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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30649 Amdt. No 3306]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures 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, adding new obstacles, or changing 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 February 24, 2009. The compliance date for each SIAP, associated Takeoff Minimums, and ODP 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 February 24, 2009.

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 National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 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.*

Availability—All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit <http://www.nfdc.faa.gov> to register. Additionally, individual SIAP and Takeoff Minimums and ODP 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.

FOR FURTHER INFORMATION CONTACT:

Harry J. Hodges, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, 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 rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPS. The complete regulators description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the **Federal Register** expensive and impractical. Furthermore, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their depiction on charts printed by publishers of aeronautical materials. The advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA forms is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs and the effective dates of the, associated Takeoff Minimums and ODPs. This amendment also identifies the airport and its location, the procedure, and the amendment number.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as contained in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) 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 and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPS, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPS contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, 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, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedures before adopting these SIAPs, Takeoff Minimums and ODPs 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 January 23, 2009.

John M. Allen,

Director, Flight Standards Service.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and/or Takeoff Minimums and/or Obstacle Departure Procedures effective at 0902 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 12 FEB 2009

San Francisco, CA, San Francisco Intl, ILS PRM RWY 28L (Simultaneous Close Parallel), Amdt 1A
San Francisco, CA, San Francisco Intl, LDA PRM RWY 28R (Simultaneous Close Parallel), Amdt 1A

Effective 12 MAR 2009

Phoenix, AZ, Phoenix-Mesa Gateway, GPS RWY 30C, Orig, CANCELLED
Phoenix, AZ, Phoenix-Mesa Gateway, ILS OR LOC RWY 30C, Amdt 3
Phoenix, AZ, Phoenix-Mesa Gateway, RNAV (GPS) RWY 30C, Orig
Phoenix, AZ, Phoenix-Mesa Gateway, VOR OR TACAN RWY 30C, Amdt 2
Calipatria, CA, Cliff Hatfield Memorial, RNAV (GPS) RWY 8, Amdt 1
Lodi, CA, Lodi, RNAV (GPS)-B, Orig
Lodi, CA, Lodi, VOR-A, Amdt 3
Twentynine Palms, CA, Twentynine Palms, RNAV (GPS) RWY 26, Amdt 1
Twentynine Palms, CA, Twentynine Palms, VOR RWY 26, Amdt 2
Alamosa, CO, San Luis Valley Rgnl/Bergman Field, GPS RWY 2, Amdt 2, CANCELLED
Alamosa, CO, San Luis Valley Rgnl/Bergman Field, ILS OR LOC RWY 2, Amdt 1
Alamosa, CO, San Luis Valley Rgnl/Bergman Field, RNAV (GPS) RWY 2, Orig
Alamosa, CO, San Luis Valley Rgnl/Bergman Field, RNAV (GPS) RWY 20, Amdt 1
Pueblo, CO, Pueblo Memorial, RADAR-1, Amdt 7, CANCELLED
Washington, DC, Ronald Reagan Washington Natl, VOR RWY 1, Amdt 13
Washington, DC, Washington Dulles Intl, ILS OR LOC/DME RWY 1L; ILS RWY 1L (CAT II); ILS RWY 1L (CAT II), Amdt 1
Washington, DC, Washington Dulles Intl, ILS OR LOC/DME RWY 19R; ILS RWY 19R (CAT II); ILS RWY 19R (CAT III), Amdt 1
Marianna, FL, Marianna Muni, Takeoff Minimums and Obstacle DP, Orig
Quincy, FL, Quincy Muni, RNAV (GPS) RWY 14, Orig
Quincy, FL, Quincy Muni, RNAV (GPS) RWY 32, Orig
Quincy, FL, Quincy Muni, Takeoff Minimums and Obstacle DP, Orig
Quincy, FL, Quincy Muni, VOR/DME-A, Amdt 1
St Augustine, FL, St Augustine, GPS RWY 13, Orig-A, CANCELLED
St Augustine, FL, St Augustine, GPS RWY 31, Orig, CANCELLED
St Augustine, FL, St Augustine, RNAV (GPS) RWY 13, Orig
St Augustine, FL, St Augustine, RNAV (GPS) RWY 31, Orig
Atlanta, GA, Peachtree City-Falcon Field, ILS OR LOC RWY 31, Orig
Atlanta, GA, Peachtree City-Falcon Field, LOC RWY 31, Amdt 1B, CANCELLED
Atlanta, GA, Peachtree City-Falcon Field, RNAV (GPS) RWY 31, Amdt 1
Honolulu, HI, Honolulu Intl, HONOLULU ONE Graphic Obstacle DP
Honolulu, HI, Honolulu Intl, Takeoff Minimums and Obstacle DP, Amdt 8
Atlantic, IA, Atlantic Muni, GPS RWY 12, Amdt 1, CANCELLED
Atlantic, IA, Atlantic Muni, NDB RWY 12, Amdt 9B, CANCELLED
Atlantic, IA, Atlantic Muni, RNAV (GPS) RWY 2, Orig
Atlantic, IA, Atlantic Muni, RNAV (GPS) RWY 20, Orig
Atlantic, IA, Atlantic Muni, Takeoff Minimums and Obstacle DP, Amdt 6
Dubuque, IA, Dubuque Rgnl, RNAV (GPS) RWY 36, Orig
Sioux City, IA, Sioux Gateway/Col Bud Day Field, GPS RWY 17, Amdt 1A, CANCELLED
Sioux City, IA, Sioux Gateway/Col Bud Day Field, RNAV (GPS) RWY 13, Orig
Sioux City, IA, Sioux Gateway/Col Bud Day Field, RNAV (GPS) RWY 17, Orig
Sioux City, IA, Sioux Gateway/Col Bud Day Field, RNAV (GPS) RWY 31, Orig
Sioux City, IA, Sioux Gateway/Col Bud Day Field, VOR/DME OR TACAN RWY 13, Amdt 18
Sioux City, IA, Sioux Gateway/Col Bud Day Field, VOR OR TACAN RWY 31, Amdt 26
Boise ID, Boise Air Terminal/Gowen Fld, ILS OR LOC/DME RWY 28R, Orig
Coeur D'Alene, ID, Coeur D'Alene-Pappy Boyington Field, RNAV (GPS) RWY 5, Orig-A
Iola, KS, Allen County, GPS RWY 1, Orig-B, CANCELLED
Iola, KS, Allen County, GPS RWY 19, Orig-B, CANCELLED
Iola, KS, Allen County, NDB RWY 1, Amdt 2
Iola, KS, Allen County, RNAV (GPS) RWY 1, Orig
Iola, KS, Allen County, RNAV (GPS) RWY 19, Orig
Iola, KS, Allen County, Takeoff Minimums and Obstacle DP, Orig
Vivian, LA, Vivian, NDB RWY 9, Amdt 2
Vivian, LA, Vivian, RNAV (GPS) RWY 9, Orig
Vivian, LA, Vivian, RNAV (GPS) RWY 27, Orig
Vivian, LA, Vivian, Takeoff Minimums and Obstacle DP, Amdt 2

Vivian, LA, Vivian, VOR/DME-A, Amdt 3
Greenville, ME, Greenville Muni, RNAV (GPS) RWY 14, Orig
Benson, MN, Benson Muni, RNAV (GPS) RWY 14, Amdt 1
Benson, MN, Benson Muni, RNAV (GPS) RWY 32, Amdt 1
Thief River Falls, MN, Thief River Falls Rgnl, ILS OR LOC RWY 31, Amdt 3
Thief River Falls, MN, Thief River Falls Rgnl, NDB RWY 31, Amdt 2
Thief River Falls, MN, Thief River Falls Rgnl, RNAV (GPS) RWY 13, Orig
Thief River Falls, MN, Thief River Falls Rgnl, RNAV (GPS) RWY 31, Orig
Thief River Falls, MN, Thief River Falls Rgnl, Takeoff Minimums and Obstacle DP, Orig
Thief River Falls, MN, Thief River Falls Rgnl, VOR RWY 13, Amdt 9
Fulton, MO, Elton Hensley Memorial, RNAV (GPS) RWY 6, Amdt 1
Fulton, MO, Elton Hensley Memorial, RNAV (GPS) RWY 18, Orig
Fulton, MO, Elton Hensley Memorial, RNAV (GPS) RWY 24, Amdt 1
Fulton, MO, Elton Hensley Memorial, RNAV (GPS) RWY 36, Orig
Fulton, MO, Elton Hensley Memorial, Takeoff Minimums and Obstacle DP, Amdt 1
Fulton, MO, Elton Hensley Memorial, VOR-A, Amdt 4,
Jefferson City, MO, Jefferson City Memorial, GPS RWY 30, Orig-A, CANCELLED
Jefferson City, MO, Jefferson City Memorial, RNAV (GPS) RWY 12, Amdt 1
Jefferson City, MO, Jefferson City Memorial, RNAV (GPS) RWY 30, Orig
Helena, MT, Helena Rgnl, RNAV (GPS) X RWY 27, Amdt 1A
Helena, MT, Helena Rgnl, RNAV (GPS) Y RWY 9, Amdt 1A
Livingston, MT, Mission Field, LIVINGSTON ONE Graphic Obstacle DP
Livingston, MT, Mission Field, Takeoff Minimums and Obstacle DP, Amdt 3
Livingston, MT, Mission Field, VOR/DME-B, Amdt 2
Albermarle, NC, Stanly County, Takeoff Minimums and Obstacle DP, Orig
Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 8, Amdt 2
Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 20, Amdt 2
Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 26, Amdt 2
Roanoke Rapids, NC, Halifax County, NDB OR GPS RWY 5, Amdt 3C, CANCELLED
Wallace, NC, Henderson Field, Takeoff Minimums and Obstacle DP, Orig
Waxhaw, NC, Jaars-Townsend, GPS RWY 4, Orig, CANCELLED
Waxhaw, NC, Jaars-Townsend, GPS RWY 22, Orig, CANCELLED
Waxhaw, NC, Jaars-Townsend, RNAV (GPS) RWY 4, Orig
Waxhaw, NC, Jaars-Townsend, RNAV (GPS) RWY 22, Orig
Waxhaw, NC, Jaars-Townsend, Takeoff Minimums and Obstacle DP, Orig
Waxhaw, NC, Jaars-Townsend, VOR/DME OR GPS-A, Amdt 3, CANCELLED
Vincentown, NJ, Red Lion, RNAV (GPS) RWY 5, Orig
Vincentown, NJ, Red Lion, Takeoff Minimums and Obstacle DP, Amdt 1

Vincetown, NJ, Red Lion, VOR-A, Amdt 6
 Reno, NV, Reno/Tahoe Intl, LOC RWY 16R,
 Amdt 7
 Ogdensburg, NY, Ogdensburg Intl, LOC RWY
 27, Amdt 3
 Dayton, OH, Greene County-Lewis A Jackson
 Rgnl, VOR-A, Orig
 Salem, OR, McNary Fld, ILS OR LOC RWY
 31, Amdt 29
 Salem, OR, McNary Fld, LOC BC RWY 13,
 Amdt 7
 Salem, OR, McNary Fld, RNAV (GPS) RWY
 31, Amdt 2
 Salem, OR, McNary Fld, RNAV (GPS) Y RWY
 31, Orig-A, CANCELLED
 Mount Pocono, PA, Pocono Mountains Muni,
 RNAV (GPS) RWY 5, Orig
 Mount Pocono, PA, Pocono Mountains Muni,
 RNAV (GPS) RWY 13, Amdt 1
 Mount Pocono, PA, Pocono Mountains Muni,
 RNAV (GPS) RWY 31, Orig
 Pageland, SC, Pageland, Takeoff Minimums
 and Obstacle DP, Orig
 Dallas-Fort Worth, TX, Dallas-Fort Worth
 Intl, ILS OR LOC RWY 17L, ILS RWY 17L
 (CAT II), ILS RWY 17L (CAT III), Amdt 5A
 Dallas-Fort Worth, TX, Dallas-Fort Worth
 Intl, RNAV (GPS) RWY 17L, Amdt 3A
 Dallas-Fort Worth, TX, Dallas-Fort Worth
 Intl, RNAV (GPS) RWY 35R, Amdt 2A
 Manitowoc, WI, Manitowoc County, RNAV
 (GPS) RWY 17, Amdt 1
 Manitowoc, WI, Manitowoc County, RNAV
 (GPS) RWY 35, Amdt 1
 Manitowoc, WI, Manitowoc County, Takeoff
 Minimums and Obstacle DP, Amdt 4
 Manitowoc, WI, Manitowoc County, VOR/
 DME RWY 35, Amdt 1
 Moundsville, WV, Marshall County, GPS
 RWY 24, Orig, CANCELLED
 Moundsville, WV, Marshall County, RNAV
 (GPS) RWY 6, Orig
 Moundsville, WV, Marshall County, RNAV
 (GPS) RWY 24, Orig
 Moundsville, WV, Marshall County, VOR/
 DME-A, Amdt 2
 Parkersburg, WV, Mid-Ohio Valley Regional,
 RNAV (GPS) RWY 3, Amdt 1
 Parkersburg, WV, Mid-Ohio Valley Regional,
 RNAV (GPS) RWY 21, Amdt 1
 Parkersburg, WV, Mid-Ohio Valley Regional,
 RNAV (GPS) Y RWY 3, Orig, CANCELLED
 Parkersburg, WV, Mid-Ohio Valley Regional,
 RNAV (GPS) Y RWY 21, Orig,
 CANCELLED
 Parkersburg, WV, Mid-Ohio Valley Regional,
 Takeoff Minimums and Obstacle DP, Amdt
 2
 Parkersburg, WV, Mid-Ohio Valley Regional,
 VOR RWY 21, Amdt 17
 Gillette, WY, Gillette-Campbell County,
 Takeoff Minimums and Obstacle DP, Amdt
 4

[FR Doc. E9-3048 Filed 2-23-09; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 0812241647-9151-01]

RIN 0694-AE51

Removal and Modification of Certain Entries From the Entity List: Person Removed Based on Removal Request and Clarification of Certain Entries

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: This rule amends the Export Administration Regulations (EAR) by removing a person from the Entity List (Supplement No. 4 to Part 744). This person is being removed from the Entity List because the End-User Review Committee (ERC) decided to approve this person's request for removal from the Entity List.

This rule also makes a clarification for two persons that were listed on the Entity List prior to this rule being published to revise the addresses provided for these listed persons. This rule updates the address information for these two persons by replacing incorrect information.

The Entity List provides notice to the public that certain exports and reexports to parties identified on the Entity List require a license from the Bureau of Industry and Security (BIS) and that availability of License Exceptions in such transactions is limited.

DATES: *Effective Date:* This rule is effective February 24, 2009. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis.

ADDRESSES: You may submit comments, identified by RIN 0694-AE51, by any of the following methods:

E-mail: publiccomments@bis.doc.gov

Include "RIN 0694-AE51" in the subject line of the message.

Fax: (202) 482-3355. Please alert the Regulatory Policy Division, by calling (202) 482-2440, if you are faxing comments.

Mail or Hand Delivery/Courier: Timothy Mooney, U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th St. & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230, Attn: RIN 0694-AE51.

Send comments regarding the collection of information associated with this rule, including suggestions for reducing the burden, to Jasmeet K. Seehra, Office of Management and

Budget (OMB), by e-mail to Jseehra@omb.eop.gov, or by fax to (202) 395-7285; and to the Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, 14th St. & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230. Comments on this collection of information should be submitted separately from comments on the final rule (i.e. RIN 0694-AE51)—all comments on the latter should be submitted by one of the three methods outlined above.

FOR FURTHER INFORMATION CONTACT: Karen Nies-Vogel, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482-3811, Fax: (202) 482-3911, E-mail: kniesv@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

In Supplement No. 4 to part 744 (The Entity List) of the EAR, this rule removes one person from the Entity List on the basis of § 744.16 (Procedure for requesting removal or modification of an Entity List Entity) of the EAR. In addition, as a clarification, this rule modifies the entries for two listed persons. The modifications to existing entries include revising the addresses for two listed persons in Malaysia that were listed on the Entity List prior to this rule being published.

On August 21, 2008 (73 FR 49311), BIS published a final rule that expanded the Entity List by adding § 744.11 (License Requirements that Apply to Entities Acting Contrary to the National Security or Foreign Policy Interests of the United States) to the EAR. Since the publication of that August 2008 rule, BIS has published two final rules that added persons to the Entity List on the basis of § 744.11 of the EAR. The first rule that added persons to the Entity List on the basis of § 744.11 of the EAR was published on September 22, 2008 (73 FR 54499) and the second rule was published on December 5, 2008 (73 FR 73999).

In addition to adding § 744.11, the August 2008 rule added § 744.16 and Supplement No. 5 to part 744 to the EAR. Section 744.16 established a formal procedure under the EAR whereby persons listed on the Entity List could submit to BIS in writing a formal request for removal or modification of their listing on the Entity List. The procedures for submitting these removal or modification requests were outlined in § 744.16 and the review and decision