

Benton Harbor, MI, Southwest Michigan Rgnl, RNAV (GPS) RWY 28, Amdt 2B

Detroit, MI, Coleman A Young Muni, ILS OR LOC RWY 15, Amdt 11

Detroit, MI, Coleman A Young Muni, ILS OR LOC RWY 33, Amdt 15

Pontiac, MI, Oakland County Intl, ILS OR LOC RWY 9R, Amdt 13

Pontiac, MI, Oakland County Intl, LOC BC RWY 27L, Amdt 2

Pontiac, MI, Oakland County Intl, RNAV (GPS) RWY 9R, Orig-B

Pontiac, MI, Oakland County Intl, RNAV (GPS) RWY 27L, Orig-A

Pontiac, MI, Oakland County Intl, VOR RWY 9R, Amdt 24, CANCELED

Pontiac, MI, Oakland County Intl, VOR RWY 27L, Amdt 15, CANCELED

Duluth, MN, Duluth Intl, COPTER ILS OR LOC RWY 27, Amdt 2B

Duluth, MN, Duluth Intl, ILS OR LOC RWY 9, ILS RWY 9 (SA CAT I), ILS RWY 9 (CAT II), Amdt 22B

Duluth, MN, Duluth Intl, ILS OR LOC RWY 27, Amdt 10C

Duluth, MN, Duluth Intl, RNAV (GPS) RWY 3, Orig-B

Duluth, MN, Duluth Intl, RNAV (GPS) RWY 9, Amdt 1D

Duluth, MN, Duluth Intl, RNAV (GPS) RWY 21, Orig-B

Duluth, MN, Duluth Intl, RNAV (GPS) RWY 27, Orig-C

Minneapolis, MN, Airlake, RNAV (GPS) RWY 12, Amdt 1

Minneapolis, MN, Airlake, VOR RWY 12, Amdt 3

Missoula, MT, Missoula Intl, RNAV (RNP) RWY 30, Orig-C

Gastonia, NC, Gastonia Muni, NDB RWY 3, Amdt 9A

Nebraska City, NE, Nebraska City Muni, NDB RWY 15, Amdt 1A

Morristown, NJ, Morristown Muni, RNAV (GPS) RWY 5, Amdt 4

New York, NY, John F Kennedy Intl, COPTER RNAV (GPS) 027, Orig-C

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 4L, Amdt 11B

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 4R, ILS RWY 4R (CAT II), ILS RWY 4R (CAT III), Amdt 30A

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 13L, ILS RWY 13L (CAT II), Amdt 18A

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 22L, ILS RWY 22L (CAT II), ILS RWY 22L (CAT III), Amdt 24C

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 22R, Amdt 2B

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 31L, Amdt 11A

New York, NY, John F Kennedy Intl, ILS OR LOC RWY 31R, Amdt 16A

New York, NY, John F Kennedy Intl, RNAV (GPS) RWY 22R, Amdt 1F

New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 4L, Amdt 3A

New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 4R, Amdt 2A

New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 22L, Amdt 1E

New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 31L, Amdt 2A

New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 31R, Amdt 2B

New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 4L, Amdt 2A

New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 4R, Amdt 1A

New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 22L, Amdt 1C

New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 31L, Amdt 1A

New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 31R, Amdt 1A

Saratoga Springs, NY, Saratoga County, RNAV (GPS) RWY 23, Amdt 2

Hillsboro, OH, Highland County, Takeoff Minimums and Obstacle DP, Amdt 4

Hollis, OK, Hollis Muni, RNAV (GPS) RWY 18, Orig

Hollis, OK, Hollis Muni, RNAV (GPS) RWY 36, Orig

Hollis, OK, Hollis Muni, Takeoff Minimums and Obstacle DP, Orig

Astoria, OR, Astoria Rgnl, ASTORIA THREE, Graphic DP

Astoria, OR, Astoria Rgnl, Takeoff Minimums and Obstacle DP, Amdt 7

Portland, OR, Portland-Hillsboro, ILS OR LOC RWY 13R, Amdt 10B

Kenedy, TX, Karnes County, RNAV (GPS) RWY 16, Orig-B

Mineola/Quitman, TX, Wood County, RNAV (GPS) RWY 18, Orig-B

Mineola/Quitman, TX, Wood County, RNAV (GPS) RWY 36, Orig-C

Port Isabel, TX, Port Isabel-Cameron County, Takeoff Minimums and Obstacle DP, Amdt 2B

Rice Lake, WI, Rice Lake Rgnl—Carl's Field, RNAV (GPS) RWY 19, Amdt 3

Afton, WY, Afton Muni, AFTON FOUR, Graphic DP

**Rescinded:** On May 23, 2018 (83 FR 23802), the FAA published an Amendment in Docket No. 31193, Amdt No. 3799, to Part 97 of the Federal Aviation Regulations under section 97.23. The following entry for Wellsville, NY, effective July 19, 2018, is hereby rescinded in its entirety:

Wellsville, NY, Wellsville Muni Arpt, Tarantine fld, VOR-A, Amdt 6, CANCELED

[FR Doc. 2018-12713 Filed 6-13-18; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 31198; Amdt. No. 3804]

#### 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 June 14, 2018. 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 June 14, 2018.

**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 (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 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 June 1, 2018.

**John S. Duncan,**

*Executive 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:

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
19-Jul-18 .....	LA	Lafayette .....	Lafayette Rgnl/Paul Fournet Field.	7/0318	5/21/18	RADAR 1, Amdt 10A
19-Jul-18 .....	WI	Prairie Du Sac .....	Sauk-Prairie .....	8/2721	5/21/18	RNAV (GPS) Rwy 36, Orig
19-Jul-18 .....	WI	Prairie Du Sac .....	Sauk-Prairie .....	8/2723	5/21/18	RNAV (GPS) Rwy 18, Orig-A
19-Jul-18 .....	WI	Watertown .....	Watertown Muni .....	8/2964	5/21/18	RNAV (GPS) Rwy 11, Orig
19-Jul-18 .....	FL	Gainesville .....	Gainesville Rgnl .....	8/3252	5/21/18	ILS OR LOC Rwy 29, Amdt 12E
19-Jul-18 .....	TX	Hereford .....	Hereford Muni .....	8/4499	5/21/18	NDB Rwy 20, Amdt 2A
19-Jul-18 .....	WI	Madison .....	Dane County Rgnl-Truax Field.	8/4646	5/21/18	RNAV (GPS) Rwy 3, Orig-C
19-Jul-18 .....	CA	Upland .....	Cable .....	8/6310	5/21/18	Takeoff Minimums and Obstacle DP, Amdt 3
19-Jul-18 .....	AR	Monticello .....	Monticello Muni/Ellis Field .....	8/7594	5/21/18	VOR-A, Amdt 6A
19-Jul-18 .....	AR	Monticello .....	Monticello Muni/Ellis Field .....	8/7600	5/21/18	RNAV (GPS) Rwy 21, Amdt 2
19-Jul-18 .....	NE	Norfolk .....	Norfolk Rgnl/Karl Stefan Memorial Fld.	8/8694	5/21/18	VOR Rwy 32, Amdt 7
19-Jul-18 .....	NE	Norfolk .....	Norfolk Rgnl/Karl Stefan Memorial Fld.	8/8709	5/21/18	RNAV (GPS) Rwy 32, Amdt 1

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
19-Jul-18 .....	NE	Norfolk .....	Norfolk Rgnl/Karl Stefan Memorial Fld.	8/8711	5/21/18	VOR Rwy 19, Amdt 8
19-Jul-18 .....	MO	St Louis .....	Creve Coeur .....	8/9092	5/21/18	Takeoff Minimums and Obstacle DP, Amdt 2
19-Jul-18 .....	MA	Beverly .....	Beverly Rgnl .....	8/9547	5/21/18	RNAV (GPS) Rwy 27, Amdt 1A
19-Jul-18 .....	SC	Aiken .....	Aiken Muni .....	8/9658	5/21/18	ILS OR LOC/DME Rwy 7, Orig-C
19-Jul-18 .....	SC	Aiken .....	Aiken Muni .....	8/9659	5/21/18	NDB Rwy 25, Amdt 10C
19-Jul-18 .....	SC	Aiken .....	Aiken Muni .....	8/9660	5/21/18	RNAV (GPS) Rwy 25, Amdt 1C
19-Jul-18 .....	SC	Aiken .....	Aiken Muni .....	8/9661	5/21/18	RNAV (GPS) Rwy 7, Amdt 1C
19-Jul-18 .....	SC	Aiken .....	Aiken Muni .....	8/9662	5/21/18	VOR/DME-A, Amdt 1A

[FR Doc. 2018-12710 Filed 6-13-18; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF LABOR**

**Office of Workers' Compensation Programs**

**20 CFR Part 725**

**RIN 1240-AA11**

**Black Lung Benefits Act: Medical Benefit Payments**

**AGENCY:** Office of Workers' Compensation Programs, Labor.

**ACTION:** Final rule.

**SUMMARY:** This final rule revises the regulations under the Black Lung Benefits Act (BLBA or Act) governing the payment of medical benefits and maintains the level of care available to miners. The final rule establishes methods for determining the amounts that the Black Lung Disability Trust Fund (Trust Fund) will pay for covered medical services and treatments provided to entitled miners. The Department based the rule on payment formulas that the Centers for Medicare & Medicaid Services (CMS) uses to determine payments under the Medicare program, which are similar to the formulas used by other programs that the Office of Workers' Compensation Programs (OWCP) administers. The Department is adopting these payment formulas for the black lung program because they more accurately reflect prevailing community rates for authorized treatments and services than do the internally-derived payment formulas that OWCP currently uses. In addition, the final rule eliminates two obsolete provisions.

**DATES:**

*Effective Date:* This rule is effective August 31, 2018.

*Applicability Dates:* Sections 725.708(d), 725.709, and 725.711 apply to medical equipment, prescription drugs, and inpatient medical services provided or rendered after August 31,

2018. Sections 725.708(a) and (b) and 725.710 apply to professional medical services and outpatient medical services rendered after November 30, 2019.

**FOR FURTHER INFORMATION CONTACT:** Michael A. Chance, Director, Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, U.S. Department of Labor, 200 Constitution Avenue NW, Suite N-3520, Washington, DC 20210. Telephone: 1-800-347-2502. This is a toll-free number. TTY/TDD callers may dial toll-free 1-800-877-8339 for further information.

**SUPPLEMENTARY INFORMATION:**

**I. Background of This Rulemaking**

The BLBA, 30 U.S.C. 901-944, provides for the payment of benefits to coal miners and certain of their dependent survivors on account of total disability or death due to coal workers' pneumoconiosis. 30 U.S.C. 901(a); *Usery v. Turner Elkhorn Min. Co.*, 428 U.S. 1, 5 (1976). A miner who is entitled to disability benefits under the BLBA is also entitled to medical benefits. 33 U.S.C. 907, as incorporated by 30 U.S.C. 932(a); 20 CFR 725.701. Those medical benefits entitle a miner to medical, surgical, and other treatment—including hospital services, medicine, equipment, and supplies—for his or her pneumoconiosis and related disability. 20 CFR 725.701(b). The rules governing the payment of medical benefits are contained in 20 CFR part 725, subpart J.

Benefits are paid by either a "responsible" coal mine operator (or its insurance carrier), or the Trust Fund. *Director, OWCP v. Bivens*, 757 F.2d 781, 783 (6th Cir. 1985); *see* 20 CFR 725.495 (criteria for determining a responsible operator). OWCP pays medical benefits from the Trust Fund in three instances: (1) If no responsible operator can be identified as the party liable for a claim, and the Trust Fund is liable as a result (*see* 20 CFR 725.701(b)); (2) when the identified responsible operator declines to pay benefits pending final adjudication of a claim (*see* 20 CFR 725.522, 725.708(b)); and (3) when the

responsible operator fails to meet its payment obligations on an effective award (*see* 20 CFR 725.502). For interim payments made pending final adjudication, OWCP seeks reimbursement from the operator after the claim is finally awarded. 20 CFR 725.602(a). Likewise, OWCP seeks reimbursement for payments made when an operator fails to meet its obligations on an effective award. 20 CFR 725.601.

Although the current regulations provide that medical services and supplies be paid at the rate prevailing in the community where the physician, medical facility or supplier is located, they do not address how the prevailing community rate should be determined. *See* 20 CFR 725.706(c). OWCP currently bases Trust Fund payments for professional medical services, medical equipment, and inpatient and outpatient medical services and treatments on internally-derived payment formulas. For prescription medications, OWCP uses a payment formula similar to that employed by the three other workers' compensation programs that it administers.

On January 4, 2017, the Department issued a Notice of Proposed Rulemaking (NPRM), proposing a revised Subpart J. 82 FR 739-770 (Jan. 4, 2017). Specifically, the Department proposed to base Trust Fund payments for all medical services and treatments rendered on or after the effective date of the rule on payment formulas derived from those used by CMS under the Medicare program. *Id.* at 740. The proposed payment formulas were similar to those used by other OWCP programs, but were tailored to the specific geography, medical conditions, and needs of black lung program stakeholders. *See id.* at 767 (proposed § 725.707).

The Department chose these payment formulas for several reasons. The proposed formulas more accurately reflected prevailing community rates for authorized treatments and services than did OWCP's internally-derived formulas. *Id.* at 740. In addition,