

## 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/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 March 17, 2023.

**Thomas J. Nichols,**

*Aviation Safety, Flight Standards Service Manager, 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 20 April 2023

Danbury, CT, KDXR, RNAV (GPS) RWY 26, Orig  
 Washington, DC, KDCA, RNAV (GPS) RWY 33, Amdt 1B, CANCELED  
 Washington, DC, KDCA, RNAV (GPS) RWY 33, Orig  
 St Petersburg, FL, KSPG, RNAV (GPS) RWY 7, Amdt 4  
 St Petersburg, FL, KSPG, RNAV (GPS) RWY 18, Amdt 1  
 St Petersburg, FL, KSPG, RNAV (GPS) RWY 36, Amdt 2  
 St Petersburg, FL, KSPG, Takeoff Minimums and Obstacle DP, Amdt 4  
 St Petersburg, FL, KSPG, VOR RWY 18, Amdt 10  
 Lihue, HI, PHLI, VOR OR TACAN RWY 21, Amdt 5  
 Ames, IA, KAMW, ILS OR LOC RWY 1, Amdt 4  
 Keokuk, IA, KEOK, ILS OR LOC RWY 26, Amdt 1  
 Keokuk, IA, KEOK, NDB RWY 14, Amdt 12B, CANCELED  
 Keokuk, IA, KEOK, RNAV (GPS) RWY 26, Amdt 1  
 South Bend, IN, KSBN, ILS OR LOC RWY 9R, Amdt 10C  
 South Bend, IN, KSBN, RNAV (GPS) RWY 9L, Amdt 1C  
 New Bedford, MA, KEWB, Takeoff Minimums and Obstacle DP, Amdt 8A  
 Festus, MO, KFES, RNAV (GPS)-A, Orig-A, CANCELED

Festus, MO, KFES, Takeoff Minimums and Obstacle DP, Amdt 4, CANCELED  
 Ardmore, OK, KADM, RNAV (GPS) RWY 31, Amdt 1F

[FR Doc. 2023–07634 Filed 4–12–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 97

[Docket No. 31479; Amdt. No. 4054]

### 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 April 13, 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 April 13, 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](mailto: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](http://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) 954-1139.

**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 March 17, 2023.

**Thomas J. Nichols,**

*Aviation Safety, Flight Standards Service Manager, 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; § 97.31 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
20-Apr-23 .....	TX	Snyder .....	Winston Fld .....	2/8516	2/28/23	NDB RWY 35, Amdt 2C.
20-Apr-23 .....	TX	Snyder .....	Winston Fld .....	2/8552	2/28/23	RNAV (GPS) RWY 35, Amdt 1B.
20-Apr-23 .....	ME	Sanford .....	Sanford Seacoast Rgnl .....	3/0074	2/28/23	VOR RWY 25, Amdt 14D.
20-Apr-23 .....	PA	State College .....	University Park .....	3/1756	3/2/23	RNAV (GPS) RWY 6, Amdt 2B.
20-Apr-23 .....	PA	State College .....	University Park .....	3/2440	3/3/23	RNAV (GPS) RWY 24, Amdt 1B.
20-Apr-23 .....	AL	Eufaula .....	Weedon Fld .....	3/3434	3/7/23	RNAV (GPS) RWY 18, Amdt 1C.
20-Apr-23 .....	AL	Eufaula .....	Weedon Fld .....	3/3435	3/7/23	RNAV (GPS) RWY 36, Amdt 1C.

AIRAC date	State	City	Airport	FDC No.	FDC Date	Subject
20-Apr-23 .....	MA	New Bedford .....	New Bedford Rgnl .....	3/5769	3/3/23	ILS OR LOC RWY 5, Amdt 26A.
20-Apr-23 .....	MA	New Bedford .....	New Bedford Rgnl .....	3/5770	3/3/23	LOC BC RWY 23, Amdt 13.
20-Apr-23 .....	MA	New Bedford .....	New Bedford Rgnl .....	3/5771	3/3/23	RNAV (GPS) RWY 23, Amdt 1.
20-Apr-23 .....	MA	New Bedford .....	New Bedford Rgnl .....	3/5772	3/3/23	RNAV (GPS) RWY 5, Amdt 1C.
20-Apr-23 .....	MA	New Bedford .....	New Bedford Rgnl .....	3/5773	3/3/23	RNAV (GPS) RWY 14, Orig-D.
20-Apr-23 .....	WI	Chetek .....	Chetek Muni/Southworth	3/7769	2/22/23	Takeoff Minimums and Obstacle DP, Orig-A.
20-Apr-23 .....	MI	Saginaw .....	Saginaw County/H W Browne.	3/7825	2/22/23	RNAV (GPS) RWY 10, Amdt 1A.
20-Apr-23 .....	PA	State College .....	University Park .....	3/9474	2/27/23	ILS OR LOC RWY 24, Amdt 9D.

[FR Doc. 2023-07633 Filed 4-12-23; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2023-0180]

#### Safety Zone; Fireworks Display; Chesapeake Bay, Norfolk, VA

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for the Shore Thing Independence Day Celebration on June 30, 2023, in Virginia Beach, VA, to protect against hazards associated with a fireworks display and provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Fifth Coast Guard District identifies the regulated area for this event in Norfolk, VA. During the enforcement period, entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Virginia.

**DATES:** The regulations in 33 CFR 165.506 will be enforced for the location identified as Item 3 in table 3 to paragraph (h)(3) from 9:30 p.m. until 9:45 p.m. on June 30, 2023.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email LCDR Ashley Holm, Chief, Waterways Management Division, Sector Virginia, U.S. Coast Guard; telephone 757-668-5580 email [Ashley.E.Holm@uscg.mil](mailto:Ashley.E.Holm@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in 33 CFR 165.506 for Shore Thing Independence Day Celebration regulated area from 9:30 p.m. to 9:45 p.m. on June

30, 2023. This action is being taken to provide for the safety of life on navigable waterways during this event, which will feature live fireworks. Our regulation for marine events within the Fifth Coast Guard District, § 165.506, specifies the location of the regulated area for the Shore Thing Independence Day Celebration, which encompasses portions of the Chesapeake Bay located near Ocean View Fishing Pier. During the enforcement period, neither persons nor vessels may enter, remain in, or transit through the safety zone unless specifically authorized by the Captain of the Port Virginia.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: March 16, 2023.

**Jennifer A. Stockwell,**

*Captain, U.S. Coast Guard, Captain of the Port Virginia.*

[FR Doc. 2023-07749 Filed 4-12-23; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### 45 CFR Parts 160 and 164

#### Notice of Expiration of Certain Notifications of Enforcement Discretion Issued in Response to the COVID-19 Nationwide Public Health Emergency

**AGENCY:** Office for Civil Rights (OCR), Office of the Secretary, HHS.

**ACTION:** Expiration of Notifications of Enforcement Discretion and transition period for telehealth.

**SUMMARY:** This document is to inform the public that four Notifications of Enforcement Discretion (“Notifications”) issued by the U.S. Department of Health and Human Services (HHS), Office for Civil Rights

(OCR) regarding how the Privacy, Security, and Breach Notification Rules (“HIPAA Rules”) promulgated under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act will be applied to certain violations during the COVID-19 nationwide public health emergency (“COVID-19 PHE”), will expire upon expiration of the COVID-19 PHE, which is currently scheduled for 11:59 p.m. on May 11, 2023. Accordingly, upon expiration of the COVID-19 PHE, the Notifications will not provide a basis for OCR to exercise enforcement discretion with respect to imposing penalties for violations of the HIPAA Rules. OCR will continue to exercise enforcement discretion consistent with the Notifications for violations of the HIPAA Rules that occurred during the period that each Notification was in effect. In addition, OCR is affording covered health care providers a 90-calendar day transition period to come into compliance with the HIPAA Rules with respect to their provision of telehealth using non-public facing remote communication technologies.

**DATES:** The Notifications of Enforcement Discretion addressed in this document expire at 11:59 p.m. on May 11, 2023. The 90-calendar day transition period with respect to telehealth will expire at 11:59 p.m. on August 9, 2023.

**FOR FURTHER INFORMATION CONTACT:** Marissa Gordon-Nguyen at (202) 619-0403 or (800) 537-7697 (TDD).

**SUPPLEMENTARY INFORMATION:** In 2020 and 2021, OCR issued four Notifications of Enforcement Discretion (“Notifications”) regarding how the Privacy, Security, Breach Notification, and Enforcement Rules (“HIPAA Rules”) promulgated under the Health Insurance Portability and Accountability Act of 1996<sup>1</sup> (HIPAA)

<sup>1</sup> Subtitle F of title II of HIPAA (Pub. L. 104-191, 100 Stat. 2548 (August 21, 1996)) added a new part C to title XI of the Social Security Act, Public Law 74-271, 49 Stat. 620 (August 14, 1935), (see sections 1171-1179 of the Social Security Act (codified at 42 U.S.C. 1320d-1320d-8)). Due to the public