

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 SIAP's. 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 § 14 CFR 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 SIAP's, 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 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. The SIAP's contained in this amendment are based on the criteria contained in the United States 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.

The FAA has determined through testing that current non-localizer type, non-precision instrument approaches developed using the TERPS criteria can be flown by aircraft equipped with a Global Positioning System (GPS) and/or Flight Management System (FMS) equipment. In consideration of the above, the applicable SIAP's will be altered to include "or GPS or FMS" in the title without otherwise reviewing or modifying the procedure. (Once a stand

alone GPS or FMS procedure is developed, the procedure title will be altered to remove "or GPS or FMS" from these non-localizer, non-precision instrument approach procedure titles.)

The FAA has determined through extensive analysis that current SIAP's intended for use by Area Navigation (RNAV) equipped aircraft can be flown by aircraft utilizing various other types of navigational equipment. In consideration of the above, those SIAP's currently designated as "RNAV" will be redesignated as "VOR/DME RNAV" without otherwise reviewing or modifying the SIAP's.

Because of the close and immediate relationship between these SIAP's 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 March 16, 2001.

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 as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

§ 97.23, 97.27, 97.33, 97.35 [Amended]

2. Amend 97.23, 97.27, 97.33 and 97.35, as appropriate, by adding, revising, or removing the following SIAP's, effective at 0901 UTC on the dates specified:

* * * *Effective May 17, 2001*

Pensacola, FL, Pensacola Regional, VOR or GPS RWY 8, Amdt 3A, CANCELLED
Pensacola, FL, Pensacola Regional, VOR RWY 8, Amdt 3A
Pensacola, FL, Pensacola Regional, NDB or GPS RWY 17, Orig-B, CANCELLED
Pensacola, FL, Pensacola Regional, NDB RWY 17, Orig-B
Pensacola, FL, Pensacola Regional, NDB or GPS RWY 35, Amdt 16A, CANCELLED
Pensacola, FL, Pensacola Regional, NDB RWY 35, Amdt 16A
Holland, MI, Tulip City, VOR/DME RNAV or GPS RWY 26, Amdt 5A, CANCELLED
Holland, MI, Tulip City, VOR/DME RNAV RWY 26, Amdt 5A
Sanford, NC, Sanford-Lee County, NDB or GPS RWY 3, Orig-B, CANCELLED
Sanford, NC, Sanford-Lee County, NDB RWY 3, Orig-B
Watertown, NY, VOR or GPS RWY 7, Amdt 13A, CANCELLED
Watertown, NY, VOR RWY 7, Amdt 13A
Columbus, OH, Port Columbus Intl, NDB or GPS RWY 10L, Amdt 8A, CANCELLED
Columbus, OH, Port Columbus Intl, NDB RWY 10L, Amdt 8A
Columbus, OH, Port Columbus Intl, NDB or GPS RWY 10R, Amdt 7A, CANCELLED
Columbus, OH, Port Columbus Intl, NDB RWY 10R, Amdt 7A
Columbus, OH, Port Columbus Intl, NDB or GPS RWY 28L, Amdt 13A, CANCELLED
Columbus, OH, Port Columbus Intl, NDB RWY 28L, Amdt 13A
Dyersburg, TN, Dyersburg Muni, VOR/DME or GPS RWY 4, Amdt 2, CANCELLED
Dyersburg, TN, Dyersburg Muni, VOR/DME RWY 4, Amdt 2
Salt Lake City, UT, Salt Lake City Intl, VOR/DME or TACAN or GPS RWY 34R, Amdt 7A, CANCELLED
Salt Lake City, UT, Salt Lake City Intl, VOR/DME or TACAN RWY 34R, Amdt 7A
Spokane WA, Spokane Intl, VOR/DME RNAV or GPS RWY 21, Orig-A, CANCELLED
Spokane WA, Spokane Intl, VOR/DME RNAV RWY 21, Orig-A

[FR Doc. 01-7061 Filed 3-21-01; 8:45 am]

BILLING CODE 4910-13-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1500

Dive Sticks Final Rule; Correction

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects an error in the final rule banning certain hazardous dive sticks published in the

Federal Register of March 7, 2001. That document provided an incorrect paragraph designation for the banning rule. The correct citation for the dive stick rule is 16 CFR 1500.18(a)(19).

DATES: Effective on April 6, 2001.

FOR FURTHER INFORMATION CONTACT: Renae Rauchschalbe, Office of Compliance, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0608, ext. 1362.

Correction

In final rule FR Doc. 01-5478, beginning on page 13645 in the issue of March 7, 2001, make the following correction. On page 13650, correct the amendatory instruction to read as follows:

“2. Section 1500.18 is amended to add a new paragraph (a)(19) to read as follows:”

Dated: March 15, 2001.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 01-7040 Filed 3-21-01; 8:45 am]

BILLING CODE 6355-01-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-00-221]

RIN 2115-AA97

Safety Zone: New York Harbor, Western Long Island Sound, East River, and Hudson River Fireworks

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing ten permanent safety zones for fireworks displays located in the Port of New York/New Jersey, expanding the size of one current safety zone, and modifying effective times and notice requirements of existing permanent safety zones. This action is necessary to provide for the safety of life on navigable waters during the events. This action establishes permanent exclusion areas that are only active prior to the start of the fireworks display until shortly after the fireworks display is completed, and is intended to restrict vessel traffic in the affected waterways, expand the effective times of the zones to allow for earlier displays during daylight savings time, and to require one sign that may be used for displays from a barge or onshore.

DATES: This rule is effective April 23, 2001.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD01-00-221) and are available for inspection or copying at Waterways Oversight Branch Coast Guard Activities New York, 212 Coast Guard Drive, room 204, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant M. Day, Waterways Oversight Branch, Coast Guard Activities New York, (718) 354-4012.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On December 13, 2000, we published a notice of proposed rulemaking (NPRM) entitled Safety Zone: New York Harbor, Western Long Island Sound, East River, and Hudson River Fireworks in the **Federal Register** (65 FR 77839). We received no letters commenting on the proposed rule. No public hearing was requested and none was held.

Background and Purpose

The Coast Guard is establishing ten permanent safety zones that will be activated for fireworks displays occurring throughout the year that are not held on an annual basis but are normally held in one of these ten locations. The ten locations are south of Ellis Island, Rockaway Beach, and Rockaway Inlet in New York Harbor, Larchmont Harbor in western Long Island Sound, Pier 16 and Newtown Creek on the East River, Pier 54 and Pier 84, Manhattan, Peekskill Bay, and Jersey City on the Hudson River. The Coast Guard is also expanding the diameter of the current safety zone west of Pier 90, on the Hudson River, to 360 yards from the current 300 yards. The Coast Guard received 17 applications for fireworks displays in these new areas from 1999 to 2000. In 1997, the Coast Guard received four applications for fireworks displays in these locations. In the past, temporary safety zones were established with limited notice for preparation by the U.S. Coast Guard and limited opportunity for public comment. Establishing permanent safety zones by notice and comment rulemaking at least gave the public the opportunity to comment on the zone locations, size, and length of time the zones will be active. The Coast Guard has promulgated safety zones for fireworks displays at all 11 areas in the past and we have not received notice of any impact to waterway traffic resulting from the zones' enactment. Marine traffic will still be able to transit around the

safety zones because all of the zones prohibit vessels from entering only the zones themselves. Additionally, vessels will not be precluded from mooring at or getting underway from commercial or recreational piers in the vicinity of the safety zones. This rule will also move the zone effective time back two hours so that zones are enacted beginning at 6 p.m. versus 8 p.m. The safety zone termination time remains the same. Finally, the rule will only require one sign reading “FIREWORKS—STAY AWAY.” The current regulations require a sign that reads “FIREWORKS BARGE” for displays from barges, and a separate sign that reads “FIREWORKS SITE” for displays from shore. The sign dimensions and letter requirements remain the same.

This rule revises 33 CFR 165.168 by adding ten permanent safety zones to the 24 existing ones, expanding the diameter of the safety zone west of Pier 90, on the Hudson River, to 360 yards from the current 300 yards, expanding the effective time of the zones to allow for earlier displays during Daylight Savings Time, and simplifying the requirements for signs used as on-scene notification.

The sizes of these safety zones were determined using National Fire Protection Association and New York City Fire Department standards for 6 to 12 inch mortars fired from a barge, combined with the Coast Guard's knowledge of tide and current conditions in these areas. Barge locations and mortar sizes were adjusted to try and ensure the safety zone locations will not interfere with any known marinas or piers. The earlier effective time for the zones will allow for earlier fireworks displays during Daylight Savings Time. The new sign requirements are to make it easier for the fireworks companies to make on-scene notifications. The 11 safety zones are:

New York Harbor

The first safety zone includes all waters of Upper New York Bay within a 240-yard radius of the fireworks barge in approximate position 40°41'39.9" N 074°02'33.7" W (NAD 1983), about 260 yards south of Ellis Island. The safety zone prevents vessels from transiting a portion of Upper New York Bay and is needed to protect boaters from the hazards associated with fireworks launched from a barge in the area. Marine traffic will still be able to transit through Anchorage Channel as it is unaffected by this zone. Additionally, vessels will still be able to anchor in Federal Anchorage No. 20-B, to the north, and 20-C, to the south of the