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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30731 ; Amdt. No. 3380]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This 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 July 8, 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 July 8, 2010.

ADDRESSES: Availability of matters 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.federal_register/code_of_federal_regulations/ibr_locations.html).

Availability—All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit <http://www.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 Divisions, 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 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPS. The complete regulators description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the **Federal Register** expensive and impractical. Furthermore, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their depiction on charts printed by publishers of aeronautical materials. The advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA forms is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs and the effective dates of the associated Takeoff Minimums and ODPs. 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, Takeoff Minimums and ODP as contained 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 flight safety relating directly to published aeronautical charts. The circumstances which 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 procedures before adopting these SIAPs, Takeoff Minimums and ODPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some 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 June 25, 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 establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and/or Takeoff Minimums and/or Obstacle Departure Procedures effective at 0902 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:

Effective 29 JUL 2010

Anchorage, AK, Ted Stevens Anchorage Intl, ILS OR LOC/DME RWY 7L, ILS RWY 7L (CAT II), Amdt 1
Jackson, AL, Jackson Muni, RNAV (GPS) RWY 1, Orig
Jackson, AL, Jackson Muni, RNAV (GPS) RWY 19, Orig
Troy, AL, Troy Muni, ILS OR LOC RWY 7, Amdt 9
Troy, AL, Troy Muni, RNAV (GPS) RWY 7, Amdt 1
Troy, AL, Troy Muni, RNAV (GPS) RWY 25, Amdt 1
Vernon, AL, Lamar County, RNAV (GPS) RWY 17, Orig
Vernon, AL, Lamar County, RNAV (GPS) RWY 35, Orig
Vernon, AL, Lamar County, VOR/DME–A, Amdt 3
Blytheville, AR, Arkansas Intl, ILS OR LOC/DME RWY 18, Amdt 1
Blytheville, AR, Arkansas Intl, RNAV (GPS) RWY 18, Amdt 2
Blytheville, AR, Arkansas Intl, RNAV (GPS) RWY 36, Amdt 2
Carlisle, AR, Carlisle Muni, RNAV (GPS) RWY 9, Amdt 1
Marianna, AR, Marianna/Lee County–Steve Edwards Field, RNAV (GPS) RWY 18, Orig
Marianna, AR, Marianna/Lee County–Steve Edwards Field, RNAV (GPS) RWY 36, Orig
Marianna, AR, Marianna/Lee County–Steve Edwards Field, Takeoff Minimums and Obstacle DP, Orig
Bakersfield, CA, Meadows Field, ILS OR LOC/DME RWY 30R, Amdt 30
Bakersfield, CA, Meadows Field, RNAV (GPS) RWY 12L, Amdt 1

Bakersfield, CA, Meadows Field, RNAV (GPS) RWY 30R, Amdt 1
Daggett, CA, Barstow-Daggett, RNAV (GPS) RWY 22, Amdt 2
Daggett, CA, Barstow-Daggett, RNAV (GPS) RWY 26, Amdt 2
Daggett, CA, Barstow-Daggett, Takeoff Minimums and Obstacle DP, Amdt 3
Daggett, CA, Barstow-Daggett, VOR OR TACAN RWY 22, Amdt 10
San Jose, CA, Reid-Hillview of Santa Clara, RNAV (GPS) RWY 13L, Orig
San Jose, CA, Reid-Hillview of Santa Clara, RNAV (GPS) Y RWY 31R, Orig
San Jose, CA, Reid-Hillview of Santa Clara, RNAV (GPS) Z RWY 31R, Amdt 1
Tulare, CA, Mefford Field, RNAV (GPS) RWY 13, Orig
Tulare, CA, Mefford Field, VOR/DME RWY 13, Amdt 1
Longmont, CO, Vance Brand, RNAV (GPS) RWY 29, Amdt 1
Washington, DC, Washington Dulles Intl, ILS OR LOC RWY 19L, Amdt 15
Washington, DC, Washington Dulles Intl, ILS OR LOC/DME RWY 1C, Amdt 2
Marianna, FL, Marianna Muni, GPS RWY 18, Amdt 1, CANCELLED
Marianna, FL, Marianna Muni, NDB–C, Amdt 4
Marianna, FL, Marianna Muni, RNAV (GPS) RWY 18, Orig
Marianna, FL, Marianna Muni, VOR–A, Amdt 12
Marianna, FL, Marianna Muni, VOR–B, Amdt 5
Titusville, FL, NASA Shuttle Landing Facility, RNAV (GPS) RWY 15, Orig
Titusville, FL, NASA Shuttle Landing Facility, RNAV (GPS) RWY 33, Orig
Titusville, FL, NASA Shuttle Landing Facility, TACAN RWY 15, Orig
Titusville, FL, NASA Shuttle Landing Facility, TACAN RWY 33, Orig
Titusville, FL, NASA Shuttle Landing Facility, Takeoff Minimums and Obstacle DP, Amdt 1
Homerville, GA, Homerville, NDB RWY 14, Amdt 2
Homerville, GA, Homerville, RNAV (GPS) RWY 14, Orig
Homerville, GA, Homerville, RNAV (GPS) RWY 32, Orig
Homerville, GA, Homerville, Takeoff Minimums and Obstacle DP, Orig
Homerville, GA, Homerville, VOR/DME–A, Amdt 4
McRae, GA, Telfair-Wheeler, RNAV (GPS) RWY 21, Amdt 1
McRae, GA, Telfair-Wheeler, Takeoff Minimums and Obstacle DP, Amdt 1
Honolulu, HI, Honolulu Intl, LOC RWY 8L, Orig-A
Council Bluffs, IA, Council Bluffs Muni, RNAV (GPS) RWY 14, Amdt 2
Council Bluffs, IA, Council Bluffs Muni, RNAV (GPS) RWY 36, Amdt 1

Casey, IL, Casey Muni, GPS RWY 22, Orig-A, CANCELLED
Casey, IL, Casey Muni, NDB RWY 4, Amdt 8
Casey, IL, Casey Muni, NDB RWY 22, Amdt 5
Casey, IL, Casey Muni, RNAV (GPS) RWY 4, Orig
Casey, IL, Casey Muni, RNAV (GPS) RWY 22, Orig
Chicago, IL, Chicago-O'Hare Intl, ILS OR LOC RWY 32L, Amdt 2B, CANCELLED
Chicago, IL, Chicago-O'Hare Intl, RNAV (GPS) RWY 14R, Amdt 2
Chicago, IL, Chicago-O'Hare Intl, RNAV (GPS) RWY 32L, Amdt 2C, CANCELLED
Chicago, IL, Chicago-O'Hare Intl, Takeoff Minimums and Obstacle DP, Amdt 17
Chicago/Romeoville, IL, Lewis University, RNAV (GPS) RWY 2, Amdt 2
Kokomo, IN, Kokomo Muni, ILS OR LOC RWY 23, Amdt 9
Kokomo, IN, Kokomo Muni, RNAV (GPS) RWY 5, Orig
Kokomo, IN, Kokomo Muni, RNAV (GPS) RWY 23, Orig
Kokomo, IN, Kokomo Muni, Takeoff Minimums and Obstacle DP, Orig
Kokomo, IN, Kokomo Muni, VOR RWY 23, Amdt 20
Kokomo, IN, Kokomo Muni, VOR RWY 32, Amdt 20
Kokomo, IN, Kokomo Muni, VOR/DME RNAV OR GPS RWY 5, Amdt 5A, CANCELLED
Atwood, KS, Atwood-Rawlins County City-County, NDB RWY 16, Amdt 2
Atwood, KS, Atwood-Rawlins County City-County, RNAV (GPS) RWY 16, Orig
Coffeyville, KS, Coffeyville Muni, Takeoff Minimums and Obstacle DP, Amdt 1
Georgetown, KY, Georgetown Scott County-Marshall Fld., RNAV (GPS) RWY 3, Amdt 2
Georgetown, KY, Georgetown Scott County-Marshall Fld, RNAV (GPS) Y RWY 21, Orig
Georgetown, KY, Georgetown Scott County-Marshall Fld, RNAV (GPS) Z RWY 21, Amdt 2
Richmond, KY, Madison, RNAV (GPS) RWY 18, Orig
Richmond, KY, Madison, RNAV (GPS) RWY 36, Orig
Richmond, KY, Madison, Takeoff Minimums and Obstacle DP, Orig
Richmond, KY, Madison, VOR/DME RWY 18, Amdt 6
Richmond, KY, Madison, VOR/DME RNAV OR GPS RWY 36, Amdt 6, CANCELLED
Gardner, MA, Gardner Muni, RNAV (GPS)-B, Orig

Gardner, MA, Gardner Muni, VOR-A, Amdt 6
 Pittsfield, MA, Pittsfield Muni, LOC RWY 26, Amdt 8
 Biddeford, ME, Biddeford Muni, GPS RWY 6, Orig-A, CANCELLED
 Biddeford, ME, Biddeford Muni, RNAV (GPS) RWY 6, Orig
 Dowagiac, MI, Dowagiac Muni, RNAV (GPS) RWY 9, Orig
 Dowagiac, MI, Dowagiac Muni, RNAV (GPS) RWY 27, Orig
 Dowagiac, MI, Dowagiac Muni, VOR-A, Amdt 10
 Dowagiac, MI, Dowagiac Muni, VOR/DME RNAV OR GPS RWY 27, Amdt 6, CANCELLED
 Drummond Island, MI, Drummond Island, GPS RWY 8, Orig, CANCELLED
 Drummond Island, MI, Drummond Island, GPS RWY 26, Orig, CANCELLED
 Drummond Island, MI, Drummond Island, RNAV (GPS) RWY 8, Orig
 Drummond Island, MI, Drummond Island, RNAV (GPS) RWY 26, Orig
 Grayling, MI, Grayling AAF, VOR RWY 14, Amdt 2
 Lansing, MI, Capital Region Intl, RNAV (GPS) RWY 6, Orig
 Lansing, MI, Capital Region Intl, VOR RWY 6, Amdt 25
 Newberry, MI, Luce County, RNAV (GPS) RWY 11, Orig
 Newberry, MI, Luce County, RNAV (GPS) RWY 29, Orig
 Newberry, MI, Luce County, VOR RWY 11, Amdt 12
 Newberry, MI, Luce County, VOR RWY 29, Amdt 12
 Valley City, ND, Barnes County Muni, RNAV (GPS) RWY 13, Orig
 Valley City, ND, Barnes County Muni, RNAV (GPS) RWY 31, Orig
 Las Vegas, NV, McCarran Intl, Takeoff Minimums and Obstacle DP, Amdt 6
 Reno, NV, Reno/Stead, RNAV (GPS) RWY 32, Amdt 1
 Hamilton, NY, Hamilton Muni, RNAV (GPS) RWY 35, Orig
 Ithaca, NY, Ithaca Tompkins Rgnl, ILS OR LOC RWY 32, Amdt 6
 Ithaca, NY, Ithaca Tompkins Rgnl, RNAV (GPS) RWY 32, Orig
 Shawnee, OK, Shawnee Rgnl, RNAV (GPS) RWY 35, Orig
 Barnwell, SC, Barnwell Rgnl, RNAV (GPS) RWY 17, Amdt 2
 Austin, TX, Austin Executive, RNAV (GPS) RWY 13, Orig
 Austin, TX, Austin Executive, RNAV (GPS) RWY 31, Orig
 Austin, TX, Austin Executive, Takeoff Minimums and Obstacle DP, Orig
 Henderson, TX, Rusk County, NDB-B, Amdt 1
 Odessa, TX, Odessa-Schlemeyer Field, VOR-A, Amdt 7

Louisa, VA, Louisa County/Freeman Field, LOC/DME RWY 27, Amdt 3
 Louisa, VA, Louisa County/Freeman Field, RNAV (GPS) RWY 27, Amdt 1
 Louisa, VA, Louisa County/Freeman Field, Takeoff Minimums and Obstacle DP, Amdt 1
 East Troy, WI, East Troy Muni, Takeoff Minimums and Obstacle DP, Orig
 On June 09, 2010 (75 FR 32654) the FAA published an Amendment in Docket No. 30727, Amdt 3376 to Part 97 of the Federal Aviation Regulations under section 97.23 and 97.33. The following entries, effective 29 July 2010, are hereby changed to be effective on 23 September 2010:

Marshalltown, IA, Marshalltown Muni, GPS RWY 12, Orig-B, CANCELLED
 Marshalltown, IA, Marshalltown Muni, RNAV (GPS) RWY 13, Orig
 Marshalltown, IA, Marshalltown Muni, RNAV (GPS) RWY 31, Orig
 Marshalltown, IA, Marshalltown Muni, Takeoff Minimum and Obstacle DP, Orig
 Marshalltown, IA, Marshalltown Muni, VOR RWY 13, Amdt 2
 Marshalltown, IA, Marshalltown Muni, VOR RWY 31, Amdt 2

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SOCIAL SECURITY ADMINISTRATION

20 CFR Parts 404 and 416

[Docket No. SSA 2008-0033]

RIN 0960-AG61

Setting the Time and Place for a Hearing Before an Administrative Law Judge

AGENCY: Social Security Administration.
ACTION: Final rules.

SUMMARY: We are amending our rules to state that our agency is responsible for setting the time and place for a hearing before an administrative law judge (ALJ). This change creates a 3-year pilot program that will allow us to test this new authority. Our use of this authority, consistent with due process rights of claimants, may provide us with greater flexibility in scheduling both in-person and video hearings, lead to improved efficiency in our hearing process, and reduce the number of pending hearing requests. This change is a part of our broader commitment to maintaining a hearing process that results in accurate, high-quality decisions for claimants.

DATES: These final rules are effective August 9, 2010.

FOR FURTHER INFORMATION CONTACT: Brent Hillman, Social Security

Administration, 5107 Leesburg Pike, Falls Church, Virginia 22041-3260, (703) 605-8280, for information about this notice. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

SUPPLEMENTARY INFORMATION:

Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/fr/index.html>.

Introduction

One of our highest priorities is to improve the efficiency of our hearing process for the Old Age, Survivors, and Disability Insurance (OASDI) programs under title II of the Social Security Act (Act) and the Supplemental Security Income (SSI) program under title XVI of the Act. The increasing workloads at the hearing level of our administrative review process have been well-publicized, and we are actively preparing for further increases in the number of hearing requests. Eliminating the hearing backlog is a "moral imperative."¹ We face significant challenges in dealing with the historically large number of pending hearing requests, and we must schedule a greater number of hearings to reduce the hearing backlog. The ALJs who conduct the hearings are dedicated, hard working professionals; they will play a central role in helping us reduce the backlog. However, some ALJs do not schedule or hold a minimally acceptable number of hearings, and our current rules are arguably unclear as to certain scheduling issues.

Therefore, we are revising our rules to state that "we" (the agency) have the authority to set the time and place for a hearing before an ALJ. We are adding this authority as a 3-year pilot program so we may test it and evaluate its effectiveness, as explained below. We will conduct this pilot to test the effect of our use of this authority, consistent with due process rights of claimants, on the timely scheduling of hearings and on reducing the hearing backlog. This change is a part of our broader commitment to maintaining a hearing process that results in accurate, high-quality decisions for claimants. Through the pilot, we hope to determine whether extending the authority to schedule hearings to other agency personnel,

¹ See, e.g., www.socialsecurity.gov/legislation/testimony_111909.htm and www.socialsecurity.gov/legislation/testimony_032409.htm.