

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

[Docket No. 30089; Amdt. No. 1998]

**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 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 matter 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 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 on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation's Regulations (FAR). 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 of 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 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAMs for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been canceled.

The FDC/P NOTAMs for 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 chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only those specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National 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 all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. 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 these 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 June 23, 2000.

**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 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. 40130, 40113, 40120, 44701; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

**§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33 and 97.35 [Amended]**

By amending; § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME,

LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

\* \* \* *Effective Upon Publication*

FDC date	State	City	Airport	FDC	SIAP
04/17/00	ID	Boise	Boise Air Terminal (Gowen Field)	0/3788	ILS Rwy 10R, Amdt 8C...
06/01/00	IL	Champaign/Urbana	University of Illinois—Williard	0/5785	GPS Rwy 18 Orig...
06/01/00	MI	Saginaw	MBS Intl	0/06682	VOR OR GPS RWY 32, AMDT 9... This Replaces 0/5787
06/09/00	FL	Gainseville	Gainseville Regional	0/6193	NDB Rwy 28, Amdt 8B...
06/09/00	MN	Hibbing	Chisholm-Hibbing	0/6178	VOR or GPS Rwy 13, Amdt 12...
06/09/00	MN	Hibbing	Chisholm-Hibbing	0/6179	VOR or GPS Rwy 31, Amdt 16...
06/09/00	NC	New Bern	Craven County Regional	0/6176	VOR or GPS Rwy 22, Amdt 1C...
06/12/00	IL	Chicago	Chicago-O'Hare Intl	0/6259	ILS Rwy 4R, Amdt 6C...
06/12/00	NC	Charlotte	Charlotte/Douglas Intl	0/6260	ILS Rwy 23, Amdt 1...
06/14/00	MI	Menominee	Menominee—Marinette Twin County	0/6347	GPS Rwy 32, Orig... This Replaces 0/5919
06/15/00	FL	Destin	Destin-Fort Walton Beach	0/06411	RNAV Rwy 32, Orig...
06/15/00	FL	Jacksonville	Cecil Field	0/6412	Radar-1, Orig...
06/15/00	IL	Chicago/Lake in the Hills	Lake in the Hills	0/6380	VOR Rwy 26, Amdt 3...
06/15/00	IL	Chicago/Prospect Hgts/Wheeling	Palwaukee Muni	0/6416	GPS Rwy 16, Orig...
06/15/00	IL	Chicago	Chicago-O'Hare Intl	0/6382	LOC Rwy 4L, Amdt 19C...
06/15/00	IL	Chicago	Chicago-O'Hare Intl	0/6418	ILS Rwy 14L (Cat I, Cat II, Cat III), Amdt 28C...
06/15/00	IL	Chicago	Chicago-O'Hare Intl	0/6419	ILS Rwy 14R (Cat I, Cat II, Cat III), Amdt 29B...
06/15/00	IL	De Kalb	De Kalb Taylor Muni	0/06417	VOR/DME or GPS Rwy 27, Amdt 5...
06/15/00	MI	Pellston	Pellston Regional Airport of Emmet County	0/6453	VOR or GPS Rwy 23, Amdt 15... This Replaces 0/5908
06/15/00	NH	Lebnon	Lebanon Muni	0/6406	GPS Rwy 25 Orig...
06/15/00	NH	Lebanon	Lebanon Muni	0/6507	GPS Rwy 7 Orig...
06/15/00	OR	Salem	McNary Field	0/6488	NDB or GPS Rwy 31, Amdt 18C...
06/15/00	TN	Memphis	Memphis Intl	0/6377	ILS Rwy 9, Amdt 26...
06/15/00	TN	Memphis	Memphis Intl	0/6378	NDB or GPS Rwy 9, Amdt 26A...
06/15/00	WY	Cheyenne	Cheyenne	0/6481	NDB Rwy 26, Amdt 13...
06/16/00	AK	Nome	Nome	0/6548	ILS Z Rwy 27, Amdt 1...
06/16/00	AK	Nome	Nome	0/6551	ILS Rwy 27, Amdt 5...
06/16/00	ND	Dickinson	Dickinson Muni	0/6522	VOR or GPS-A, Amdt 5...
06/19/00	CA	Los Banos	Los Banos Muni	0/6645	VOR/DME or GPS Rwy 32 Amdt 4A...
06/19/00	CA	NAPA	NAPA County	0/6644	VOR or GPS Rwy 6 Amdt 11A...
06/19/00	CA	Ontario	Ontario Intl	0/6627	ILS Rwy 26L (Cat 1, Cat II, CAT III) Amdt 7A...
06/19/00	FL	Zephyrhills	Zephyrhills Muni	0/6676	GPS Rwy 36, Orig...
06/19/00	MI	Saginaw	MBS Intl	0/6683	VOR or GPS Rwy 14, Amdt 13... This Replaces 0/5788
06/19/00	OK	Stigler	Stigler Muni	0/6648	GPS Rwy 17, Orig...
06/19/00	OK	Stigler	Stigler Muni	0/6649	GPS Rwy 35, Orig...
06/20/00	WI	Fond Du Lac	Fond Du Lac County	0/6743	VOR/DME or GPS Rwy 18, Amdt 6A...
06/20/00	WI	Fond Du Lac	Fond Du Lac County	0/6744	VOR/DME Rwy 36, Amdt 6A...
06/20/00	WI	Fond Du Lac	Fond Du Lac County	0/6745	GPS Rwy 36, Orig-A...
06/20/00	WI	Fond Du Lac	Fond Du Lac County	0/6746	SDF Rwy 36, Amdt 6A...
06/21/00	GA	Rome	Richard B. Russell	0/6805	NDB or GPS-A, Amdt 6...
06/21/00	GA	Rome	Richard B. Russell	0/6806	ILS/DME Rwy 1, Orig...
06/21/00	GA	Rome	Richard B. Russell	0/6807	VOR/DME or GPS Rwy 1, Amdt 8A...
06/21/00	IL	Taylorville	Taylorville Muni	0/6813	NDB Rwy 18, Amdt 3...
06/21/00	MO	Sikeston	Sikeston Memorial Muni	0/6797	VOR/DME or GPS Rwy 2, Amdt 1B...
06/21/00	MO	Sikeston	Sikeston Memorial Muni	0/6798	GPS Rwy 20, Orig-A

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### 15 CFR Part 280

[Docket No: 980623159-0166-04]

RIN 0693-AB47

#### Procedures for Implementation of the Fastener Quality Act

**AGENCY:** National Institute of Standards and Technology and the Bureau of Export Administration and the United States Patent and Trademark Office, United States Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Director of the National Institute of Standards and Technology (NIST), United States Department of Commerce, and the Under Secretary of the Bureau of Export Administration, United States Department of Commerce, and the Under Secretary for Intellectual Property and Director of the United States Patent and Trademark Office, United States Department of Commerce (collectively referred to as the Department) are today issuing a final rule amending regulations found at 15 CFR part 280 implementing the Fastener Quality Act (FQA). A notice of proposed rulemaking on this topic was published in the **Federal Register** on December 15, 1999. This final rule responds to comments received on the December 15, 1999 notice of proposed rulemaking and incorporates into the regulations amendments to the Fastener Quality Act contained in the Fastener Quality Act Amendments of 1999. The changes include the elimination of testing and paperwork requirements and of NIST's role in evaluating and approving bodies that accredit laboratories and registrars.

The final rule amends the regulations to set forth the procedures under which NIST will accept petitions for approval of certain documents and self-declarations for accreditation bodies. The final rule also amends the enforcement provisions of the regulations to set forth violations as they are contained in the amended FQA. The final rule amends the recordal of insignia provisions of the regulations to remove all references to private label distributors and to provide that fasteners whose insignia must be recorded are those fasteners that are required by the applicable consensus standards to bear "an insignia" rather

than a "raised or depressed insignia," and that these fasteners are not subject to the recordal requirements if the specifications provide otherwise.

**DATES:** This rule is effective July 28, 2000.

**FOR FURTHER INFORMATION CONTACT:** Dr. Subhas Malghan, Director's Office, Technology Services, National Institute of Standards and Technology, Mail Stop 2000, Gaithersburg, MD 20899-2000, telephone number (301) 975-4510.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Fastener Quality Act (FQA) was originally enacted in 1990 to protect the public safety by: (1) Requiring that certain fasteners which are sold in commerce conform to the specifications to which they are represented to be manufactured, (2) providing for accreditation of laboratories engaged in fastener testing; and (3) requiring inspection, testing and certification, in accordance with standardized methods, of fasteners covered by the Act. Since its enactment, the FQA has been amended three times (Pub. L. 104-113, Pub. L. 105-234, and Pub. L. 106-34). The Department of Commerce published final implementing regulations for the original FQA on September 26, 1996 and for the FQA as amended by Pub. L. 104-113 on September 8, 1998.

On June 8, 1999, the Fastener Quality Act Amendments of 1999 (the Act) (Pub. L. 106-34, 113 Stat. 118) were enacted "to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes." The Act made significant changes to the FQA. Under the Act, the Secretary retains his enforcement functions and the responsibility for establishing and maintaining an insignia recordation program, and the National Institute of Standards and Technology (NIST) must continue its fastener laboratory accreditation program established under the National Voluntary Laboratory Accreditation Program (15 CFR part 285). In addition, the Act creates new responsibilities for NIST, including: acting upon petitions requesting approval of documents setting forth guidance/requirements for certification of manufacturing systems as fastener quality assurance systems by accredited third parties; acting upon petitions requesting approval of documents setting forth guidance/requirements for accreditation of laboratories; and acting upon petitions requesting approval of documents setting forth guidance/requirements for

approval of accreditation bodies to accredit laboratories. NIST also must accept affirmations, in the form of self-declarations that the accreditation bodies meet the requirements of the applicable Guide, from accreditation bodies accrediting third parties who certify manufacturing systems as fastener quality assurance systems and from accreditation bodies accrediting laboratories.

The Act eliminates many of the responsibilities delegated by the Secretary of Commerce to NIST under the FQA, including: establishing procedures for private entities (domestic and foreign) to accredit laboratories; establishing conditions for recognizing foreign laboratories accredited by their governments or organizations; establishing the size, selection, and integrity of samples of fasteners to be inspected if not provided in the standards and specifications to which the fasteners are manufactured; establishing a required form for written inspection and testing reports; establishing which entities must retain custody of laboratory testing reports and certificates of conformance and for what period of time.

The Department published a notice of proposed rule making in the **Federal Register** on December 15, 1999 (64 FR 69969), seeking public comment on proposed amendments to the regulations to implement the FQA as amended by the Fastener Quality Act Amendments of 1999. The comment period was to close on January 14, 2000. During the comment period, the Department received five responses requesting an extension of the comment period. On January 11, 2000, the Department published a notice in the **Federal Register** ((65 FR 1572)(2000)) extending the comment period to January 28, 2000.

#### Summary of Public Comments Received by the Department in Response to the December 15, 1999 Notice of Proposed Rulemaking, and the Department's Response to Those Comments

In addition to the five responses requesting an extension of the comment period, the Department received thirteen responses to the request for comments. Five responses were received from domestic associations; two were from accreditation bodies, one domestic and one foreign; one was from a domestic fastener manufacturer; one was from a foreign steel manufacturer; one was from a domestic fastener importer; one was from a domestic fastener distributor; and one was a domestic quality consultant. A detailed analysis of the comments follows.