

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

[Docket No. 31099; Amdt. No. 3716]

**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 October 26, 2016. 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 October 26, 2016.

**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 Navigation Products, 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 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 Procedure Standards Branch (AFS–420) Flight Technologies and Procedures 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 (NFDG)/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 the 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 September 23, 2016.

**John S. Duncan,**  
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 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:

**§§ 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, 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
10-Nov-16	WI	Middleton	Middleton Muni—Morey Field.	6/0372	9/8/16	VOR RWY 28, Orig-A.
10-Nov-16	KS	Anthony	Anthony Muni	6/0583	9/13/16	RNAV (GPS) RWY 36, Orig-A.
10-Nov-16	KS	Anthony	Anthony Muni	6/0584	9/13/16	VOR—A, Amdt 2.
10-Nov-16	KS	Anthony	Anthony Muni	6/0585	9/13/16	RNAV (GPS) RWY 18, Amdt 1A.
10-Nov-16	CA	Jackson	Westover Field Amador County.	6/0704	9/15/16	VOR/DME RWY 1, Amdt 1B.
10-Nov-16	NM	Artesia	Artesia Muni	6/0908	9/8/16	RNAV (GPS) RWY 30, Amdt 1A.
10-Nov-16	IN	Indianapolis	Indianapolis Executive	6/1595	9/8/16	RNAV (GPS) RWY 36, Orig-C.
10-Nov-16	IN	Indianapolis	Indianapolis Executive	6/1597	9/8/16	VOR/DME RWY 18, Amdt 1B.
10-Nov-16	IN	Indianapolis	Indianapolis Executive	6/1598	9/8/16	RNAV (GPS) RWY 18, Amdt 1B.
10-Nov-16	IN	Indianapolis	Indianapolis Executive	6/1600	9/8/16	ILS OR LOC RWY 36, Amdt 5B.
10-Nov-16	KY	Louisville	Louisville Intl-Standiford Field.	6/2884	9/13/16	LOC RWY 29, Orig.
10-Nov-16	SC	Orangeburg	Orangeburg Muni	6/2891	9/13/16	RNAV (GPS) RWY 5, Amdt 1A.
10-Nov-16	TX	Borger	Hutchinson County	6/2988	9/19/16	VOR/DME RWY 35, Amdt 4.
10-Nov-16	OH	Medina	Medina Muni	6/4982	9/19/16	RNAV (GPS) RWY 27, Orig.
10-Nov-16	OH	Medina	Medina Muni	6/4983	9/19/16	VOR RWY 27, Amdt 2B.
10-Nov-16	OH	Medina	Medina Muni	6/4986	9/19/16	RNAV (GPS) RWY 9, Orig-A.
10-Nov-16	OH	Middletown	Middletown Regional/ Hook Field.	6/6224	9/7/16	RNAV (GPS) RWY 5, Orig-A.
10-Nov-16	OH	Middletown	Middletown Regional/ Hook Field.	6/6225	9/7/16	RNAV (GPS) RWY 23, Orig-A.
10-Nov-16	OH	Middletown	Middletown Regional/ Hook Field.	6/6226	9/7/16	LOC RWY 23, Amdt 7G.
10-Nov-16	OH	Middletown	Middletown Regional/ Hook Field.	6/6227	9/7/16	NDB RWY 23, Amdt 9A.
10-Nov-16	OH	Middletown	Middletown Regional/ Hook Field.	6/6230	9/7/16	NDB—A, Amdt 3.
10-Nov-16	PA	Meadville	Port Meadville	6/7232	9/7/16	RNAV (GPS) RWY 25, Amdt 1C.
10-Nov-16	NY	Weedsport	Whitfords	6/8074	9/13/16	RNAV (GPS) RWY 28, Orig.
10-Nov-16	NY	Weedsport	Whitfords	6/8077	9/13/16	RNAV (GPS) RWY 10, Orig.
10-Nov-16	NE	Kimball	Kimball Muni/Robert E Arraj Field.	6/8271	9/13/16	RNAV (GPS) RWY 10, Amdt 1A.
10-Nov-16	OH	Washington Court House	Fayette County	6/8273	9/13/16	NDB RWY 23, Amdt 5.
10-Nov-16	OH	Washington Court House	Fayette County	6/8276	9/13/16	RNAV (GPS) RWY 23, Amdt 1.
10-Nov-16	KY	Louisville	Bowman Field	6/8360	9/13/16	VOR RWY 24, Amdt 9.
10-Nov-16	GA	Swainsboro	East Georgia Regional	6/8361	9/20/16	RNAV (GPS) RWY 32, Amdt 2.
10-Nov-16	GA	Swainsboro	East Georgia Regional	6/8363	9/20/16	NDB RWY 14, Amdt 2.
10-Nov-16	GA	Swainsboro	East Georgia Regional	6/8365	9/20/16	ILS OR LOC/DME RWY 14, Amdt 1.
10-Nov-16	GA	Swainsboro	East Georgia Regional	6/8366	9/20/16	RNAV (GPS) RWY 14, Amdt 1A.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
10-Nov-16	GA	Calhoun	Tom B David Fld	6/8369	9/15/16	RNAV (GPS) RWY 17, Amdt 1.
10-Nov-16	GA	Calhoun	Tom B David Fld	6/8376	9/15/16	RNAV (GPS) RWY 35, Amdt 1.
10-Nov-16	GA	Quitman	Quitman Brooks County	6/8379	9/15/16	RNAV (GPS) RWY 28, Amdt 1.
10-Nov-16	GA	Quitman	Quitman Brooks County	6/8385	9/15/16	RNAV (GPS) RWY 10, Amdt 1.
10-Nov-16	GA	Americus	Jimmy Carter Rgnl	6/8398	9/20/16	RNAV (GPS) RWY 23, Amdt 1.
10-Nov-16	GA	Americus	Jimmy Carter Rgnl	6/8399	9/20/16	RNAV (GPS) RWY 5, Amdt 1.
10-Nov-16	KS	Belleville	Belleville Muni	6/8459	9/8/16	RNAV (GPS) RWY 18, Orig-A.
10-Nov-16	KS	Belleville	Belleville Muni	6/8460	9/8/16	RNAV (GPS) RWY 36, Orig-A.
10-Nov-16	KS	Belleville	Belleville Muni	6/8461	9/8/16	VOR/DME-A, Amdt 3B.
10-Nov-16	IL	Benton	Benton Muni	6/8578	9/13/16	RNAV (GPS) RWY 18, Orig-A.
10-Nov-16	PA	Meadville	Port Meadville	6/8885	9/7/16	LOC RWY 25, Amdt 6C.

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 2

[Docket No. FDA-2015-N-1355]

RIN 0910-AH36

#### Use of Ozone-Depleting Substances

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Direct final rule.

**SUMMARY:** The Food and Drug Administration (FDA, the Agency, or we) is amending its regulation on uses of ozone-depleting substances (ODSs), including chlorofluorocarbons (CFCs), to remove the designation for certain products as “essential uses” under the Clean Air Act. Essential-use products are exempt from the ban by FDA on the use of CFCs and other ODS propellants in FDA-regulated products and from the ban by the Environmental Protection Agency (EPA) on the use of ODSs in pressurized dispensers. The products that will no longer constitute an essential use are: Sterile aerosol talc administered intrapleurally by thoracoscopy for human use and metered-dose atropine sulfate aerosol human drugs administered by oral inhalation. FDA is taking this action because alternative products that do not use ODSs are now available and because these products are no longer being marketed in versions that contain ODSs. **DATES:** This direct final rule is effective February 23, 2017. Submit either

electronic or written comments on the direct final rule by December 27, 2016. If FDA receives no significant adverse comments within the specified comment period, the Agency will publish a document confirming the effective date of the final rule in the **Federal Register** within 30 days after the comment period on this direct final rule ends. If timely significant adverse comments are received, the Agency will publish a document in the **Federal Register** withdrawing this direct final rule before its effective date.

**ADDRESSES:** You may submit comments as follows:

#### Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <http://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <http://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the

manner detailed (see “Written/Paper Submissions” and “Instructions”).

#### Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand delivery/Courier (for written/paper submissions):** Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Division of Dockets Management, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

**Instructions:** All submissions received must include the Docket No. FDA-2015-N-1355 for “Use of Ozone-Depleting Substances.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <http://www.regulations.gov> or at the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information