, TX; INT Navasota 084° and Daisetta, TX, 283° radials; Daisetta; to Lake Charles, LA.

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V-550 [Revised]

From Cotulla, TX, via INT Cotulla 046° and San Antonio, TX, 183° radials; San Antonio; **INT San Antonio 032° and Centex, TX, 243° radials; Centex, TX.**

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V-558 [Revised]

From Llano, TX; via **INT Llano 088° and Centex, TX, 306° radials; Centex**; Industry, TX; Eagle Lake, TX; to Hobby, TX.

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V-565 [Revised]

From Llano, TX, via **INT Llano 128° and Centex, TX, 277° radials; Centex**; College Station, TX; to Lufkin, TX.

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V-574 [Revised]

From Centex, TX; INT Centex 116° and Navasota, TX, 258° radials; Navasota; Humble, TX; Daisetta, TX; Beaumont, TX; to Lake Charles, LA.

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V-583 [Revised]

From Centex, TX; INT Centex 061° and College Station, TX, 273° radials; College Station; Leona, TX; Frankston, TX; Quitman, TX; Paris, TX; to McAlester, OK.

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Issued in Washington, DC, on September 28, 1998.

Reginald C. Matthews,

*Acting Program Director for Air Traffic
Airspace Management.*

[FR Doc. 98-26447 Filed 10-1-98; 8:45 am]

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DEPARTMENT OF THE TREASURY**Customs Service****19 CFR Part 4**

[T.D. 98-79]

Removal of Brazil From the List of Nations Entitled to Reciprocal Exemption From the Payment of Special Tonnage Taxes

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by removing Brazil from the list of nations whose vessels are entitled to reciprocal exemption from the payment of special tonnage taxes and light money. The Department of State has informed Customs that Brazil has implemented a law that discriminates against U.S. vessels in its preferential tax treatment of cargoes carried on certain specially-registered Brazilian vessels; thus, Brazil no longer qualifies for the exemption. Accordingly, Customs is withdrawing the exemption privileges formerly granted Brazil.

EFFECTIVE DATE: This amendment is effective, and the reciprocal privileges extended to all Brazilian-registered vessels are withdrawn, as of October 2, 1998.

FOR FURTHER INFORMATION CONTACT: Gerry O'Brien, Entry Procedures and Carrier Rulings Branch, (202-927-2320).

SUPPLEMENTARY INFORMATION:**Background**

Generally, the United States imposes regular and special tonnage taxes, and a duty of a specified amount per ton denominated "light money", on all foreign vessels which enter U.S. ports (46 U.S.C. App. 121 and 128).

Vessels of a foreign nation, however, may be exempted from the payment of such special tonnage taxes and light money upon presentation of satisfactory proof that no discriminatory duties of tonnage or impost are imposed by that foreign nation on U.S. vessels or their cargoes (46 U.S.C. App. 141).

The list of nations whose vessels have been found to be reciprocally exempt from the payment of any higher tonnage duties than are applicable to vessels of the U.S. and from the payment of light money is found at § 4.22, Customs Regulations (19 CFR 4.22). Nations granted these commercial privileges that subsequently impose discriminatory duties are subject to retaliatory suspension of the exemption from payment of special tonnage tax and light money (46 U.S.C. App. 141).

Brazil is currently listed among the nations exempt from the payment of such special tonnage taxes and light money.

The Department of State, however, has informed Customs that Brazil implemented a new tax law, effective as of July 30, 1998, that discriminates against U.S. vessels and the vessels of other countries in its preferential tax treatment of cargoes carried by certain specially-registered Brazilian vessels. Specifically, the law establishes a second commercial shipping register

whereby the dutiable value of imported merchandise carried by Brazilian vessels so registered does not include freight charges. However, identical imports carried by U.S. vessels or the vessels of other countries are subject to duty on the freight charges as well as the value of the merchandise. Because this circumstance violates the reciprocal nature of the exemption privilege granted, Brazil no longer qualifies for the exemption.

As a result, the Department of State, in accordance with 46 U.S.C. App. 141 and Executive Order 10289 of September 17, 1951 (16 FR 9499, 3 CFR 1949-1953 Comp. p. 787, as amended, see 3 U.S.C.A. 301 note), has recommended to the Secretary of the Treasury, through Customs, that Brazil be removed from the list of nations found at § 4.22.

Finding

The Customs Service has determined that the vessels of Brazil are no longer exempt from the payment of special tonnage taxes and light money, effective as of October 2, 1998, and that § 4.22 of the Customs Regulations should be amended accordingly. The authority to amend this section of the Customs Regulations has been delegated to the Chief, Regulations Branch.

In Applicability of Public Notice and Comment and Delayed Effective Date Requirements, the Regulatory Flexibility Act and Executive Order 12866

Because this amendment concerns a foreign affairs function of the United States, merely implements a statutory mandate, and involves a matter in which the general public has no significant interest, pursuant to 5 U.S.C. 553, notice and public procedure thereon are considered unnecessary; further, for the same reason, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(3). Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Nor does the amendment meet the criteria for a "significant regulatory action" under E.O. 12866.

List of Subjects in 19 CFR Part 4

Cargo vessels, Customs duties and inspection, Entry, Maritime carriers, Vessels.

Amendment to the Regulations

Part 4, Customs Regulations (19 CFR part 4), is amended as set forth below.