

Charlottesville, VA, Charlottesville-Albemarle, RNAV (GPS) Z RWY 21, Orig-A.
Clarksville, VA, Lake Country Rgnl, Takeoff Minimums and Obstacle DP, Amdt 1.
Eau Claire, WI, Chippewa Valley Rgnl, RNAV (GPS) RWY 4, Orig.

[FR Doc. 2010-1989 Filed 2-1-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

14 CFR Part 97

[Docket No. 30708; Amdt. No. 3359]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule 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 2, 2010. 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 2, 2010.

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 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 are available online free of charge. Visit <http://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 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 rule amends Title 14, Code of Federal Regulations, part 97 (14 CFR part 97) by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (FDC)/Permanent Notice to Airmen (P-NOTAM), and is incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of Title 14 of the Code of Federal Regulations.

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. This amendment provides the affected CFR sections and specifies the types of SIAP and the corresponding effective dates. 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 as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP as modified by FDC/P-NOTAMs.

The SIAPs, as modified by FDC P-NOTAM, and contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC 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.

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, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC, on January 22, 2010.

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 amending 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 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:

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, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs. Identified as follows:

* * * *Effective Upon Publication*

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
11-Mar-10	PA	Clarion	Clarion County	0/0393	1/7/10	RNAV (GPS) Rwy 24, Amdt 1.
11-Mar-10	IN	La Porte	La Porte Muni	0/0656	1/8/10	RNAV (GPS) Rwy 2, Orig.
11-Mar-10	IN	La Porte	La Porte Muni	0/0657	1/8/10	LOC/NDB Rwy 2, Amdt 1.
11-Mar-10	IN	La Porte	La Porte Muni	0/0658	1/8/10	VOR–A, Amdt 7.
11-Mar-10	IL	Chicago/West Chicago	Du Page	0/0662	1/8/10	ILS Rwy 10, Amdt 7A.
11-Mar-10	IL	Chicago/West Chicago	Du Page	0/0663	1/8/10	VOR or GPS Rwy 10, Amdt 11A.
11-Mar-10	IL	Grayslake	Campbell	0/0999	1/11/10	VOR–A, Orig-A.
11-Mar-10	IL	Lawrenceville	Lawrenceville-Vincennes Intl	0/1006	1/11/10	RNAV (GPS) Rwy 27, Orig-C.
11-Mar-10	IL	Lawrenceville	Lawrenceville-Vincennes Intl	0/1007	1/11/10	RNAV (GPS) Rwy 9, Orig-B.
11-Mar-10	IL	Lawrenceville	Lawrenceville-Vincennes Intl	0/1009	1/11/10	RNAV (GPS) Rwy 36, Orig-B.
11-Mar-10	IL	Lawrenceville	Lawrenceville-Vincennes Intl	0/1010	1/11/10	VOR Rwy 36, Amdt 1.
11-Mar-10	NJ	Wildwood	Cape May County	0/1026	1/13/10	VOR A, Amdt 3B.
11-Mar-10	NJ	Wildwood	Cape May County	0/1029	1/13/10	LOC Rwy 19, Amdt 6C.
11-Mar-10	IN	Shelbyville	Shelbyville Muni	0/1192	1/12/10	Takeoff Minimums and Obstacle DP, Amdt 4.
11-Mar-10	IL	Marion	Williamson County Rgnl	0/1193	1/12/10	Takeoff Minimums and Obstacle DP, Orig.
11-Mar-10	WI	La Crosse	La Crosse Muni	0/1194	1/12/10	ILS or LOC Rwy 18, Amdt 19.
11-Mar-10	IL	Macomb	Macomb Muni	0/1195	1/12/10	VOR/DME A, Amdt 8A.
11-Mar-10	IL	Lawrenceville	Lawrenceville-Vincennes Intl	0/1196	1/12/10	VOR Rwy 27, Amdt 7A.
11-Mar-10	FL	Cross City	Cross City	0/1480	1/13/10	RNAV (GPS) Rwy 31, Orig.
11-Mar-10	FL	Cross City	Cross City	0/1481	1/13/10	VOR Rwy 31, Amdt 18.
11-Mar-10	OH	Cleveland	Cleveland-Hopkins Intl	0/1483	1/13/10	ILS or LOC Rwy 28, Amdt 23.
11-Mar-10	OH	Cleveland	Cleveland-Hopkins Intl	0/1489	1/13/10	Converging ILS Rwy 28, Orig.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1504	1/13/10	RNAV (GPS) Rwy 5R, Amdt 2.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1505	1/13/10	VOR/DME Rwy 23L, Amdt 10.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1506	1/13/10	RNAV (GPS) Rwy 23L, Amdt 2.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1507	1/13/10	VOR Rwy 5R, Amdt 13.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1508	1/13/10	RNAV (GPS) Rwy 32, Amdt 1.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1509	1/13/10	ILS or LOC Rwy 23L, Amdt 9.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1510	1/13/10	ILS Rwy 14, Amdt 18A.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1511	1/13/10	RNAV (GSO) Rwy 14, Amdt 1.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1512	1/13/10	ILS Rwy 23L (CAT II), Amdt 9.
11-Mar-10	NC	Greensboro	Piedmont Triad Intl	0/1513	1/13/10	NDB Rwy 14, Amdt 15D.
11-Mar-10	AL	Decatur	Pryor Field Rgnl	0/1727	1/15/10	VOR Rwy 18, Amdt 13.
11-Mar-10	ME	Fryeburg	Eastern Slopes Rgnl	0/1762	1/13/10	Takeoff Minimums and Obstacle DP, Amdt 4.
11-Mar-10	IN	Greencastle	Putnam County	0/1786	1/15/10	NDB Rwy 18, Amdt 1.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Part 331

RIN 2105-AD93

Procedures for Reimbursement of General Aviation Operators and Service Providers in the Washington, DC Area; Removal

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This final rule removes a DOT rule, *Procedures for Reimbursement of General Aviation Operators and Service Providers in the Washington, DC Area*, 14 CFR Part 331. This rule is being removed because all reimbursements under the program have been made and all program activities completed. The rule established procedures to reimburse eligible fixed-based general aviation operators and providers of ground support services, at five Washington, DC area airports, for direct and incremental financial losses incurred while the airports were closed to general aviation operations solely due to actions of the Federal government after the September 11, 2001 terrorist attacks. The rule implemented a provision in the Department's Fiscal Year 2006 Appropriations Act, which made up to \$17 million available for such reimbursements until expended. The rule required applications for reimbursement to be submitted by June 8, 2007. All applications have been processed, payments made, and required releases executed.

DATES: *Effective Date:* February 2, 2010.

FOR FURTHER INFORMATION CONTACT: Timothy E. Carmody, Transportation Industry Analyst, Office of Aviation Analysis, X-50, 1200 New Jersey Ave., SE., Washington, DC 20590, (202) 366-2348.

SUPPLEMENTARY INFORMATION: On November 30, 2005, the Congress authorized the Department to reimburse eligible fixed-based general aviation operators or providers of general aviation ground support services at five airports in the Washington, DC metropolitan area for direct and incremental losses due to the actions of the Federal Government to close airports to general aviation operations following the terrorist attacks of September 11, 2001. Section 185,

Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriation Act, 2006, Public Law 109-115, 119 Stat. 2396 (2005) ("Section 185").

Section 185 further appropriated up to \$17 million to reimburse the eligible parties, to be available until expended, and identified the five airports as Ronald Reagan Washington National Airport; College Park Airport in College Park, Maryland; Potomac Airfield in Fort Washington, Maryland; Washington Executive/Hyde Field in Clinton, Maryland; and Washington South Capitol Street Heliport in Washington, DC. Of the total \$17 million, the Department was directed to set aside and make available up to \$5 million to reimburse eligible operators and providers at College Park, Potomac Airfield, and Hyde Field airports. Section 185 stated various other conditions for reimbursement, among them that those losses incurred as the result of violations of law, or through fault or negligence of such entities or of third parties (including airports) were not eligible for reimbursement, and that the obligation and expenditure of funds were conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

On October 4, 2006, the Department published in the **Federal Register** a Notice of Proposed Rulemaking seeking comments on its proposed procedures implementing Section 185 (71 FR 58546 *et seq.*). Comments were received from 16 submitters. After fully considering all comments, the Department prepared a final rule and published it on April 9, 2007 in the **Federal Register** (at 72 FR 17381 *et seq.*). It was codified as 14 CFR Part 331.

The final rule set out eligibility standards for participation; specified the methodology that would be used in determining losses; stated the eligibility periods applicable at each airport; established special procedures for the \$5 million set-aside; and provided an application form for reimbursement. The final rule also set a deadline of June 8, 2007 for applications. 14 CFR 331.27. Twenty-one applicants submitted claims for reimbursement, of which 18 were determined to be eligible and to have incurred reimbursable losses. The Department has completed its review of all applications and has reimbursed the eligible claimants for their financial losses in accordance with Section 185. Prior to payment each claimant signed a full release of the United States for all claims of loss due to such actions, as required by section 185.

The Department has completely fulfilled its responsibilities under Section 185 and ceased all actions under the regulations. As a result, 14 CFR Part 331 serves no further purpose and may be removed.

Regulatory Analyses and Notices

A. Administrative Procedure Act

The Department has determined that this rule may be issued without a prior opportunity for notice and comment because providing prior notice and comment would be unnecessary, impracticable, or contrary to the public interest. The final rule limited the period for submitting applications to June 8, 2007. The rule also limited the amount of money available for reimbursement and the scope of potential beneficiaries. Accordingly, there would not be any harm to any identifiable beneficiary by repealing the rule. The Department has completely fulfilled its responsibilities under Section 185 and ceased all actions under the regulations. Thus, this rule should be removed. For the same reasons, the Department finds that there is good cause to make the rule effective immediately.

B. Executive Order 12866 and Regulatory Flexibility Act

The Department has determined that this action is not considered a significant regulatory action for purposes of Executive Order 12866 or the Department's regulatory policies and procedures. This rule is being adopted solely to remove a rule that is no longer necessary due to the Department's fulfillment of statutory responsibilities. Given the absence of compliance costs to anyone, I certify that this final rule does not have a significant economic impact on a substantial number of small entities.

C. Executive Order 13132

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism"). This final rule does not have a substantial direct effect on, or sufficient federalism implications for, the States, nor would it limit the policymaking discretion of the States. Therefore, the consultation requirements of Executive Order 13132 do not apply.

D. Executive Order 13175

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13175 ("Consultation and Coordination with Indian Tribal Governments"). Because this final rule does not