

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 November 28, 2008.

**John M. Allen,**

*Deputy 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, ISMLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

\* \* \* Effective Upon Publication

FDC date	State	City	Airport	FDC No.	Subject
11/7/08 .....	NY	NEW YORK .....	LA GUARDIA .....	8/8554	THIS NOTAM PUBLISHED IN TL08–26 IS HEREBY RESCINDED IN ITS' ENTIRETY. LDA–A, AMDT 2A.
11/13/08 ...	CA	CHICO .....	CHICO MUNI .....	8/9181	GPS RWY 13L, ORIG–A.
11/14/08 ...	LA	NATCHITOCHEs .....	NATCHITOCHEs RGNL ....	8/9331	LOC RWY 35, AMDT 3C.
11/17/08 ...	WI	LA CROSSE .....	LA CROSSE MUNI .....	8/9679	RNAV (GPS) RWY 18, ORIG.
11/17/08 ...	LA	NEW IBERIA .....	ACADIANA REGIONAL ....	8/9682	RNAV (GPS) RWY 16, ORIG.
11/17/08 ...	LA	NEW IBERIA .....	ACADIANA REGIONAL ....	8/9686	VOR OR TACAN RWY 16, AMDT 1.
11/17/08 ...	MN	INTERNATIONAL FALLS ..	FALLS INTL .....	8/9702	VOR RWY 31, AMDT 15.
11/24/08 ...	NH	WHITEFIELD .....	MOUNT WASHINGTON REGIONAL.	8/1169	LOC/NDB RWY 10, AMDT 6.
10/15/08 ...	SC	GREENWOOD .....	GREENWOOD COUNTY ...	8/3527	NDB OR GPS RWY 27, AMDT 1.
10/27/08 ...	SC	HARTSVILLE .....	HARTSVILLE REGIONAL ..	8/4649	THIS NOTAM PUBLISHED IN TL 08–25 IS HEREBY RESCINDED IN ITS' ENTIRETY.

[FR Doc. E8–29008 Filed 12–9–08; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30640; Amdt. No. 3298]

#### 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 December 10, 2008. 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 December 10, 2008.

**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.archives.gov/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 Minimum 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 DOT Regulatory 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 November 28, 2008.

**John M. Allen,**

*Deputy 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 15 Jan 2009*

Toksook Bay, AK, Toksook Bay, RNAV (GPS) RWY 34, Amdt 1

Toksook Bay, AK, Toksook Bay, Takeoff Minimums and Obstacle DP, Amdt 1  
Troy, AL, Troy Muni, Radar-1, Amdt 8  
Fayetteville, AR, Drake Field, Takeoff Minimums and Obstacle DP, Amdt 5  
Arcata/Eureka, CA, Arcata, VOR RWY 14, Amdt 7B, CANCELLED  
Arcata/Eureka, CA, Arcata, VOR/DME RWY 14, Orig  
Atwater, CA, Castle, GPS RWY 13, Orig-A, CANCELLED  
Atwater, CA, Castle, GPS RWY 31, Orig-A, CANCELLED  
Merced, CA, Castle, ILS OR LOC/DME RWY 31, Amdt 2  
Merced, CA, Castle, RNAV (GPS) RWY 13, Orig  
Merced, CA, Castle, RNAV (GPS) RWY 31, Orig  
Merced, CA, Castle, Takeoff Minimums and Obstacle DP, Amdt 1  
Merced, CA, Castle, VOR/DME RWY 31, Amdt 1  
San Diego, CA, Montgomery Field, ILS OR LOC/DME RWY 28R, Amdt 3  
San Diego, CA, Montgomery Field, NDB OR GPS RWY 28R, Amdt 1C, CANCELLED  
San Diego, CA, Montgomery Field, RNAV (GPS) RWY 28R, Orig  
Santa Rosa, CA, Charles M. Schulz-Sonoma County, GPS RWY 14, Orig, CANCELLED  
Santa Rosa, CA, Charles M. Schulz-Sonoma County, GPS RWY 32, Orig, CANCELLED  
Santa Rosa, CA, Charles M. Schulz-Sonoma County, ILS OR LOC RWY 32, Amdt 17  
Santa Rosa, CA, Charles M. Schulz-Sonoma County, RNAV (GPS) RWY 14, Orig  
Santa Rosa, CA, Charles M. Schulz-Sonoma County, RNAV (GPS) RWY 32, Orig  
Upland, CA, Cable, VOR RWY 6, Amdt 7A, CANCELLED  
Upland, CA, Cable, VOR-A, Orig  
Victorville, CA, Southern California Logistics, GPS RWY 17, Orig-B, CANCELLED  
Victorville, CA, Southern California Logistics, ILS OR LOC RWY 17, Amdt 2  
Victorville, CA, Southern California Logistics, RNAV (GPS) RWY 17, Orig  
Victorville, CA, Southern California Logistics, VOR/DME RWY 17, Amdt 1  
Watsonville, CA, Watsonville Muni, LOC RWY 2, Amdt 3  
Keystone Heights, FL, Keystone Airpark, GPS RWY 4, Orig, CANCELLED  
Keystone Heights, FL, Keystone Airpark, RNAV (GPS) RWY 5, Orig  
Keystone Heights, FL, Keystone Airpark, Takeoff Minimums and Obstacle DP, Orig  
Keystone Heights, FL, Keystone Airpark, VOR/DME RWY 5, Amdt 1  
Orlando, FL, Orlando Sanford Intl, ILS OR LOC RWY 9R, Orig  
Lafayette, GA, Barwick Lafayette, RNAV (GPS) RWY 2, Amdt 1  
Lafayette, GA, Barwick Lafayette, RNAV (GPS) RWY 20, Amdt 1  
Lafayette, GA, Barwick Lafayette, Takeoff Minimums and Obstacle DP, Amdt 1  
Toccoa, GA, Toccoa Rg Letourneau Field, VOR RWY 20, Amdt 13  
Toccoa, GA, Toccoa Rg Letourneau Field, VOR/DME RWY 2, Amdt 2  
Charles City, IA, Northeast Iowa Rgnl, GPS RWY 30, Orig, CANCELLED  
Charles City, IA, Northeast Iowa Rgnl, RNAV (GPS) RWY 12, Orig

Charles City, IA, Northeast Iowa Rgnl, RNAV (GPS) RWY 30, Orig  
 Greensboro, NC, Piedmont Triad Intl, Takeoff Minimums and Obstacle DP, Orig  
 Roxboro, NC, Person County, RNAV (GPS) RWY 24, Orig  
 Washington, NC, Warren Field, RNAV (GPS) RWY 5, Amdt 1  
 Washington, NC, Warren Field, RNAV (GPS) RWY 17, Amdt 1  
 Washington, NC, Warren Field, RNAV (GPS) RWY 23, Amdt 1  
 Washington, NC, Warren Field, RNAV (GPS) RWY 35, Amdt 1  
 Broken Bow, NE, Broken Bow Muni, NDB RWY 14, Amdt 8, CANCELLED  
 Batavia, NY, Genesee County, ILS OR LOC RWY 28, Amdt 6  
 Batavia, NY, Genesee County, RNAV (GPS) RWY 28, Orig  
 Batavia, NY, Genesee County, VOR/DME-A, Amdt 5B  
 Cleveland, OH, Cleveland-Hopkins Intl, ILS PRM RWY 24R (Simultaneous Close Parallel), Orig  
 Cleveland, OH, Cleveland-Hopkins Intl, LDA/DME RWY 24L, Amdt 1  
 Cleveland, OH, Cleveland-Hopkins Intl, LDA PRM RWY 6R (Simultaneous Close Parallel), Amdt 1  
 Cleveland, OH, Cleveland-Hopkins Intl, LDA PRM RWY 24L (Simultaneous Close Parallel), Orig  
 Norman, OK, University of Oklahoma Westheimer, RNAV (GPS) RWY 3, Amdt 1  
 Oklahoma City, OK, Will Rogers World, RNAV (GPS) RWY 17R, Amdt 2A  
 Sparta, TN, Upper Cumberland Rgnl, RNAV (GPS) RWY 4, Orig  
 Sparta, TN, Upper Cumberland Rgnl, RNAV (GPS) RWY 22, Orig  
 Sparta, TN, Upper Cumberland Rgnl, Takeoff Minimums and Obstacle DP, Orig  
 Abilene, TX, Abilene Rgnl, RNAV (GPS) RWY 22, Orig  
 Abilene, TX, Abilene Rgnl, VOR RWY 22, Amdt 4  
 Childress, TX, Childress Muni, VOR RWY 35, Amdt 10  
 Midland, TX, Midland Intl, RNAV (GPS) RWY 10, Amdt 1  
 Midland, TX, Midland Intl, Takeoff Minimums and Obstacle DP, Orig  
 Port Aransas, TX, Mustang Beach, Takeoff Minimums and Obstacle DP, Amdt 1  
 Spearman, TX, Spearman Muni, RNAV (GPS) RWY 2, Orig  
 Spearman, TX, Spearman Muni, RNAV (GPS) RWY 20, Orig  
 Spearman, TX, Spearman Muni, Takeoff Minimums and Obstacle DP, Orig  
 Spearman, TX, Spearman Muni, VOR/DME RWY 2, Amdt 1  
 Victoria, TX, Victoria Rgnl, ILS OR LOC RWY 12L, Amdt 10  
 Victoria, TX, Victoria Rgnl, RNAV (GPS) RWY 12L, Orig  
 Victoria, TX, Victoria Rgnl, RNAV (GPS) RWY 30R, Orig  
 Victoria, TX, Victoria Rgnl, VOR RWY 12L, Amdt 16  
 Victoria, TX, Victoria Rgnl, VOR/DME RWY 30R, Amdt 6  
 Tangier, VA, Tangier Island, RNAV (GPS)-B, Orig  
 Tangier, VA, Tangier Island, Takeoff Minimums and Obstacle DP, Orig

Tangier, VA, Tangier Island, VOR/DME-A, Orig  
 Tangier, VA, Tangier Island, VOR/DME OR GPS RWY 2, Orig-C, CANCELLED

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### 19 CFR Part 351

RIN 0625-AA79

#### Withdrawal of the Regulatory Provisions Governing Targeted Dumping in Antidumping Duty Investigations

**AGENCY:** International Trade Administration, Import Administration.

**ACTION:** Interim final rule.

**SUMMARY:** Import Administration issues this interim final rule for the purpose of withdrawing the regulatory provisions governing the targeted dumping analysis in antidumping duty investigations.

**DATES:** This interim final rule is effective for all antidumping duty investigations initiated on or after December 10, 2008. Although the amendment made by this Interim Final Rule is effective on December 10, 2008, Import Administration seeks public comments. To be assured of consideration, written comments must be received not later than January 9, 2009.

**ADDRESSES:** Comments on this Interim Final Rule must be sent to David M. Spooner, Assistant Secretary for Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, Pennsylvania Avenue.

**FOR FURTHER INFORMATION CONTACT:** Michael Rill, telephone 202-482-3058.

**SUPPLEMENTARY INFORMATION:** The Uruguay Round Agreements Act ("URAA"), enacted into law in 1994, changed the methodology used to determine whether a company is selling foreign merchandise into the United States at dumped prices in antidumping investigations. Prior to the URAA, the Department usually compared the six-month period of investigation average normal value to individual U.S. transaction prices to determine the margin of dumping (known as the average-to-transaction method). The URAA, however, directed the Department normally to calculate dumping margins by one of two methods: (1) By comparing weighted-average normal values to the weighted average of the export prices for

comparable merchandise (known as the average-to-average method); or (2) by comparing the normal values of individual transactions to the export prices of individual transactions for comparable merchandise (known as the transaction-to-transaction method). See 19 U.S.C. 1677f-1(d)(1)(A). Congress, however, was aware that these methodologies could mask certain types of dumping. "In such situations, the exporter may sell at a dumped price to particular customers or regions, while selling at higher prices to other customers or regions." *Uruguay Round Agreements Act, H.R. 103-826, Oct. 3, 1994, p. 98.*

To address this possibility, Congress enacted a statutory provision that allows an exception to the above two comparison methodologies. Specifically, when the Department finds that there is a pattern of export prices for comparable merchandise that differ significantly among purchasers, regions, or periods of time, and where such differences cannot be taken into account using one of the preferred methods referred to above, the Department could compare the weighted average of the normal values to the export price of individual transactions for comparable merchandise (i.e., average-to-transaction comparisons). See 19 U.S.C. 1677f-1(d)(1)(B).

Sections 19 CFR 351.414(f) and (g) of the Department's regulations establish certain criteria for analyzing allegations and making targeted dumping determinations in antidumping duty investigations. Section 19 CFR 351.301(d)(5) provides that an allegation of targeted dumping is due no later than 30 days before the scheduled date of the preliminary determination. The Department promulgated these provisions (i.e., 19 CFR 351.414(f), (g), and 351.301(d)(5)) on May 19, 1997 (*Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27374-76 (May 19, 1997)). At that time, the Department had never performed a targeted dumping analysis. Therefore, the provisions were promulgated without the benefit of any departmental experience on the issue of targeted dumping. Until recently, there have been very few allegations or findings of targeted dumping. This situation has caused the Department to question whether, in the absence of any practical experience, it established an appropriate balance of interests in the provisions. The Department believes that withdrawal of the provisions will provide the agency with an opportunity to analyze extensively the concept of targeted dumping and develop a meaningful practice in this area as it