

Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, 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, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

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.

Lists of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on January 6, 2023.

Thomas J. Nichols,

Manager, Aviation Safety, Flight Standards Service, Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97 is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure 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(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 23 February 2023

Mojave, CA, Mojave Air And Space Port, Takeoff Minimums and Obstacle DP, Amdt 3
 Novato, CA, KDVO, RNAV (GPS) RWY 13, Amdt 2
 Sacramento, CA, KSMF, ILS OR LOC RWY 17L, ILS RWY 17L (SA CAT II), Amdt 4D
 Sacramento, CA, KSMF, ILS OR LOC RWY 17R, ILS RWY 17R (SA CAT I), ILS RWY 17R (CAT II), ILS RWY 17R (CAT III), Amdt 16E
 Sacramento, CA, KSMF, RNAV (GPS) Y RWY 17L, Amdt 3B
 Sacramento, CA, KSMF, RNAV (GPS) Y RWY 17R, Amdt 2D
 Sacramento, CA, KSMF, RNAV (GPS) Y RWY 35L, Amdt 3A
 Sacramento, CA, KSMF, RNAV (GPS) Y RWY 35R, Amdt 2A
 Marianna, FL, KMAI, NDB–C, Amdt 4C, CANCELED
 Marianna, FL, KMAI, VOR–B, Amdt 5B, CANCELED
 Atlanta, GA, KATL, ILS OR LOC RWY 27R, Amdt 8
 Atlanta, GA, KATL, ILS PRM RWY 27R (Close Parallel), Amdt 4
 Lihue, HI, PHLI, ILS OR LOC RWY 35, Amdt 7
 Lihue, HI, PHLI, RNAV (GPS) RWY 17, Orig-B
 Lihue, HI, PHLI, RNAV (GPS) Y RWY 21, Orig-C
 Beaver Island, MI, KSJX, RNAV (GPS) RWY 9, Orig
 Kalamazoo, MI, KAZO, RADAR 1, Amdt 9B, CANCELED

Manistee, MI, KMBL, RNAV (GPS) RWY 10, Orig-D
 Manistee, MI, KMBL, RNAV (GPS) RWY 28, Orig-D
 Kansas City, MO, KMCI, ILS OR LOC RWY 1R, ILS RWY 1R (SA CAT I), ILS RWY 1R (CAT II), ILS RWY 1R (CAT III), Amdt 6
 Helena, MT, KHLN, COPTER VOR 258, Orig-A
 Helena, MT, KHLN, DIVIDE TWO, Graphic DP
 Helena, MT, KHLN, ILS Y OR LOC Y RWY 27, Amdt 4
 Helena, MT, KHLN, ILS Z OR LOC Z RWY 27, Amdt 3
 Helena, MT, KHLN, LOC BC–C, Amdt 6
 Helena, MT, KHLN, RNAV (GPS) X RWY 27, Amdt 2
 Helena, MT, KHLN, RNAV (GPS) Y RWY 9, Amdt 2
 Helena, MT, KHLN, RNAV (RNP) Y RWY 27, Amdt 1
 Helena, MT, KHLN, RNAV (RNP) Z RWY 9, Amdt 1
 Helena, MT, KHLN, RNAV (RNP) Z RWY 27, Amdt 1
 Helena, MT, KHLN, Takeoff Minimums and Obstacle DP, Amdt 10A
 Helena, MT, KHLN, VOR–A, Amdt 16
 Helena, MT, KHLN, VOR–B, Amdt 8
 Winnemucca, NV, KWMC, VOR RWY 14, Amdt 1, CANCELED
 Llano, TX, KAQO, RNAV (GPS) RWY 17, Amdt 1
 Llano, TX, KAQO, RNAV (GPS) RWY 35, Amdt 1
 Hoquiam, WA, KHQM, ILS OR LOC RWY 24, Amdt 4D
 Hoquiam, WA, KHQM, VOR RWY 6, Amdt 16

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BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31468; Amdt. No. 4044]

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 amends, suspends, or removes 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 for the 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 January 23, 2023. 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 January 23, 2023.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops–M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 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, email fr.inspection@nara.gov or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at nfdc.faa.gov to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg. 26, Room 217, Oklahoma City, OK 73099. Telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends 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 (NFDC)/Permanent Notice to Airmen (P–NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. 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 on FAA form documents is unnecessary. This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for Part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, 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 that created the need for these SIAP and Takeoff Minimums and ODP amendments

require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these SIAPs effective in less than 30 days.

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, Navigation (Air).

Issued in Washington, DC, on January 6, 2023.

Thomas J. Nichols,

Manager, Aviation Safety, Flight Standards Service, Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97, is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, 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(f), 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; § 97.31RADAR 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 |
|---------------|-------|----------------------|---|---------|----------|---|
| 23-Feb-23 ... | WI | Milwaukee | General Mitchell Intl | 2/2415 | 11/16/22 | RNAV (GPS) RWY 13, Amdt 1. |
| 23-Feb-23 ... | WI | Milwaukee | General Mitchell Intl | 2/2416 | 11/16/22 | RNAV (GPS) RWY 31, Amdt 1. |
| 23-Feb-23 ... | CA | Mojave | Mojave Air & Space Port/ Rutan Fld. | 2/2768 | 12/21/22 | RNAV (GPS) RWY 30, Orig. |
| 23-Feb-23 ... | KS | Clay Center | Clay Center Muni | 2/3239 | 11/3/22 | RNAV (GPS) RWY 17, Amdt 1. |
| 23-Feb-23 ... | OK | Oklahoma City | Will Rogers World | 2/5444 | 12/14/22 | ILS OR LOC RWY 35R, ILS RWY 35R (SA CAT I), ILS RWY 35R (CAT II), Amdt 10E. |
| 23-Feb-23 ... | AR | Benton | Saline County Rgnl | 2/8297 | 12/21/22 | ILS OR LOC RWY 2, Amdt 1. |
| 23-Feb-23 ... | MN | Fergus Falls | Fergus Falls Muni/Einar Mickelson Fld. | 2/8372 | 12/22/22 | ILS OR LOC RWY 31, Amdt 2A. |
| 23-Feb-23 ... | OK | Ardmore | Ardmore Downtown Exec | 2/8377 | 12/22/22 | RNAV (GPS) RWY 35, Orig-D. |
| 23-Feb-23 ... | NE | Lincoln | Lincoln | 2/8382 | 12/22/22 | RNAV (GPS) RWY 32, Orig-B. |
| 23-Feb-23 ... | KY | Louisville | Bowman Fld | 2/8385 | 12/22/22 | RNAV (GPS) RWY 24, Amdt 3A. |
| 23-Feb-23 ... | KY | Louisville | Bowman Fld | 2/8387 | 12/22/22 | NDB RWY 33, Amdt 16D. |
| 23-Feb-23 ... | KY | Mount Sterling | Mount Sterling/Montgomery County. | 2/8389 | 12/22/22 | RNAV (GPS) RWY 21, Orig-B. |
| 23-Feb-23 ... | OK | Okmulgee | Okmulgee Rgnl | 2/8472 | 12/21/22 | VOR-A, Amdt 1A. |
| 23-Feb-23 ... | OK | Okmulgee | Okmulgee Rgnl | 2/8473 | 12/21/22 | RNAV (GPS) RWY 36, Orig-A. |
| 23-Feb-23 ... | FL | Titusville | Space Florida Launch And Landing Facility. | 2/8720 | 12/16/22 | RNAV (GPS) RWY 33, Orig. |

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DEPARTMENT OF JUSTICE

28 CFR Part 79

[CIV Docket No.161]

Radiation Exposure Compensation Act: Procedures for Claims Submitted at the Revised Statutory Filing Deadline

AGENCY: Civil Division, Department of Justice.

ACTION: Notification of procedures.

SUMMARY: The Department of Justice (“the Department”) is publishing this document to update the public of the Department’s procedures for filing claims under the Radiation Exposure Compensation Act (“RECA”) at the revised statutory filing deadline. This document supersedes the Department’s notification of Procedures for Claims Submitted at the Statutory Filing Deadline (Dec. 9, 2020).

DATES: The policy is effective on January 23, 2023.

FOR FURTHER INFORMATION CONTACT: Gerard W. Fischer (Assistant Director), 202-616-4090, Constitutional and Specialized Tort Litigation Section, Torts Branch, Civil Division, Department of Justice, Washington, DC 20530.

SUPPLEMENTARY INFORMATION:

Overview

The RECA Extension Act of 2022 (“the Extension Act”), Public Law 117-139, requires that the RECA Trust Fund shall terminate on the date that is 2 years after the law’s date of enactment, June 7, 2022. In addition, a claim to which RECA applies shall be barred unless the claim is filed not later than 2 years after the date of enactment of the RECA Extension Act of 2022. The statute is silent with respect to whether the RECA Trust Fund will be available to pay timely, meritorious claims received at the filing deadline.

The Department is publishing this document to articulate its policy that all timely filed, meritorious RECA claims shall be paid. This policy is consistent with the statutory requirements that the Department determine eligibility within 12 months of filing and pay meritorious claims within 6 weeks of approval. The amended statutory filing deadline, June 8, 2024, is a Saturday. Accordingly, claims that bear a date of June 10, 2024, on the postmark or stamp by another commercial carrier shall be deemed timely filed upon receipt by the Radiation Exposure Compensation Program. The Department will return untimely claims and will not accept electronic submissions. Documentation to establish the eligibility of any potential beneficiary of an awarded claim must be provided by June 10, 2024, or within the 12-month determination period provided by the Act, or the award shall be deemed rejected.

Background

Codified at 42 U.S.C. 2210 note, the Radiation Exposure Compensation Act (“RECA”) offers an apology and monetary compensation to individuals (or their survivors) who have contracted certain cancers and other serious diseases following exposure to radiation released during above-ground atmospheric nuclear weapons tests, or following their employment in the uranium production industry during specified periods. This unique program was designed by Congress as an alternative to litigation in that the statutory criteria do not require claimants to establish causation. Rather, if the claimant can satisfy the requirements outlined in the statute, which include demonstrating that he or she contracted a compensable disease after working or residing in a designated location for a specific period of time, he or she qualifies for compensation.

Congress charged the Attorney General with authority to establish filing procedures under RECA, as well as responsibility for adjudicating claims under the Act, and authorizing payment in those claims which are determined to be qualified for compensation. The Attorney General delegated these functions to the Constitutional and Specialized Tort Litigation Section of the Torts Branch of the Civil Division of the United States Department of Justice.

The RECA Extension Act of 2022

The RECA Extension Act of 2022 (“the Extension Act”), Public Law 117-139, was signed into law on June 7, 2022. The Extension Act requires that