

The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (NFDC) 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 amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs, 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 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 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, Navigation (air).

Issued in Washington, DC on August 17, 2001.

Nicholas A. Sabatini,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing,

amending, suspending, or revoking 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 is revised to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, 44701; and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 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, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * * *Effective September 6, 2001*

Phoenix, AZ, Phoenix Sky Harbor Intl, ILS RWY 7R, Amdt 1
Phoenix, AZ, Phoenix Sky Harbor Intl, ILS RWY 8, Orig
Phoenix, AZ, Phoenix Sky Harbor Intl, ILS RWY 25L, Amdt 1
Phoenix, AZ, Phoenix Sky Harbor Intl, ILS RWY 26, Orig
Phoenix, AZ, Phoenix Sky Harbor Intl, ILS RWY 26, Amdt 1A, CANCELLED
Rochester, NY, Greater Rochester Intl, RNAV (GPS) RWY 22, Orig

* * * *Effective October 4, 2001*

Burbank, CA, Burbank-Glendale-Pasadena, VOR RWY 8, Amdt 10C
Burbank, CA, Burbank-Glendale-Pasadena, RNAV (GPS) RWY 8, Orig
New York, NY, John F. Kennedy Intl, VOR/DME OR GPS RWY 31L, Amdt 13, CANCELLED

* * * *Effective November 1, 2001*

West Memphis, AR, West Memphis Muni, GPS RWY 17, Orig-B
West Memphis, AR, West Memphis Muni, GPS RWY 35, Orig-B
San Jose, CA, San Jose Intl, GPS RWY 30L, Orig-A
Jacksonville, FL, Craig Muni, VOR/DME OR GPS RWY 32, Orig-B
Miami, FL, Miami Intl, RNAV (GPS) RWY 9R, Orig
Miami, FL, Miami Intl, RNAV (GPS) RWY 9L, Orig
Miami, FL, Miami Intl, RNAV (GPS) RWY 12, Orig
Miami, FL, Miami Intl, RNAV (GPS) RWY 27L, Orig
Miami, FL, Miami Intl, RNAV (GPS) RWY 27R, Orig
Miami, FL, Miami Intl, RNAV (GPS) RWY 30, Orig
Miami, FL, Miami Intl, GPS RWY 9R, Orig-D, CANCELLED

Miami, FL, Miami Intl, GPS RWY 27R, Orig-B, CANCELLED
St. Petersburg-Clearwater, FL, St. Petersburg-Clearwater Intl, NDB RWY 17L, Amdt 20C
Macon, GA, Herbert Smart Downtown, LOC RWY 10, Amdt 5
Macon, GA Herbert Smart Downtown, RADAR-1, Amdt 3
Welsh, LA, Welsh, VOR/DME OR GPS RWY 7, Amdt 3B
Helena, MT, Helena Regional, RNAV (GPS) RWY 9, Orig
Helena, MT, Helena Regional, RNAV (GPS) RWY 27, Orig
Farmington, NM, Four Corners Regional, GPS RWY 25, Orig-A
Wilmington, NC, Wilmington Intl, LOC BC RWY 17, Amdt 7B
Ponca City, OK, Ponca City Muni, NDB RWY 17, Amdt 4B
Ponca City, OK, Ponca City Muni, NDB RWY 35, Amdt 3A
Ponca City, OK, Ponca City Muni, VOR/DME RNAV RWY 35, Amdt 2A
Ponca City, OK, Ponca City Muni, GPS RWY 35, Orig-A
San Juan, PR, Fernando Luis Ribas Dominicci, RNAV (GPS) RWY 9, Orig
San Juan, PR, Fernando Luis Ribas Dominicci, GPS RWY 9, Orig, CANCELLED
Myrtle Beach, SC, Myrtle Beach Intl, RADAR-1, Amdt 1

[FR Doc. 01-21294 Filed 8-22-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD09-01-043]

RIN 2115-AA97

Safety Zone; Festa Italiana 2001, Milwaukee Harbor, WI

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule; correction.

SUMMARY: The Coast Guard published a temporary final rule on July 2, 2001, creating a safety zone for the Festa Italiana 2001 fireworks in Milwaukee Harbor, Milwaukee, WI. The section number in that rule was incorrect. This document corrects the section number.

DATES: Effective on August 23, 2001.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Timothy Sickler, Port Operations Chief, Marine Safety Office Milwaukee, 2420 South Lincoln Memorial Drive, Milwaukee, WI 53207. The phone number is (414) 747-7155.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The Coast Guard published a temporary safety zone in the **Federal**

Register on July 2, 2001 (66 FR 34841), adding temporary § 165.T09–930.

Need for Correction

As published, that section number was incorrect. That section number is assigned to another CFR section. This document corrects the section number.

Correction of Publication

In rule FR Doc. 01–16586 published on July 2, 2001 (66 FR 34841). Make the following corrections. On page 34842, in the second column, on lines 43 and 45, change the section number of the temporary safety zone to read § 165.T09–974.

M.R. DeVries,

Commander, U.S. Coast Guard, Captain of the Port Milwaukee, Milwaukee, WI.

[FR Doc. 01–21355 Filed 8–22–01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MO 0133–1133a; FRL–7041–8]

Approval and Promulgation of Implementation Plans; State of Missouri; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendments.

SUMMARY: On March 23, 2001 (66 FR 16137), EPA published a final action approving revisions to the Missouri State Implementation Plan (SIP). In the March 23, 2001, rule, EPA inadvertently omitted a statement in the Explanation column for rule 10 CSR 10–6.065. We are making a correction to the explanation in this document.

DATES: This action is effective August 23, 2001.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551–7603.

SUPPLEMENTARY INFORMATION: EPA published a SIP revision for Missouri that included a revision to rule 10 CSR 10–6.065 on March 23, 2001. In § 52.1320(c), Chapter 6, the Explanation column for this rule should have included a statement that Section (6), Part 70 Operating Permits, has been approved as an integral part of the operating permit program and has not been approved as part of the SIP. Therefore, in this correction notice we are adding this information to the table for Chapter 6.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good

cause finds that notice and public procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is such good cause for making today's rule final without prior proposal and opportunity for comment because we are merely reinserting an explanation which was included in a previous action. Thus, notice and public procedure are unnecessary.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule merely corrects an incorrect citation in a previous action, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely corrects a citation in a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act (CAA). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, our role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence

of a prior existing requirement for the state to use voluntary consensus standards (VCS), we have no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, we have taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the Executive Order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act (CRA), 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. As stated previously, we made such a good cause finding, including the reasons therefore and established an effective date of August 23, 2001. We will submit a report containing this rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This correction to the Missouri SIP table is not a “major rule” as defined by 5 U.S.C. 804 *et seq.* (2).