

the inflatable lapbelt activation system prior to each flight or it must be demonstrated to reliably operate between inspection intervals.

Issued in Renton, Washington, on September 15, 1999.

**Vi L. Lipski,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.*

[FR Doc. 99-24792 Filed 9-22-99; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ASW-11]

#### Revision of Class E Airspace; Raton, NM

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This notice confirms the effective date of a direct final rule which revises Class E airspace at Raton, NM.

**EFFECTIVE DATE:** The direct final rule published at 64 FR 38822 is effective 0901 UTC, November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone: 817-222-5793.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on July 20, 1999, (64 FR 38822). The FAA uses the direct final rulemaking procedure for a noncontroversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on November 4, 1999. No adverse comments were received, and, thus, this action confirms that this direct final rule will be effective on that date.

Issued in Fort Worth, TX, on September 14, 1999.

**Robert N. Stevens,**

*Acting Manager, Air Traffic Division, Southwest Region.*

[FR Doc. 99-24650 Filed 9-22-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ASW-14]

#### Revision of Class E Airspace; Center, TX

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This notice confirms the effective date of a direct final rule which revises Class E airspace at Center, TX.

**EFFECTIVE DATE:** The direct final rule published at 64 FR 39012 is effective 0901 UTC, November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone: 817-222-5793.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on July 21, 1999, (64 FR 39012). The FAA uses the direct final rulemaking procedure for a noncontroversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on November 4, 1999. No adverse comments were received, and, thus, this action confirms that this direct final rule will be effective on that date.

Issued in Fort Worth, TX, on September 14, 1999.

**Robert N. Stevens,**

*Acting Manager, Air Traffic Division, Southwest Region.*

[FR Doc. 99-24649 Filed 9-22-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ASW-15]

#### Revision of Class E Airspace; Perry, OK

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct Final rule; confirmation of effective date.

**SUMMARY:** This notice confirms the effective date of a direct final rule which revises Class E airspace at Perry, OK.

**EFFECTIVE DATE:** The direct final rule published at 64 FR 39011 is effective 0901 UTC, November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone: 817-222-5793.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on July 21, 1999, (64 FR 39011). The FAA uses the direct final rulemaking procedure for a noncontroversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on November 4, 1999. No adverse comments were received, and, thus, this action confirms that this direct final rule will be effective on that date.

Issued in Fort Worth, TX, on September 14, 1999.

**Robert N. Stevens,**

*Acting Manager, Air Traffic Division, Southwest Region.*

[FR Doc. 99-24648 Filed 9-22-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 91

#### Noise Transition Regulations; Approach of Final Compliance Date

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of approach of final compliance date.

**SUMMARY:** This document serves as a reminder to operators of all jet airplanes over 75,000 pounds of the limits on these airplanes after the final compliance date, December 31, 1999. This document is intended to assist operators of these airplanes in planning their actions toward complete compliance with the upcoming prohibition on operations of Stage 2

airplanes in the contiguous United States.

**FOR FURTHER INFORMATION CONTACT:** Thomas Connor, Manager, Noise Division, AEE-100, Office of Environment and Energy, FAA, 800 Independence Avenue, SW., Washington, DC 20591; telephone 202-267-8933, fax 202-267-5594.

**SUPPLEMENTARY INFORMATION:**

**Background**

In the Airport Noise and Capacity Act of 1990, 49 U.S.C. 47501 *et seq.* (ANCA), Congress prohibited the operation of Stage 2 aircraft over 75,000 pounds in the contiguous United States after December 31, 1999. The law also required the Federal Aviation Administration (FAA) to establish by regulation a schedule of phased compliance that would eliminate Stage 2 operations by the final compliance date.

Those regulations were promulgated in 1991, and codified at 14 CFR §§ 91.851-91.877. In general, the regulations require each operator of Stage 2 airplanes to progressively reduce the number of Stage 2 airplanes it operates by 25% by the end of 1994, 1996, and 1998. In the alternative, operators may choose to operate a fleet of airplanes that is increasingly Stage 3—55% after 1994, 65% after 1996, and 75% after 1998. In either case, except as provided in the law, no Stage 2 airplanes may operate in the contiguous United States after December 31, 1999.

**Waivers From Final Compliance**

Congress provided the authority to grant limited waivers from the final compliance date in ANCA. The waiver provision, codified at 49 U.S.C. 47528(b) and 14 CFR § 91.873, is limited in both scope and application. Only U.S. air carriers (part 121 operators) were eligible to apply for the waiver, and applications had to have been filed by January 1, 1999. The FAA received 10 applications for waivers, and decisions on those applications are pending.

**Effect of Final Compliance Date on Agency Actions**

When the FAA promulgated the regulations, it warned all affected operators that they should plan for *full* compliance by the end of 1999 (56 FR 48839, Sept. 25, 1991). However, the FAA has received several inquiries regarding operations of Stage 2 airplanes after December 31, 1999, indicating that some operators are uncertain about what Stage 2 operations might be allowed after the final compliance date.

After December 31, 1999, by action of law, the FAA will no longer have the

authority to allow certain operations of large airplanes that have come to be viewed as routine. For example, SFAR 64, Special Flight Authorizations for Noise Restricted Aircraft, will expire on December 31, 1999. That regulation allows operators of Stage 1 and Stage 2 airplanes to request special flight authorizations to move noise-related airplanes in and out of the United States under the circumstances listed in the regulation. After December 31, 1999, such operations will not be allowed. This is not a matter of FAA discretion or policy—the statute that prohibits Stage 2 operation in the contiguous United States after that date removes the FAA's authority to allow such airplane movement, except as may be authorized under the statutory waiver described above.

**Operating Limitations After December 31, 1999**

Therefore, after December 31, 1999, *no person may operate a Stage 1 or Stage 2 airplane over 75,000 pounds to, from, or within the contiguous United States for any purpose, unless that person is a part 121 operator that has a valid waiver obtained from the FAA under § 91.873.* Operation of a Stage 1 or Stage 2 airplane for any of the following purposes is *prohibited*: obtaining noise modifications, maintenance, scrapping, repositioning, exportation, sale, lease, or storage. This prohibition applies to any Stage 1 or Stage 2 airplane over 75,000 pounds in the contiguous United States, including airplanes normally operated by a U.S. air carrier outside the contiguous United States that are occasionally brought into the contiguous United States for maintenance. An airplane scheduled to be modified after December 31, 1999, should be located at the modification facility on or before that date. After December 31, 1999, the FAA will have no authority to allow operation of Stage 1 or Stage 2 airplanes for any purpose.

Operation of any Stage 1 or Stage 2 airplane after December 31, 1999, except as granted pursuant to the statutory waiver, will be subject to the penalties prescribed by law (49 U.S.C. 47531). The FAA has determined compliance with the noise transition regulations by counting the Stage 2 and Stage 3 airplanes appearing on an operator's operations specifications (or their equivalent). Accordingly, the FAA recommends that operators make arrangements to remove all Stage 2 airplanes from their operations specifications (or restrict their operation as to areas outside the contiguous United States) on or before December 31, 1999, to prevent any confusion.

The provision of the nonaddition rule that allows special flight authorizations to be granted to otherwise restricted airplanes for the purpose of hushkitting, codified at 49 U.S.C. 47529(b) and § 91.857(b), will no longer be effective after December 31, 1999. The FAA has determined that, as a matter of law, the provisions of the statutory nonaddition rule, which is limited in scope to imported airplanes, does not overcome the general statutory prohibition on Stage 2 airplane operations. Similarly, the FAA's regulation allowing Stage 2 airplanes into the contiguous United States for maintenance purposes, § 91.857(a), is also subject to the statutory prohibition after December 31, 1999. Essentially, §§ 91.855 and 91.857 can no longer be used after December 31, 1999. Operators should plan their airplane movements accordingly to prevent airplanes from being "stuck" in the United States after midnight December 31, 1999, since the FAA will have no authority to allow any further operation, and any operation will be considered a violation of ANCA.

In addition, the FAA specifically warns operators of airplanes over 75,000 pounds operated under an *experimental airworthiness certificate* (or any other type of airworthiness certificate) that their operations are also prohibited after December 31, 1999. The FAA gave notice in 1991 and 1995 that *all* operators of jet airplanes over 75,000 pounds, regardless of airworthiness certificate type, were subject to the law and the implementing regulations. Until recently, however, operators of airplanes used for research and development purposes mistakenly presumed that their airplanes were not covered by ANCA or the regulations, or that the FAA would exempt them. The FAA has no authority to exempt operators of these airplanes, regardless of their operating purpose.

In short, any Stage 1 or Stage 2 airplane in the contiguous United States after December 31, 1999, may not be operated for any purpose. Operators of these airplanes are warned to plan accordingly.

The FAA restates that these circumstances are not within the agency's discretion, but come about by the action of law. This is not a request for comment on a proposed rule. The FAA has no authority to consider exceptions of any kind from these circumstances, and any requests for permission to operate, other than under the statutory waiver authority, will be returned to the petitioner without action.

The FAA has requested that ANCA be amended to extend the agency's

authority to allow limited operation of Stage 2 airplanes under certain circumstances. If such authority is granted, the agency will publish document in the **Federal Register** detailing the scope of that authority and the means by which it will be implemented. Operators are cautioned not to rely on this possible change of authority when planning their year-end operations.

Issued in Washington, DC on September 17, 1999.

**Paul R. Dykeman,**

*Deputy Director of Environment and Energy.*  
[FR Doc. 99-24798 Filed 8-22-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 29753; Amdt. No. 1950]

#### 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:

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, Navigation (Air).

Issued in Washington, DC on September 17, 1999.

**L. Nicholas Lacey,**

*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,