

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 97**

[Docket No. 30879; Amdt. No. 3514]

**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 January 24, 2013. 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 24, 2013.

**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](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](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:**

Richard A. Dunham III, 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 December 21, 2012.

**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
7-Feb-13	IL	Peoria .....	Mount Hawley Auxiliary .....	2/0863	12/10/12	RNAV (GPS) RWY 18, Orig.
7-Feb-13	NY	Schenectady .....	Schenectady County .....	2/2335	12/14/12	RNAV (GPS) RWY 22, Orig.
7-Feb-13	NY	Schenectady .....	Schenectady County .....	2/2336	12/14/12	RNAV (GPS) RWY 28, Orig-A.
7-Feb-13	NY	Schenectady .....	Schenectady County .....	2/2337	12/14/12	NDB RWY 22, Amdt 16.
7-Feb-13	NY	Schenectady .....	Schenectady County .....	2/2338	12/14/12	RNAV (GPS) RWY 10, Orig-A.
7-Feb-13	NY	Schenectady .....	Schenectady County .....	2/2339	12/14/12	RNAV (GPS) RWY 4, Orig-A.
7-Feb-13	NJ	Atlantic City .....	Atlantic City Intl .....	2/2886	12/14/12	COPTER ILS OR LOC/DME RWY 13, Amdt 1B.
7-Feb-13	NJ	Atlantic City .....	Atlantic City Intl .....	2/2887	12/14/12	ILS OR LOC RWY 13, Amdt 8.
7-Feb-13	SC	Marion .....	Marion County .....	2/2888	12/14/12	VOR/DME-A, Amdt 4.
7-Feb-13	SC	Marion .....	Marion County .....	2/2890	12/14/12	NDB RWY 4, Amdt 4.
7-Feb-13	SC	Marion .....	Marion County .....	2/2891	12/14/12	RNAV (GPS) RWY 4, Orig.
7-Feb-13	VT	Rutland .....	Rutland-Southern Vermont Rgnl.	2/2984	12/14/12	TAKEOFF MINIMUMS AND (OBSTACLE) DP, Amdt 4.
7-Feb-13	SC	Darlington .....	Darlington County Jetport .....	2/4883	12/10/12	TAKEOFF MINIMUMS AND (OBSTACLE) DP, Orig.
7-Feb-13	NY	Newburgh .....	Stewart Intl .....	2/8347	12/10/12	ILS OR LOC RWY 9, ILS RWY 9 (CAT II), Amdt 12.
7-Feb-13	NY	Newburgh .....	Stewart Intl .....	2/8348	12/10/12	RNAV (GPS) RWY 9, Amdt 1.
7-Feb-13	NY	Newburgh .....	Stewart Intl .....	2/8349	12/10/12	RNAV (GPS) RWY 27, Amdt 1.
7-Feb-13	NY	Newburgh .....	Stewart Intl .....	2/8350	12/10/12	RNAV (GPS) RWY 16, Amdt 1.
7-Feb-13	NY	Newburgh .....	Stewart Intl .....	2/8353	12/10/12	VOR RWY 27, Amdt 5.
7-Feb-13	NY	Newburgh .....	Stewart Intl .....	2/8401	12/10/12	ILS OR LOC RWY 27, Amdt 1.

[FR Doc. 2013-01364 Filed 1-23-13; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF HOMELAND SECURITY****U.S. Customs and Border Protection****19 CFR Part 24**

[CBP Dec. 13-03]

**Technical Corrections Regarding the Methods of Collection of Certain User Fees by CBP**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document amends the U.S. Customs and Border Protection (CBP) regulations in order to clarify that any applicable Animal and Plant Health Inspection Service (APHIS) user fee, which is called an Agricultural Quarantine and Inspection (AQI) user fee, for commercial trucks will be collected by CBP upon arrival into the United States at the same time that CBP collects its portion of this user fee and to reflect certain administrative changes pertaining to the collection of user fees.

The regulation also clarifies that transponders have replaced decals for commercial truck user fee purposes and indicates that the Internet portal through which the public obtains decals and transponders has been renamed the “Decal and Transponder Online Procurement System (DTOPS).” In addition, the user fee decal program, certain administrative aspects of which had previously been managed by a private bank under a contract with CBP, is currently being administered entirely within CBP, and this document updates the addresses to which applicable forms and payments are to be mailed as a result of this change. Finally, this document amends the applicable regulations to provide for certain updated CBP form numbers, and to make nomenclature changes reflecting the transfer of CBP to the Department of Homeland Security. It should be noted that the amendments set forth in this document will not result in any change to the amount of the actual user fees.

**DATES:** This final rule is effective on January 24, 2013.

**FOR FURTHER INFORMATION CONTACT:** Sarah Kubon, Chief, Project Development and Oversight Section, Programs Branch, Revenue Division,

Office of Administration, (317) 614-4917.

**SUPPLEMENTARY INFORMATION:****Background**

U.S. Customs and Border Protection (CBP) collects user fees to pay for the costs incurred in providing customs services in connection with certain activities under the authority of section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, codified at section 19 U.S.C. 58c. These user fees offset inspection costs that were previously funded solely by general taxpayer revenue. Sections 24.22(b)–(e) and (g) of the CBP regulations (19 CFR 24.22(b)–(e) and (g)) provide that, under certain circumstances, user fees must be paid upon arrival into the United States of certain commercial vessels, barges, and other bulk carriers from Canada or Mexico; commercial trucks; railroad cars; certain private vessels or private aircraft; and passengers aboard commercial vessels and commercial aircraft. Section 24.22(f) of the CBP regulations (19 CFR 24.22(f)) provides that a processing fee will be assessed for the addressee of each item of dutiable mail for which a CBP officer prepares documentation. The specific user fees