

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ANM OR E5 Madras, OR [New]

Madras Municipal Airport, OR
(Lat. 44°40'13" N, long. 121°09'19" W)

That airspace extending upward from 700 feet above the surface within 4 miles northwest and 3.5 miles southeast of the 028° bearing from Madras Municipal Airport extending to 6.5 miles northeast of the airport, and within 4 miles northwest and 3.5 miles southeast of the 208° bearing from the airport extending to 7.5 miles southwest of the airport, and within 1.0 mile west and 1.1 miles east of the 180° bearing from the airport extending to 10.6 miles south of the airport.

Issued in Seattle, Washington, on January 2, 2018.

Shawn M. Kozica,

*Group Manager, Operations Support Group,
Western Service Center.*

[FR Doc. 2018–00197 Filed 1–9–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 121**

[Docket No.: FAA–2013–0485; Amdt. No. 121–376B]

RIN 2120–AJ94

Revisions to Operational Requirements for the Use of Enhanced Flight Vision Systems (EFVS) and to Pilot Compartment View Requirements for Vision Systems; Correcting Amendment

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correcting amendment.

SUMMARY: The FAA is correcting a final rule published on December 13, 2016. In that rule, the FAA amended its regulations to allow operators to use an enhanced flight vision system (EFVS) in lieu of natural vision to continue descending from 100 feet above the touchdown zone elevation (TDZE) to the runway and to land on certain straight-in instrument approach procedures (IAPs) under instrument flight rules (IFR). As part of the final rule, the FAA revised appendix F to part 121 to provide greater clarity on the checking requirements for EFVS. In amending appendix F to part 121, the FAA used amendatory instructions that inadvertently misplaced new paragraph III(c)(5). This document amends appendix F to part 121 to correct that error.

DATES: Effective January 10, 2018.

FOR FURTHER INFORMATION CONTACT: Terry King, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267–8790; email Terry.King@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

On December 13, 2016, the FAA published a final rule entitled, “Revisions to Operational Requirements for the Use of Enhanced Flight Vision Systems (EFVS) and to Pilot Compartment View Requirements for Vision Systems.”¹ In that final rule, which became effective, in part, on March 13, 2017, the FAA created new 14 CFR 91.176 to contain the operating rules for EFVS operations to touchdown

and rollout and for EFVS operations to 100 feet above the TDZE. The FAA also established training and recent flight experience requirements for persons conducting EFVS operations.²

Because part 121 operators authorized to conduct EFVS operations were already required to train, check, and qualify their pilots on EFVS in accordance with their Operation Specifications, the FAA excepted part 121 pilots from the new EFVS recent flight experience requirements.³ The FAA recognized, however, that the requirement to be qualified for EFVS operations by one of the certificate holder’s check airmen was not as transparent as the requirements to train crewmembers on EFVS, which are found within the relevant operating rules of 14 CFR. Therefore, the FAA revised appendix F to part 121 to provide greater clarity on the checking requirements for EFVS operations.

In amending appendix F to part 121, the FAA included amendatory instructions to amend the Table by adding new entry III.(c)(5). However, because of the undesignated paragraph following paragraph III.(c)(4) in appendix F, it was unclear whether new paragraph III(c)(5) should be published before or after the undesignated paragraph. When the final rule became effective, paragraph III.(c)(5) was inadvertently placed after the undesignated paragraph.

Correction

The FAA did not intend to add paragraph III.(c)(5) after the undesignated paragraph preceding paragraph III.(d). Instead, paragraph III(c)(5) should immediately follow paragraph III.(c)(4). The FAA is therefore revising appendix F to part 121 to relocate paragraph III.(c)(5) accordingly.

Because this amendment results in no substantive change, the FAA finds that the notice and public procedures under 5 U.S.C. 553(b) are unnecessary. For the same reason, the FAA finds good cause exists under 5 U.S.C. 553(d)(3) to make the amendments effective in less than 30 days.

² The FAA notes that the training and recent flight experience requirements of § 61.66 will become effective on March 13, 2018.

³ The EFVS recent flight experience and EFVS refresher training requirements are contained in § 61.66(d) and (e). Section 61.66(h)(3) states that the requirements of paragraph (d) and (e) do not apply to a pilot who is employed by a part 119 certificate holder authorized to conduct operations under part 121, 125, or 135 when the pilot is conducting an EFVS operation for that certificate holder under part 91, 121, 125, or 135, as applicable, provided the pilot conducts the operation in accordance with the certificate holder’s operations specifications for EFVS operations.

¹ 81 FR 90126; corrected at 82 FR 2193, January 9, 2017; corrected at 82 FR 9677, February 8, 2017.

List of Subjects in 14 CFR Part 121

Air carriers, Aircraft, Airmen, Aviation safety.

Correcting Amendment

For the reasons stated in the preamble, the Federal Aviation Administration amends chapter I of title 14, Code of Federal Regulations as follows:

PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

■ 1. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40119, 41706, 42301 preceding note added by Pub. L. 112–95, sec. 412, 126 Stat. 89, 44101, 44701–702, 44705, 44709–44711,

44713, 44716–44717, 44722, 44729, 44732; 46105; Pub. L. 111–216, 124 Stat. 2348 (49 U.S.C. 44701 note); Pub. L. 112–95, 126 Stat. 62 (49 U.S.C. 44732 note).

■ 2. In appendix F, revise paragraph III. of the table to read as follows:

Appendix F to Part 121—Proficiency Check Requirements

* * * * *

Maneuvers/procedures	Required		Permitted			Waiver provisions of § 121.441(d)
	Simulated instrument conditions	Inflight	Visual simulator	Nonvisual simulator	Training device	
*	*	*	*	*	*	*

III. Instrument procedures:

(a) Area departure and area arrival. During each of these maneuvers the applicant must—	B	.....	.....	B	.....	*B
(1) Adhere to actual or simulated ATC clearances (including assigned radials); and						
(2) Properly use available navigation facilities. Either area arrival or area departure, but not both, may be waived under § 121.441(d).						
(b) Holding. This maneuver includes entering, maintaining, and leaving holding patterns. It may be performed in connection with either area departure or area arrival	B	.....	.....	B	.....	B
(c) ILS and other instrument approaches. There must be the following:						
(1) At least one normal ILS approach	B	.....	B	.....	.....	.....
(2) At least one manually controlled ILS approach with a simulated failure of one powerplant. The simulated failure should occur before initiating the final approach course and must continue to touchdown or through the missed approach procedure	B	.....	.....	.....	.....	.....
(3) At least one nonprecision approach procedure that is representative of the non-precision approach procedures that the certificate holder is likely to use	B	.....	B	.....	.....	.....
(4) Demonstration of at least one nonprecision approach procedure on a letdown aid other than the approach procedure performed under subparagraph (3) of this paragraph that the certificate holder is approved to use	B	.....	.....	.....	B	.....
(5) For each type of EFVS operation the certificate holder is authorized to conduct, at least one instrument approach must be made using an EFVS. Each instrument approach must be performed according to any procedures and limitations approved for the approach facility used. The instrument approach begins when the airplane is over the initial approach fix for the approach procedure being used (or turned over to the final approach controller in the case of a GCA approach) and ends when the airplane touches down on the runway or when transition to a missed approach configuration is completed. Instrument conditions need not be simulated below 100' above touchdown zone elevation	B	*B	.....	.....	.....	.....
(d) Circling approaches. If the certificate holder is approved for circling minimums below 1000–3, at least one circling approach must be made under the following conditions	.....	.....	*B	.....	.....	*B
(1) The portion of the approach to the authorized minimum circling approach altitude must be made under simulated instrument conditions	B	.....	.....	.....	.....	.....

Maneuvers/procedures	Required		Permitted			
	Simulated instrument conditions	Inflight	Visual simulator	Nonvisual simulator	Training device	Waiver provisions of § 121.441(d)
(2) The approach must be made to the authorized minimum circling approach attitude followed by a change in heading and the necessary maneuvering by visual reference to maintain a flight path that permits a normal landing on a runway at least 90[degrees] from the final approach course of the simulated instrument portion of the approach.						
(3) The circling approach must be performed without excessive maneuvering, and without exceeding the normal operating limits of the airplane. The angle of bank should not exceed 30[degrees].						
If local conditions beyond the control of the pilot prohibit the maneuver or prevent it from being performed as required, it may be waived as provided in § 121.441(d): Provided, however, that the maneuver may not be waived under this provision for two successive proficiency checks.						
The circling approach maneuver is not required for a second-in-command if the certificate holder's manual prohibits a second-in-command from performing a circling approach in operations under this part.						
(e) Missed Approach						
(1) Each pilot must perform at least one missed approach from an ILS approach	* B	.....	.....	.....
(2) Each pilot in command must perform at least one additional missed approach	* P	.....	.....	.....
A complete approved missed approach procedure must be accomplished at least once. At the discretion of the person conducting a check a simulated powerplant failure may be required during any of the missed approaches. These maneuvers may be performed either independently or in conjunction with maneuvers required under Sections III or V of this appendix. At least one missed approach must be performed in flight.						
*	*	*	*	*	*	*

Issued under the authority of 49 U.S.C. 106(f) and (g) in Washington, DC on January 3, 2018.
Lirio Liu,
Director, Office of Rulemaking.
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DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration
14 CFR Part 135
[Docket No. FAA-2010-0982; Amdt. No. 135-138]
RIN 2120-AJ53
Helicopter Air Ambulance, Commercial Helicopter, and Part 91 Helicopter Operations; Technical Amendment
AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; technical amendment.
SUMMARY: The FAA is correcting a final rule published on February 21, 2014. In that rule, the FAA amended its regulations to improve safety in helicopter air ambulance and commercial helicopter operations. This document removes an incorrect cross-reference and makes corresponding revisions.
DATES: Effective January 10, 2018.
FOR FURTHER INFORMATION CONTACT: Brian Verna, Aircraft Maintenance Division, Avionics Branch, AFS-360, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-1710; email *brian.verna@faa.gov*.
SUPPLEMENTARY INFORMATION:

Good Cause for Immediate Adoption Without Prior Notice
 Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency for “good cause” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without seeking comment prior to the rulemaking.
 Section 553(d)(3) of the Administrative Procedure Act requires that agencies publish a rule not less than 30 days before its effective date, except as otherwise provided by the agency for good cause found and published with the rule.
 This document is correcting an error in 14 CFR 135.168. These corrections will not impose any additional