

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510, 1522; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 73.48 [Amended]

2. Section 73.48 is amended as follows:

R-4807A Tonopah, NV [Amended]

By removing the existing boundaries and time of designation and substituting the following:

Boundaries. Beginning at lat. 36°51'00"N., long. 116°33'33"W.; to lat. 37°26'30"N., long. 117°04'33"W.; to lat. 37°33'00"N., long. 117°05'41"W.; to lat. 37°53'00"N., long. 117°05'41"W.; to lat. 37°53'00"N., long. 116°55'03"W.; to lat. 37°47'00"N., long. 116°55'03"W.; to lat. 37°33'00"N., long. 116°43'03"W.; to lat. 37°33'00"N., long. 116°26'03"W.; to lat. 37°53'00"N., long. 116°26'03"W.; to lat. 37°53'00"N., long. 116°11'03"W.; to lat. 37°42'00"N., long. 116°11'03"W.; to lat. 37°42'00"N., long. 115°53'03"W.; to lat. 37°33'00"N., long. 115°53'03"W.; to lat. 37°33'00"N., long. 115°48'03"W.; to lat. 37°28'00"N., long. 115°48'03"W.; to lat. 37°28'00"N., long. 116°00'03"W.; to lat. 37°16'00"N., long. 116°00'03"W.; to lat. 37°16'00"N., long. 116°11'03"W.; to lat. 37°20'00"N., long. 116°11'03"W.; to lat. 37°42'00"N., long. 116°17'03"W.; to lat. 37°23'00"N., long. 116°22'03"W.; to lat. 37°21'00"N., long. 116°27'03"W.; to lat. 37°21'00"N., long. 116°34'03"W.; to lat. 37°16'00"N., long. 116°31'03"W.; to lat. 37°08'00"N., long. 116°27'03"W.; to lat. 36°55'00"N., long. 116°27'03"W.; to lat. 36°55'00"N., long. 116°33'33"W.; to the point of beginning.

Time of designation: Continuous from 0600 Monday to 1900 Friday; other times by NOTAM.

R-4808N Las Vegas, NV [Amended]

By removing the existing boundaries and substituting the following:

Boundaries. Beginning at lat. 36°41'00"N., long. 115°56'03"W.; to lat. 36°41'00"N., long. 116°14'48"W.; to lat. 36°46'00"N., long. 116°26'33"W.; to lat. 36°51'00"N., long. 116°26'33"W.; to lat. 36°51'00"N., long. 116°33'33"W.; to lat. 36°55'00"N., long. 116°33'33"W.; to lat. 36°55'00"N., long. 116°27'03"W.; to lat. 37°08'00"N., long. 116°27'03"W.; to lat. 37°16'00"N., long. 116°31'03"W.; to lat. 37°16'00"N., long. 116°00'03"W.; to lat. 37°28'00"N., long. 116°00'03"W.; to lat. 37°28'00"N., long. 115°35'03"W.; to lat. 37°06'00"N., long. 115°56'03"W.; to the point of beginning.

Issued in Washington, DC, on April 14, 1995.

Nancy B. Kalinowski,

Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 95-10388 Filed 4-26-95; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 28200; Amdt. No. 1661]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in 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: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference—approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matter 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 affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

For Purchase

Individual SIAP 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.

By Subscription

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, US Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:

Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical

Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

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 of 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 in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAM for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been cancelled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected

airports. All SIAP amendments in this rule have been previously issued by the FAA in a National 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 all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. 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 unnecessary, impracticable, and contrary to the public interest and, where applicable, that good cause exists for making these 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 April 21, 1995.

Thomas C. Accardi,
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 continues to read as follows:

Authority: 49 U.S.C. app. 1348, 1354(a), 1421 and 1510; 49 U.S.C. 106(g); 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

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 § 9735 COPTER SIAPs, identified as follows:

* * * *Effective Upon Publication*

FDC date	State	City	Airport	FDC No.	SIAP
04/05/95	GA	Cartersville	Cartersville	FDC 5/1453	LOC RWY 19 AMDT 1A...
04/05/95	GA	Cartersville	Cartersville	FDC 5/1454	NDB or GPS RWY 19 AMDT 3A...
04/07/95	AL	Troy	Troy Muni	FDC 5/1487	RADAR-1 RWY 7 AMDT 6A...
04/09/95	FM	Weno Island	Chuuk Intl	FDC 5/1525	NDB/DME RWY 4 ORIG...
04/09/95	FM	Weno Island	Chuuk Intl	FDC 5/1526	NDB-A ORIG...
04/09/95	FM	Weno Island	Chuuk Intl	FDC 5/1527	NDB-B AMDT 4...
04/11/95	GA	Brunswick	Malcom McKinnon	FDC 5/1547	VOR or GPS RWY 4, AMDT 14A...
04/12/95	MI	Hancock	Houghton County Memorial	FDC 5/1578	NDB or GPS RWY 31 AMDT 11...

Troy
Troy Muni
Alabama
RADAR-1 RWY 7 AMDT 6A...
FDC Date: 04/07/95
FDC 5/1487/TOI/ FI/P Troy Muni, Troy, AL. RADAR-1 RWY 7 AMDT 6A...Missed approach... Climb to 1200, then climbing right turn to 2100 direct blood LOM and hold West, LT, 070 inbound, or when directed by ATC, climb to 3000 ft via heading 070 and MGM R-126 to Banbi Int. This becomes RADAR-1 RWY 7 AMDT 6B.

Weno Island
Chuuk Intl
FM.
NDB/DME RWY 4 ORIG...
FDC Date: 04/09/95
FDC 5/1525/TKK/ FI/P Chuuk Intl, Weno Island, FM. NDB/DME RWY 4 ORIG...Alternate MNMS... 800-3. This becomes NDB/DME RWY 4 ORIG-A.

Weno Island
Chuuk Intl

FM.
NDB-A ORIG...
FDC Date: 04/09/95
FDC 5/1526/TKK/ FI/P Chuuk Intl, Weno Island, FM. NDB-A ORIG...Add note... DME required. Alternate MNMS... 800-3. This becomes NDB-A ORIG-A.

Weno Island
Chuck Intl
FM.
NDB-B AMDT 4...
FDC Date: 04/09/95
FDC 5/1527/TKK/ FI/P Chuuk Intl, Weno Island, FM. NDB-B AMDT 4...Add note...DME required. Alternate MNMS... 800-3. This becomes NDB-B AMDT 4A.

Cartersville
Cartersville
Georgia
LOC RWY 19 AMDT 1A...
FDC Date: 04/05/95
FDC 5/1453/VPC/ FI/P Cartersville, Cartersville, GA. LOC RWY 19 AMDT

1A... Terminal route RMG VORTAC to EVZ NDB minimum altitude 3200. Procedure turn R side of course 005 outbound 3200 ft within 10 miles of EVZ NDB (IAF). This becomes LOC RWY 19 AMDT 1B.

Cartersville
Cartersville
Georgia
NDB OR GPS RWY 19 AMDT 3A...
FDC Date: 04/05/95
FDC 5/1454/VPC/ FI/P Cartersville, Cartersville, GA. NDB or GPS RWY 19 AMDT 3A... Terminal route RMG VORTAC to EVZ NDB minimum altitude 3200. Procedure turn R side of course 005 outbound 3200 ft within 10 miles of EVZ NDB (IAF). This becomes NDB or GPS RWY 19 AMDT 3B.

Brunswick
Malcom McKinnon
Georgia
VOR OR GPS RWY 4, AMDT 14A...
FDC Date: 04/11/95

FDC 5/1547/SSI/ FI/P Malcom McKinnon, Brunswick, GA. VOR or GPS RWY 4, AMDT 14A...S-4 MDA 460/HAT 444 all cats. vis 1½ cat D. This becomes VOR or GPS RWY 4 AMDT 14B.

Hancock

Houghton County Memorial Michigan
NDB OR GPS RWY 31 AMDT 11...
FDC Date: 04/12/95

FDC 5/1578/CMX/ FI/P Houghton County Memorial, Hancock, MI. NDB or GPS RWY 31 AMDT 11...MSA from CM LOM 090-270 3400, 270-090 2700. This is NDB or GPS RWY 31 AMDT 11A.

[FR Doc. 95-10385 Filed 4-2-95; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 146

[T.D. 95-35]

RIN 1515-AB20

Petroleum Refineries in Foreign Trade Subzones

AGENCY: Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by adding special procedures and requirements governing the operations of crude petroleum refineries approved as foreign trade subzones, in implementation of section 9002 of the Technical and Miscellaneous Revenue Act of 1988, which amended the Foreign Trade Zones Act to make specific provision for petroleum refinery subzones.

EFFECTIVE DATE: These regulations are effective October 24, 1995.

FOR FURTHER INFORMATION CONTACT: For Legal aspects: Bill Rosoff, Chief, Entry Rulings Branch (202)482-7040. For Operational aspects: Louis Hryniw, Regulatory Audit (202)927-1100.

SUPPLEMENTARY INFORMATION:

Background

On August 10, 1992 (57 FR 35530), Customs published a document in the **Federal Register** proposing to amend the Customs Regulations to add special procedures and requirements governing the operations of crude petroleum refineries approved as foreign trade subzones, in implementation of section 9002 of the Technical and Miscellaneous Revenue Act of 1988

which amended the Foreign Trade Zones Act, 19 U.S.C. 81c(d), to make specific provision for petroleum refinery subzones.

Briefly, as stated in the August 10, 1992, notice of proposed rulemaking, the statutory amendment obviates the need to determine exactly when and where in the manufacturing process crude and other feedstocks become other products. In so doing, it permits refiners as well as Customs to assess the relative value of such multiple products at the end of the manufacturing period during which such products were produced, when the actual quantities of these products resulting from the refining process can be measured with certainty. Also, the amendment permits the products refined in a subzone during a manufacturing period to be attributed to a given crude or other feedstocks introduced into production during the period, to the extent that such products were producible (could have been produced) therefrom in the quantities removed from the subzone.

As a result of extensive and varied input received from the oil refinery and foreign trade zone communities, as well as from other interested parties, in response to the initial notice of proposed rulemaking, Customs published a significantly revised notice on March 4, 1994 (59 FR 10342) and solicited additional public comment on the revised proposed rule.

The following discussion includes a summary of the various comments received in response to the March 4, 1994, notice of proposed rulemaking, together with an explanation and analysis regarding the sections to be added, eliminated or further revised. The final rule as revised is thereafter set forth.

Discussion of Comments

Comment: Two commenters suggested deletion of proposed § 146.92(a)(1), (2) and (3) because it is already covered in proposed § 146.93.

Customs Response: Customs agrees and, therefore, these three subsections have been deleted.

Comment: Three commenters suggested that the definition in proposed § 146.92(b) be expanded to include products from natural gas production and blendstocks and, additionally, that the definition state that Customs may add other merchandise to this definition by way of a ruling.

Two commenters suggested the inclusion of "other hydrocarbon feedstocks, light olefins, and other aromatics and their derivatives" in this definition.

Customs Response: Regarding the suggestion that this definition may be modified by a ruling, Customs regulations may not be modified or changed by way of a ruling. Any changes to the regulations would have to follow regulatory procedures. It is not clear to Customs how natural gas production and blendstocks apply to producibility. Any change to T.D. 66-16 to include feedstocks or products not listed must include supporting records and a technical explanation of the change. Therefore, this suggestion has not been adopted.

Comment: One commenter suggested that the word "means" in proposed § 146.92(c) be changed to "is based on". Another commenter suggested deletion of "utilizing T.D. 66-16 (see § 146.92(h)), and" and insertion of "volumetric" between "any" and "loss".

Customs Response: The suggested change has been adopted with respect to addition of the word "volumetric" and § 146.92(c) has been reworded. Customs disagrees that the phrase "utilizing T.D. 66-16" should be deleted. The word "means" should be retained since this section defines terms for use in this subpart.

Comment: The suggestion was made that proposed § 146.92(d) be re-worded to read as follows:

Final product means any product that is produced in a petroleum refinery subzone from feedstock processed therein, and thereafter removed therefrom or consumed within the zone.

Two commenters suggested that the phrase "and or hydrocarbon product" be inserted after "product" and before "that". Another commenter suggested that the phrase "lost or destroyed in the subzone as provided in § 146.53(c)(1)(iv)" be inserted after "therefrom".

Customs Response: The first suggestion regarding the rewording of § 146.92(d) has been adopted. The use of attribution by records requires that the amounts removed or consumed actually be measured; such method is not acceptable to account for unmeasured losses. This suggestion has not been adopted. It is Customs position that 19 U.S.C. 81c(d) applies only to crude petroleum products and not to hydrocarbons in general. Therefore, this suggestion was not adopted.

Comment: Two commenters suggested that the words "or manufacturer" be inserted after "refiner" and that the words "production facility" be inserted after "refinery" in proposed § 146.92(e). One commenter suggested deletion of the phrase "for which * * * subzone" because attribution is addressed