

DEPARTMENT OF TRANSPORTATION**14 CFR Part 97**

[Docket No. 30712; Amdt. No. 3363]

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 March 1, 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 March 1, 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 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 February 19, 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:

§§ 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, 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
8-Apr-10	OK	ENID	ENID WOODRING RGNL ..	0/2566	2/3/10	VOR RWY 35, AMDT 14.
8-Apr-10	OK	ENID	ENID WOODRING RGNL ..	0/2569	2/3/10	RNAV (GPS) RWY 35, ORIG.
8-Apr-10	OK	ENID	ENID WOODRING RGNL ..	0/2579	2/3/10	ILS OR LOC RWY 35, AMDT 5.
8-Apr-10	WI	MADISON	BLACKHAWK AIRFIELD ..	0/2837	2/3/10	VOR OR GPS A, ORIG-B.
8-Apr-10	FL	NAPLES	NAPLES MUNI	0/2858	2/4/10	VOR RWY 23, AMDT 6C.
8-Apr-10	AL	MOBILE	MOBILE REGIONAL	0/3027	2/8/10	RNAV (GPS) RWY 32, AMDT 1.
8-Apr-10	KS	GARDNER	GARDNER MUNI	0/3029	2/4/10	TAKEOFF MINIMUMS AND OB- STACLE DP, ORIG.
8-Apr-10	WI	HAYWARD	SAWYER COUNTY	0/3031	2/3/10	RNAV (GPW) RWY 2, ORIG.
8-Apr-10	OH	AKRON	AKRON-CANTON RE- GIONAL	0/3076	2/3/10	VOR OR GPS RWY 23, AMDT 9A.
8-Apr-10	OH	AKRON	AKRON-CANTON RE- GIONAL	0/3078	2/3/10	RADAR-1, AMDT 23.
8-Apr-10	OH	AKRON	AKRON-CANTON RE- GIONAL	0/3079	2/3/10	VOR OR GPS RWY 5, AMDT 2A.
8-Apr-10	OK	BRISTOW	JOMES MEML	0/3089	2/3/10	TAKEOFF MINIMUMS AND OB- STACLE DP, AMDT 4.
8-Apr-10	MO	AVA	AVA BILL MARTIN MEMO- RIAL	0/3090	2/3/10	VOR A, AMDT 2.
8-Apr-10	OK	ARDMORE	ARDMORE MUNI	0/3093	2/3/10	TAKEOFF MINIMUMS AND OB- STACLE DP, AMDT 1.
8-Apr-10	MO	LEXINGTON	LEXINGTON MUNI	0/3105	2/4/10	VOR/DME OR GPS RWY 22, ORIG.
8-Apr-10	IA	AMES	AMES MUNI	0/3187	2/3/10	ILS OR LOC RWY 1, AMDT 1A.
8-Apr-10	MO	SEDALIA	SEDALIA MEMORIAL	0/3231	2/4/10	RNAV (GPS) RWY 18, AMDT 1A.
8-Apr-10	MO	SEDALIA	SEDALIA MEMORIAL	0/3232	2/4/10	RNAV (GPS) RWY 36, AMDT 1A.
8-Apr-10	MO	MEXICO	MEXICO MEMORIAL	0/3233	2/4/10	RNAV (GPS) RWY 24, AMDT 1.
8-Apr-10	MO	MEXICO	MEXICO MEMORIAL	0/3234	2/4/10	LOC/DME RWY 24, AMDT 1.
8-Apr-10	LA	GALLIANO	SOUTH LAFOURCHE LEONARD MILLER JR.	0/3269	2/3/10	RNAV (GPS) RWY 18, AMDT 1.
8-Apr-10	LA	JENNINGS	JENNINGS	0/3270	2/4/10	TAKEOFF MINIMUMS AND OB- STACLE DP, AMDT 2.
8-Apr-10	LA	JENNINGS	JENNINGS	0/3272	2/4/10	VOR/DME RWY 8, AMDT 1.
8-Apr-10	LA	JENNINGS	JENNINGS	0/3274	2/4/10	RNAV (GPS) RWY 8, ORIG.
8-Apr-10	WI	FOND DU LAC	FOND DU LAC COUNTY ...	0/3283	2/3/10	VOR/DME OR GPS RWY 18, AMDT 6B.
8-Apr-10	WI	MADISON	DANE COUNTY RE- GIONAL—TRUAX FIELD.	0/3285	2/3/10	VOR/DME OR TACAN RWY 18, AMDT 1.
8-Apr-10	WI	MADISON	DANE COUNTY RE- GIONAL—TRUAX FIELD.	0/3287	2/3/10	VOR/DME OR TACAN RWY 14, ORIG-A.
8-Apr-10	IL	CHICAGO	CHICAGO MIDWAY INTL ..	0/3288	2/3/10	ILS OR LOC/DME RWY 31C, ORIG.
8-Apr-10	WI	FOND DU LAC	FOND DU LAC COUNTY ...	0/3289	2/3/10	RNAV (GPS) RWY 36, ORIG.
8-Apr-10	IL	CHICAGO	CHICAGO MIDWAY INTL ..	0/3290	2/3/10	RNAV (GPS) RWY 22R, ORIG.
8-Apr-10	IL	CHICAGO/PROS- PECT HGTS/ WHEELING.	CHICAGO EXECUTIVE	0/3291	2/4/10	RNAV (GPS) RWY 16, ORIG.
8-Apr-10	WI	MADISON	DANE COUNTY RE- GIONAL—TRUAX FIELD.	0/3311	2/3/10	RADAR-1, AMDT 17.
8-Apr-10	TX	LUFKIN	ANGELINA COUNTY	0/3312	2/4/10	ILS OR LOC RWY 7, AMDT 2.
8-Apr-10	TX	LUFKIN	ANGELINA COUNTY	0/3313	2/4/10	RNAV (GPS) RWY 7, ORIG.
8-Apr-10	MO	CHARLESTON	MISSISSIPPI COUNTY	0/3322	2/3/10	NDB OR GPS RWY 36, AMDT 3.
8-Apr-10	TX	BAY CITY	BAY CITY MUNI	0/3357	2/4/10	GPS RWY 31, ORIG-A.
8-Apr-10	MO	CAPE GIRARDEAU.	CAPE GIRARDEAU RGNL	0/3431	2/4/10	ILS OR LOC RWY 10, AMDT 11.
8-Apr-10	MO	ST LOUIS	LAMBERT—ST LOUIS INTL.	0/3434	2/4/10	ILS OR LOC RWY 6, AMDT 1B.
8-Apr-10	MO	CAPE GIRARDEAU.	CAPE GIRARDEAU RGNL	0/3436	2/4/10	TAKEOFF MINIMUMS AND OB- STACLE DP, AMDT 7.
8-Apr-10	WI	MADISON	DANE COUNTY RE- GIONAL—TRUAX FIELD.	0/3469	2/3/10	VOR/DME OR TACAN RWY 32, ORIG-A.
8-Apr-10	TX	BAY CITY	BAY CITY MUNI	0/3470	2/4/10	GPS RWY 13, ORIG-A.
8-Apr-10	IA	STORM LAKE	STORM LAKE MUNI	0/3484	2/4/10	NDB RWY 17, ORIG.
8-Apr-10	IA	STORM LAKE	STORM LAKE MUNI	0/3485	2/4/10	RNAV (GPS) RWY 17, ORIG.
8-Apr-10	IA	STORM LAKE	STORM LAKE MUNI	0/3492	2/4/10	NDB RWY 35, AMDT 1B.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
8-Apr-10	ME	PRESQUE ISLE ..	NORTHERN MAINE REGIONAL ARPT AT PRESQUE IS.	0/3911	2/4/10	VOR RWY 19, AMDT 10A.
8-Apr-10	FL	ST PETERSBURG-CLEARWATER.	ST PETERSBURG-CLEARWATER INTL.	0/4070	2/4/10	RNAV (GPS) RWY 17L, ORIG-A.
8-Apr-10	FL	PALM COAST	FLAGLER COUNTY	0/4071	2/4/10	TAKEOFF MINIMUMS AND OBSTACLE DP, ORIG.
8-Apr-10	NM	TAOS	TAOS REGIONAL	0/4122	2/4/10	VOR/DME B, AMDT 3.
8-Apr-10	WI	FOND DU LAC	FOND DU LAC COUNTY ..	0/4190	2/3/10	TAKEOFF MINIMUMS AND OBSTACLE DP, AMDT 1.
8-Apr-10	CT	GROTON/NEW LONDON.	GROTON-NEW LONDON ..	0/4194	2/4/10	VOR RWY 23, AMDT 10.
8-Apr-10	CT	GROTON/NEW LONDON.	GROTON-NEW LONDON ..	0/4195	2/4/10	RNAV (GPS) RWY 33, ORIG.
8-Apr-10	CT	GROTON/NEW LONDON.	GROTON-NEW LONDON ..	0/4196	2/4/10	RNAV (GPS) RWY 5, ORIG-B.
8-Apr-10	CT	GROTON/NEW LONDON.	GROTON-NEW LONDON ..	0/4197	2/4/10	RNAV (GPS) RWY 23, ORIG-A.
8-Apr-10	CT	GROTON/NEW LONDON.	GROTON-NEW LONDON ..	0/4198	2/4/10	VOR RWY 5, AMDT 8.
8-Apr-10	CT	GROTON/NEW LONDON.	GROTON-NEW LONDON ..	0/4229	2/4/10	ILS OR LOC RWY 5, AMDT 11A.
8-Apr-10	FL	GAINESVILLE	GAINESVILLE RGNL	0/4309	2/4/10	RADAR-1, ORIG.
8-Apr-10	FL	GAINESVILLE	GAINESVILLE RGNL	0/4310	2/4/10	RNAV (GPS) RWY 25, AMDT 1.
8-Apr-10	FL	GAINESVILLE	GAINESVILLE RGNL	0/4311	2/4/10	RNAV (GPS) RWY 29, AMDT 1.
8-Apr-10	AZ	PHOENIX	PHOENIX SKY HARBOR INTL.	0/4365	2/4/10	RNAV (GPS) Y RWY 25R, AMDT 2.
8-Apr-10	AZ	FLAGSTAFF	FLAGSTAFF PULLIAM	0/4366	2/4/10	ILS OR LOC/DME RWY 21, ORIG-D.
8-Apr-10	MO	MALDEN	MALDEN RGNL	0/4375	2/5/10	RNAV (GPS) RWY 18, AMDT 1.
8-Apr-10	TX	HOUSTON	DAVID WAYNE HOOKS MEMORIAL.	0/4395	2/5/10	LOC RWY 17R, AMDT 1A.
8-Apr-10	IL	MOLINE	QUAD CITY INTL	0/4448	2/5/10	ILS OR LOC RWY 9, AMDT 30A.
8-Apr-10	OH	ALLIANCE	MILLER	0/4456	2/5/10	VOR OR GPS A, AMDT 8B.
8-Apr-10	SD	SIOUX FALLS	JOE FOSS FIELD	0/4477	2/5/10	RNAV (GPS) RWY 15, ORIG-C.
8-Apr-10	SD	SIOUX FALLS	JOE FOSS FIELD	0/4478	2/5/10	RNAV (GPS) RWY 3, ORIG-B.
8-Apr-10	SD	SIOUX FALLS	JOE FOSS FIELD	0/4479	2/5/10	RNAV (GPS) RWY 33, ORIG-B.
8-Apr-10	OH	ASHTABULA	ASHTABULA COUNTY	0/4501	2/5/10	VOR/DME RWY 26, AMDT 6A.
8-Apr-10	OH	ASHTABULA	ASHTABULA COUNTY	0/4502	2/5/10	VOR RWY 8, ORIG-A.
8-Apr-10	OK	MEDFORD	MEDFORD MUNI	0/4816	2/8/10	RNAV (GPS) RWY 17, ORIG.
8-Apr-10	TN	BRISTOL/JOHN-SON/KINGS-PORT.	TRI-CITIES RGNL	0/4944	2/9/10	RNAV (GPS) RWY 9, ORIG.
8-Apr-10	MT	HAMILTON	RAVALLI COUNTY	0/4997	2/9/10	RNAV (GPS) RWY B, ORIG.
8-Apr-10	MT	HAMILTON	RAVALLI COUNTY	0/4994	2/9/10	RNAV (GPS) RWY A, ORIG.
8-Apr-10	NC	CHARLOTTE	CHARLOTTE/DOUGLAS INTL.	0/5474	2/11/10	RNAV (RNP) Z RWY 36C, ORIG.

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BILLING CODE 4910-13-P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 249

[Release Nos. 33-9089A; 34-61175A; IC-29092A; File No. S7-13-09]

RIN 3235-AK28

Proxy Disclosure Enhancements; Correction

AGENCY: Securities and Exchange Commission.

ACTION: Final rule; correction.

SUMMARY: We are making technical corrections to amendments to our disclosure rules adopted in Release No. 33-9089 (December 16, 2009), which was published in the **Federal Register** on December 23, 2009 (74 FR 68334). Specifically, we are correcting Forms 10-Q and 10-K to retain the current numbering of the items appearing in each form to avoid confusion that might otherwise arise from references to the current numbering in professional literature. In addition, we are making three corrections to Form 8-K. We are correcting Form 8-K to add an instruction, which was inadvertently excluded, that corresponds to an instruction contained in Forms 10-Q and 10-K that allows certain wholly-owned subsidiaries to omit the

disclosure of shareholder voting results. We also are correcting Form 8-K to amend the regulatory text to make it consistent with the discussion of the amendments to that form contained in Release No. 33-9089.

DATES: *Effective Date:* February 28, 2010.

FOR FURTHER INFORMATION CONTACT: N. Sean Harrison, Special Counsel, at (202) 551-3430, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549.

SUPPLEMENTARY INFORMATION: We are making the following corrections to Release No. 33-9089 (December 16, 2009), which was published in FR Doc. E9-30327 and appeared on page 68334 in the **Federal Register** on December 23, 2009: