

14 CFR Part 97

[Docket No. 28805; Amdt. No. 1783]

RIN 2120-AA65

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: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

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; or

3. The Flight Inspection Area Office which originated the SIAP.

*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: Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical Programs Division, Flight Standards

Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8277.

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 Form 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.

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. The SIAPs contained in this amendment are based on the criteria contained in the United States Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports.

The FAA has determined through testing that current non-localizer type, non-precision instrument approaches developing using the TERPS criteria can be flown by aircraft equipped with Global Positioning System (GPS) equipment. In consideration of the above, the applicable Standard Instrument Approach Procedures (SIAPs) will be altered to include "or GPS" in the title without otherwise reviewing or modifying the procedure. (Once a stand alone GPS procedure is developed, the procedure title will be altered to remove "or GPS" from these

non-localizer, non-precision instrument approach procedure titles.) 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.

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, Navigation (Air).

Issued in Washington, DC on February 7, 1997.

Thomas C. Accardi,
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 is revised to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120, 44710; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.27, 97.33 and 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.27 NDB, NDB/DME; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * * *Effective 27 March, 1997*

Ambler, AK, Ambler, NDB or GPS RWY 36,
Amdt 1A Cancelled

Ambler, AK, Ambler, NDB RWY 36, Amdt 1A
 Hope, AR, Hope Muni, VOR/DME or GPS RWY 4, Amdt 6 Cancelled
 Hope, AR, Hope Muni, VOR/DME RWY 4, Amdt 6
 Hope, AR, Hope Muni, NDB or GPS RWY 16, Amdt 3 Cancelled
 Hope, AR, Hope Muni, NDB RWY 16, Amdt 3
 Monticello, AR, Monticello, Muni, VOR or GPS-A, Amdt 4A Cancelled
 Monticello, AR, Monticello, Muni, VOR-A, Amdt 4A
 Hays, KS, Hays Muni, VOR or GPS RWY 16, Amdt 3 Cancelled
 Hays, KS, Hays Muni, VOR RWY 16, Amdt 3
 Jefferson City, MO, Jefferson City Memorial, NDB or GPS RWY 12, Amdt 1 Cancelled
 Jefferson City, MO, Jefferson City Memorial, NDB RWY 12, Amdt 1
 Forsyth, MT, Tillitt Field, NDB or GPS RWY 26, Amdt 2A Cancelled
 Forsyth, MT, Tillitt Field, NDB RWY 26, Amdt 2A
 Glasgow, MT, Glasgow Intl, VOR or GPS RWY 12, Amdt 3 Cancelled
 Glasgow, MT, Glasgow Intl, VOR RWY 12, Amdt 3
 Alliance, NE, Alliance Muni, VOR or GPS RWY 12, Amdt 2B Cancelled
 Alliance, NE, Alliance Muni, VOR RWY 12, Amdt 2B
 York, NE, York Muni, NDB or GPS RWY 35, Amdt 3 Cancelled
 York, NE, York Muni, NDB RWY 35, Amdt 3
 Las Vegas, NV, McCarran Intl, VOR/DME or GPS RWY 1R, Orig-A Cancelled
 Las Vegas, NV, McCarran Intl, VOR/DME RWY 1R, Orig-A
 Chandler, OK, Chandler Muni, NDB or GPS RWY 35, Orig Cancelled
 Chandler, OK, Chandler Muni, NDB RWY 35, Orig
 Corvallis, OR, Corvallis Muni, NDB or GPS RWY 17, Amdt 1 Cancelled
 Corvallis, OR, Corvallis Muni, NDB RWY 17, Amdt 1
 Providence, RI, Theodore Francis Green State, VOR/DME or GPS RWY 16, Amdt 4 Cancelled
 Providence, RI, Theodore Francis Green State, VOR/DME RWY 16, Amdt 4
 Houston, TX, Ellington Field, VOR/DME or TACAN or GPS RWY 17R, Amdt 3 Cancelled
 Houston, TX, Ellington Field, VOR/DME or TACAN RWY 17R, Amdt 3
 Houston, TX, Ellington Field, VOR/DME or TACAN or GPS RWY 35L, Amdt 3 Cancelled
 Houston, TX, Ellington Field, VOR/DME or TACAN RWY 35L, Amdt 3
 Marfa, TX, Marfa Muni, VOR or GPS RWY 30, Amdt 4 Cancelled
 Marfa, TX, Marfa Muni, VOR RWY 30, Amdt 4

[FR Doc. 97-3673 Filed 2-12-97; 8:45 am]

BILLING CODE 4910-13-M

Office of the Secretary

14 CFR Parts 217 and 241

[Docket No. OST-96-1049]

RIN 2105-AC34

International Data Submissions by Large Air Carriers (Form 41 Schedules T-100, T-100(f), and P-1.2)

AGENCY: Office of the Secretary, (DOT).

ACTION: Final rule.

SUMMARY: This rule reduces the period of confidential treatment of international nonstop segment and on-flight market data from three years to immediately following the Department's determination that the data base is complete, but no sooner than six months after the date of the data. It also requires collection of aircraft capacity data from foreign air carriers and rescinds the requirement that Group III (large U.S.) air carriers specify passenger enplanements, passengers transported, and seating capacity by cabin configuration. At the same time, the Department defers a final decision on changes to Schedule P-1.2—Statement of Operations. The issues pertinent to that schedule will be addressed in a supplementary notice of proposed rulemaking that will be completed soon.

In order to provide the reporting air carriers with additional time to make changes to their systems, we have established a period of several months between the effective date and compliance dates.

DATES: Effective date. This rule shall become effective on March 17, 1997.

Compliance dates: The compliance date for foreign air carriers to report the additional capacity data is July 1, 1997. The compliance date of the new reduced level of reporting for large U.S. Group III air carriers is July 1, 1997.

FOR FURTHER INFORMATION CONTACT: John Harman, Office of Aviation Analysis, or John Schmidt, Office of Aviation and International Economics, Office of the Assistant Secretary for Aviation and International Affairs, Office of the Secretary, U.S. Department of Transportation, 400 Seventh St. SW., Washington, DC 20590 at (202) 366-1059 or 366-5420, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 15, 1996, the Department of Transportation published a notice of proposed rulemaking (NPRM) [61 FR 5963] to make the changes summarized above. We also distributed over 500 copies of the notice to the aviation community. This rulemaking action was taken on the Department's initiative in

order to make data available for planning and efficient resource allocation purposes, to ensure the accuracy of the data that are used by the Department in administering its program responsibilities, and to eliminate collection of data that are no longer needed for regulatory purposes.

We received comments from five U.S. air carriers: American Airlines (American), Federal Express Corporation (FedEx), Trans World Airlines (TWA), United Air Lines (United), and USAir; one foreign air carrier, Alia—the Royal Jordanian Airline (Royal Jordanian); the Airports Council International—North America (ACI-NA) whose member airports handle approximately 90% of the passenger traffic in the United States; and the Air Line Pilots Association (ALPA), the bargaining representative of more than 44,000 pilots of 38 airlines. Most commenters supported the rulemaking.

Discussion of Comments

(1) Confidentiality of International T-100 Data

American, TWA, United, USAir, ACI-NA, and ALPA strongly supported reducing the period of confidentiality from three years to immediately following the Department's determination that the data base is complete, but no sooner than six months after the date of the data. In fact, American said that the data should be published as soon as the Department determines that the data base is complete and that there is little reason to impose an arbitrary requirement withholding release for a minimum of six months. United urged that the rule provide by its terms that the release date will be six months after submission and that any release beyond that date be the exception and not the rule. While that carrier appreciated that all data, both U.S. and foreign carrier, should be released at the same time and that database preparation delays may occur, it would prefer to have a fixed date for release rather than an open-ended one. With respect to American's suggestion, the Department did not initially propose to release international T-100 data in less than six months in deference to perceived carrier concerns that the data might be used for day-to-day competitive purposes and also because it expected that receipt, edit, and publication of the data from a large number of foreign carriers would take about six months. As regards United's view that we specify only a six month release date, while we fully expect to be in a position to make the data public