

Alternative Methods of Compliance

(j) The Manager, Boston Aircraft Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

Material Incorporated by Reference

(k) None.

Related Information

(l) LBA airworthiness directive No. 2003-234, dated August 21, 2003, and Becker Flugfunkwerk GmbH Service Bulletin No. AR 4201-01/03; dated July 22, 2003, also pertain to the subject of this AD.

Issued in Burlington, Massachusetts, on October 8, 2004.

Jay J. Pardee,

Manager, Engine and Propeller Directorate,
Aircraft Certification Service.

[FR Doc. 04-23143 Filed 10-14-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 97**

[Docket No. 30425; Amdt. No. 3106]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective October 15, 2004. The compliance date for each SIAP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 15, 2004.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The Flight Inspection Area Office which originated the SIAP; or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

*For Purchase—*Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by

publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (NFDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Conclusion

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. For the same reason, the FAA certifies that this amendment 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 97

Air Traffic Control, Airports,
Incorporation by reference, and
Navigation (Air).

Issued in Washington, DC, on September 23, 2004.

James J. Ballough,

Director, Flight Standards Service.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

* * * *Effective October 28, 2004*

San Francisco, CA, San Francisco Intl, LDA PRM RWY 28R, Orig-A, (Simultaneous Close Parallel)
San Francisco, CA, San Francisco Intl, ILS PRM RWY 28L, Orig-A (Simultaneous Close Parallel)
Claremore, OK, Claremore Regional, RNAV (GPS) RWY 35, Amdt 1
Claremore, OK, Claremore Regional, VOR/DME-A, Amdt 2
Claremore, OK, Claremore Regional, VOR/DME-B, Amdt 3
Bennington, VT, William H. Morse State, VOR RWY 13, Orig
Bennington, VT, William H. Morse State, VOR-A, Amdt 9, CANCELLED
Bennington, VT, William H. Morse State, RNAV (GPS) RWY 13, Orig-A

* * * *Effective November 25, 2004*

Nulato, AK, Nulato, RNAV (GPS) RWY 2, Orig
Nulato, AK, Nulato, RNAV (GPS) RWY 20, Orig
Apple Valley, CA, Apple Valley, RNAV (GPS) RWY 18, Orig-A
Hemet, CA, Hemet-Ryan, RNAV (GPS) RWY 5, Orig-A
Cloverdale, CA, Cloverdale Muni, RNAV (GPS) RWY 32, Orig-A
Napa, CA, Napa County, RNAV (GPS) RWY 6, Orig-A
Ramona, CA, Ramona, RNAV (GPS) RWY 9, Orig-A
San Carlos, CA, San Carlos, RNAV (GPS) RWY 30, Orig-A
San Francisco, CA, San Francisco Intl, RNAV (GPS) Z RWY 10R, Orig-B
San Francisco, CA, San Francisco Intl, RNAV (GPS) Z RWY 19R, Orig-B
San Francisco, CA, San Francisco Intl, RNAV (GPS) Z RWY 19L, Orig-B

San Francisco, CA, San Francisco Intl, RNAV (GPS) RWY 28L, Orig-B
San Francisco, CA, San Francisco Intl, RNAV (GPS) RWY 28R, Amdt 1B
San Jose, CA, Norman Y. Mineta San Jose International, RNAV (GPS) RWY 30R, Orig-B
San Jose, CA, Norman Y. Mineta San Jose International, RNAV (GPS) RWY 29, Orig-B
Susanville, CA, Susanville Muni, RNAV (GPS) RWY 29, Orig-A
Susanville, CA, Susanville Muni, RNAV (GPS)-A, Orig-A
St Marys, GA, St Marys, RNAV (GPS) RWY 13, Orig
St Marys, GA, St Marys, RNAV (GPS) RWY 31, Orig
Agana, GU, Guam International, RNAV (GPS) RWY 6R, Orig-A
Agana, GU, Guam International, RNAV (GPS) Z RWY 6L, Orig-B
Agana, GU, Guam International, RNAV (GPS) RWY 24R, Orig-A
Agana, GU, Guam International, RNAV (GPS) RWY 24L, Orig-A
Lihue, HI, Lihue, RNAV (GPS) RWY 17, Orig-A
Lihue, HI, Lihue, RNAV (GPS) RWY 21, Orig-A
Fort Wayne, IN, Fort Wayne Intl, VOR OR TACAN RWY 23, Amdt 13
Indianapolis, IN, Greenwood Muni, NDB RWY 1, Amdt 3
Indianapolis, IN, Greenwood Muni, VOR-A, Amdt 5
Indianapolis, IN, Greenwood Muni, RNAV (GPS) RWY 1, Orig
Indianapolis, IN, Greenwood Muni, RNAV (GPS) RWY 19, Orig
Indianapolis, IN, Greenwood Muni, GPS RWY 19, Orig, CANCELLED
Washington, IN, Daviess County, NDB RWY 18, Amdt 7
Washington, IN, Daviess County, RNAV (GPS) RWY 18, Orig
Washington, IN, Daviess County, GPS RWY 18, Orig, CANCELLED
Hyannis, MA, Barnstable Muni-Boardman/Polando Field, VOR RWY 6, Amdt 8
Grand Haven, MI, Grand Haven Meml Airpark, VOR-A, Amdt 16
Grand Haven, MI, Grand Haven Meml Airpark, VOR/DME RNAV RWY 27, Amdt 6
Grand Haven, MI, Grand Haven Meml Airpark, RNAV (GPS) RWY 9, Orig
Grand Haven, MI, Grand Haven Meml Airpark, RNAV (GPS) RWY 27, Orig
Hancock, MI, Houghton County Memorial, VOR RWY 13, Amdt 16
Hancock, MI, Houghton County Memorial, RNAV (GPS) RWY 13, Orig
Clinton, NC, Sampson County, RNAV (GPS) RWY 6, Orig
Clinton, NC, Sampson County, RNAV (GPS) RWY 24, Orig
Clinton, NC, Sampson County, LOC RWY 6, Amdt 1
Clinton, NC, Sampson County, NDB RWY 6, Amdt 6
Clinton, NC, Sampson County, VOR/DME-A, Amdt 5
Clinton, NC, Sampson County, GPS RWY 6, Orig, CANCELLED
Clinton, NC, Sampson County, GPS RWY 24, Orig, CANCELLED

Greensboro, NC, Piedmont Triad Intl, RNAV (GPS) RWY 23, Amdt 1
Greensboro, NC, Piedmont Triad Intl, RNAV (GPS) RWY 5, Amdt 1
Greensboro, NC, Piedmont Triad Intl, RNAV (GPS) RWY 14, Amdt 1
Greensboro, NC, Piedmont Triad Intl, RNAV (GPS) RWY 32, Amdt 1
Fargo, ND, Hector Intl, RNAV (GPS) RWY 9, Orig
Fargo, ND, Hector Intl, RNAV (GPS) RWY 18, Orig
Fargo, ND, Hector Intl, RNAV (GPS) RWY 27, Orig
Fargo, ND, Hector Intl, RNAV (GPS) RWY 36, Orig
Fargo, ND, Hector Intl, RNAV (GPS) RWY 8, Orig, CANCELLED
Fargo, ND, Hector Intl, RNAV (GPS) RWY 17, Orig, CANCELLED
Fargo, ND, Hector Intl, RNAV (GPS) RWY 26, Orig-A, CANCELLED
Fargo, ND, Hector Intl, RNAV (GPS) RWY 35, Orig-B, CANCELLED
Fargo, ND, Hector Intl, ILS OR LOC RWY 18, Orig
Fargo, ND, Hector Intl, ILS OR LOC RWY 36, Orig
Fargo, ND, Hector Intl, ILS RWY 17, Amdt 4D, CANCELLED
Fargo, ND, Hector Intl, ILS RWY 35, Amdt 32E, CANCELLED
Fargo, ND, Hector Intl, NDB RWY 17, Amdt 14C, CANCELLED
Fargo, ND, Hector Intl, VOR OR TACAN RWY 35, Amdt 12C, CANCELLED
Fargo, ND, Hector Intl, NDB RWY 18, Orig
Fargo, ND, Hector Intl, VOR/DME OR TACAN RWY 18, Amdt 1
Fargo, ND, Hector Intl, VOR OR TACAN RWY 36, Orig
Fargo, ND, Hector Intl, RADAR-1, Amdt 11
Cleveland, OH, Cleveland-Hopkins Intl, ILS OR LOC RWY 6R, Amdt 19B, ILS RWY 6R (CAT II), Amdt 19B, ILS RWY 6R (CAT III), Amdt 19B
Kent, OH, Kent State University, RNAV (GPS) RWY 1, Orig
Kent, OH, Kent State University, RNAV (GPS) RWY 19, Orig
Kent, OH, Kent State University, NDB RWY 1, Amdt 12
Kent, OH, Kent State University, VOR-A, Amdt 13
Kent, OH, Kent State University, GPS RWY 19, Orig, CANCELLED
Norman, OK, University of Oklahoma Westheimer, ILS OR LOC RWY 17, Orig
College Station, TX, Easterwood Field, RNAV (GPS) RWY 34, Orig
College Station, TX, Easterwood Field, RNAV (GPS) RWY 28, Orig
College Station, TX, Easterwood Field, RNAV (GPS) RWY 10, Orig
College Station, TX, Easterwood Field, RNAV (GPS) RWY 16, Orig
College Station, TX, Easterwood Field, ILS OR LOC RWY 34, Amdt 12
College Station, TX, Easterwood Field, NDB RWY 34, Amdt 12
College Station, TX, Easterwood Field, VOR OR TACAN RWY 10, Amdt 19
College Station, TX, Easterwood Field, LOC BC RWY 16, Amdt 6
College Station, TX, Easterwood Field, VOR/DME RWY 28, Amdt 13

College Station, TX, Easterwood Field, GPS RWY 10, Orig-A, CANCELLED
 College Station, TX, Easterwood Field, GPS RWY 16, Orig, CANCELLED
 College Station, TX, Easterwood Field, GPS RWY 28, Orig, CANCELLED
 College Station, TX, Easterwood Field, GPS RWY 34, Orig-A, CANCELLED
 Eagle Lake, TX, Eagle Lake, RNAV (GPS) RWY 17, Orig
 Eagle Lake, TX, Eagle Lake, RNAV (GPS) RWY 35, Orig
 Eagle Lake, TX, Eagle Lake, VOR RWY 17, Amdt 5
 El Paso, TX, El Paso Intl, VOR RWY 26L, Amdt 30
 Houston, TX, William P. Hobby, NDB RWY 4, Amdt 33, CANCELLED
 Lawrenceville, VA, Lawrenceville/Brunswick Muni, RNAV (GPS) RWY 18, Orig
 Lawrenceville, VA, Lawrenceville/Brunswick Muni, RNAV (GPS) RWY 36, Orig
 Sheboygan, WI, Sheboygan County Memorial, RNAV (GPS) RWY 3, Orig
 Sheboygan, WI, Sheboygan County Memorial, RNAV (GPS) RWY 13, Orig
 Sheboygan, WI, Sheboygan County Memorial, RNAV (GPS) RWY 31, Orig
 Sturgeon Bay, WI, Door County Cherryland, NDB RWY 2, Amdt 11
 Sturgeon Bay, WI, Door County Cherryland, SDF RWY 2, Amdt 7
 Sturgeon Bay, WI, Door County Cherryland, RNAV (GPS) RWY 2, Orig
 Sturgeon Bay, WI, Door County Cherryland, RNAV (GPS) RWY 10, Orig
 Sturgeon Bay, WI, Door County Cherryland, RNAV (GPS) RWY 20, Orig
 Sturgeon Bay, WI, Door County Cherryland, RNAV (GPS) RWY 28, Orig
 Afton, WY, Afton Muni, RNAV (GPS) RWY 16, Amdt 1
 Afton, WY, Afton Muni, RNAV (GPS) RWY 34, Amdt 1

The FAA published several Amendments in Docket No. 30424, Amdt No. 3105 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 181, Pages 56161–56163; dated Monday, September 20, 2004) under Section 97.33 effective November 25, 2004 which are hereby rescinded in their entirety:

Payson, AZ, Payson, RNAV (GPS)–A, Amdt 1A
 Inyokern, CA, Inyokern, RNAV (GPS) Y RWY 2, Orig-A
 Battle Mountain, NV, Battle Mountain, RNAV (GPS) RWY 3, Orig-A

[FR Doc. 04–22945 Filed 10–14–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 350

[Docket No. 1978N–0064]

RIN 0910–AC89

Antiperspirant Drug Products for Over-the-Counter Human Use; Final Monograph; Partial Stay; Reopening of the Administrative Record

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; partial stay; reopening of the administrative record.

SUMMARY: The Food and Drug Administration (FDA) is staying part of the final monograph (FM) for over-the-counter (OTC) antiperspirant drug products that published in the **Federal Register** on June 9, 2003 (68 FR 34273). The FM established conditions under which OTC antiperspirant drug products are generally recognized as safe and effective (GRASE) and not misbranded. This partial stay applies only to the labeling claims for enhanced duration in § 350.50(b)(3) and (b)(5) (21 CFR 350.50(b)(3) and (b)(5)). In addition, FDA is reopening the administrative record for the rulemaking on OTC antiperspirant drug products to allow for comment and data specifically on the information requested in this document. FDA is taking this action in response to a citizen petition containing data demonstrating that FDA's effectiveness testing guidelines for OTC antiperspirant drug products may support an enhanced duration claim greater than 24 hours. This action is part of FDA's ongoing review of OTC drug products.

DATES: This rule is effective December 9, 2004. The limitation of the enhanced duration claim to 24 hours (21 CFR 350.50(b)(3) and (b)(5)) is stayed until further notice.

Submit written or electronic comments and data by April 13, 2005. The administrative record will remain open until April 13, 2005.

ADDRESSES: You may submit comments, identified by Docket No. 1978N–0064 by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web site: <http://www.fda.gov/dockets/ecomments>. Follow instructions for submitting comments on the agency Web site.

• E-mail: fdadockets@oc.fda.gov. Include Docket No. 1978N–0064 in the subject line of your e-mail message.

• FAX: 301–827–6870.

• Mail/Hand delivery/Courier [For paper, disk, or CD-ROM submissions]: Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the agency name and Docket No. 1978N–0064. All comments received will be posted without change to <http://www.fda.gov/dockets/ecomments>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Comments” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.fda.gov/dockets/ecomments> and/or the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Xin Zhou, Center for Drug Evaluation and Research (HFD–560), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–2222.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of October 10, 1978 (43 FR 46694), FDA published an advance notice of proposed rulemaking (ANPRM) to establish a monograph for OTC antiperspirant drug products, together with the recommendations of the Advisory Review Panel on OTC Antiperspirant Drug Products (the Panel), which evaluated the data on these products. The Panel classified claims for enhanced duration of effect as Category III (more data needed) because the Panel did not receive any scientific data to support a claim of prolonged or enhanced duration of effect (43 FR 46694 at 46728).

In the **Federal Register** of August 20, 1982 (47 FR 36492), FDA issued a proposed rulemaking or tentative final monograph (TFM) for OTC antiperspirant drug products. To standardize the antiperspirant drug product effectiveness test, FDA also issued guidelines for effectiveness testing of antiperspirant drug products (47 FR 36492 at 36504). However, FDA did not include testing recommendations for an enhanced duration claim in these guidelines because the Panel had not recommended such guidelines and FDA