

Significance

This rule is not significant under Executive Order 12866, nor is it considered significant under DOT Order 2100.5, Policies and Procedures for Simplification, Analysis, and Review of Regulations.

List of Subjects in 14 CFR Part 61

Aircraft, Aircraft pilots, Airmen, Airplanes, Air safety, Air transportation, Aviation safety, Balloons, Helicopters, Rotorcraft, Students.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends part 61 of Title 14, Code of Federal Regulations (14 CFR part 61) as follows:

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

1. The authority citation for part 61 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

2. Paragraphs 2(b)(2), 2(b)(5), and 3 of Special Federal Aviation Regulation (SFAR) No. 73 to part 61 are revised to read as follows:

Special Federal Aviation Regulations

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SFAR No. 73—Robinson R-22/R-44 Special Training and Experience Requirements

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2. *Required training, aeronautical experience, endorsements, and flight review.*

* * * * *

(b) * * *

(2) No person may act as pilot in command of a Robinson R-44 unless that person—

(i) Has had at least 200 flight hours in helicopters, at least 50 flight hours of which were in the Robinson R-44. The pilot in command may credit up to 25 flight hours in the Robinson R-22 toward the 50 hour requirement in the Robinson R-44; or

(ii) Has had at least 10 hours dual instruction in a Robinson helicopter, at least 5 hours of which must have been accomplished in the Robinson R-44 helicopter and has received an endorsement from a certified flight instructor authorized under paragraph (b)(5) of this section that the individual has been given the training required by this paragraph and is proficient to act as pilot in command of an R-44. Beginning 12 calendar months after the date of the endorsement, the individual may not act

as pilot in command unless the individual has completed a flight review in a Robinson R-44 within the preceding 12 calendar months and obtained an endorsement for that flight review. The dual instruction must include at least the following abnormal and emergency procedures flight training—

(A) Enhanced training in autorotation procedures;

(B) Engine rotor RPM control without the use of the governor;

(C) Low rotor RPM recognition and recovery; and

(D) Effects of low G maneuvers and proper recovery procedures.

* * * * *

(5) No certificated flight instructor may provide instruction or conduct a flight review in a Robinson R-22 or R-44 unless that instructor—

(i) Completes the awareness training in paragraph 2(a) of this SFAR.

(ii) For the Robinson R-22, has had at least 200 flight hours in helicopters, at least 50 flight hours of which were in the Robinson R-22, or for the Robinson R-44, has had at least 200 flight hours in helicopters, 50 flight hours of which were in Robinson helicopters. Up to 25 flight hours of Robinson R-22 flight time may be credited toward the 50 hour requirement.

(iii) Has completed flight training in a Robinson R-22, R-44, or both, on the following abnormal and emergency procedures—

(A) Enhanced training in autorotation procedures;

(B) Engine rotor RPM control without the use of the governor;

(C) Low rotor RPM recognition and recovery; and

(D) Effects of low G maneuvers and proper recovery procedures.

(iv) Has been authorized by endorsement from an FAA aviation safety inspector or authorized designated examiner that the instructor has completed the appropriate training, meets the experience requirements and has satisfactorily demonstrated an ability to provide instruction on the general subject areas of paragraph 2(a)(3) of this SFAR, and the flight training identified in paragraph 2(b)(5)(iii) of this SFAR.

* * * * *

3. *Expiration date.* This SFAR expires on December 31, 2002, unless sooner superceded or rescinded.

Issued in Washington, DC on December 31, 1997.

Jane F. Garvey,
Administrator.

[FR Doc. 98-317 Filed 1-2-98; 11:47 am]

BILLING CODE 4910-13-M

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

[Docket No. 29107; Amdt. No. 406]

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 (SIAP's) 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, 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 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; 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 SIAP's, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S.

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 SIAP's. The complete regulatory description of each SIAP is contained in official 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 97.20 of the Federal Aviation Regulation (FAR). The applicable FAA Forms are identified as FAA Form 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAP's, 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 in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR 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.

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. The SIAP's contained in this amendment are based on the criteria contained in the United States Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports.

The FAA has determined through testing that current non-localizer type, non-precision instrument approaches developed using the TERPS criteria can be flown by aircraft equipped with a Global Positioning System (GPS) and or Flight Management System (FMS) equipment. In consideration of the above, the applicable SIAP's will be altered to include "or GPS or FMS" in the title without otherwise reviewing or

modifying the procedure. (Once a stand alone GPS or FMS procedure is developed, the procedure title will be altered to remove "or GPS or FMS" from these non-localizer, non-precision instrument approach procedure titles.)

The FAA has determined through extensive analysis that current SIAP's intended for use by Area Navigation (RNAV) equipped aircraft can be flown by aircraft utilizing various other types of navigational equipment. In consideration of the above, those SIAP's currently designated as "RNAV" will be redesignated as "VOR/DME RNAV" without otherwise reviewing or modifying the SIAP's.

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 SIAP's 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.

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 January 2, 1998.

Quentin J. Smith, Jr.,

Acting 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 as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 continues to read:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113-40114, 40120, 44502, 44514, 44701, 44719, 44721-44722.

2. Amend 97.23, 97.27, 97.33 and 97.35, as appropriate, by adding, revising, or removing the following SIAP's, effective at 0901 UTC on the dates specified:

Effective on Publication

New York, NY, John F. Kennedy Intl, VOR or GPS RWY 13L/13R, Amdt 18 Cancelled
New York, NY, John F. Kennedy Intl, VOR or FMS or GPS RWY 13L/13R, Amdt 18
[FR Doc. 98-322 Filed 1-6-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 902

50 CFR Part 285

[Docket No. 971231320-7320-01; I.D. 121697B]

RIN 0648-AK63

Atlantic Tuna Fisheries; Archival Tag Recovery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Interim final rule; request for comments

SUMMARY: NMFS issues this interim final rule to allow the retention, possession, and landing of Atlantic bluefin tunas (ABTs) in which an archival tag has been implanted. Data recovery from archival tags requires that fish be harvested and the tag removed. In the event a fish with an archival tag is captured, applicable regulations could require its immediate release under certain conditions, such as the closure of the ABT season for a permit category. In order to provide for maximum likelihood of data recovery, NMFS exempts the harvest of fish with archival tags from applicable release requirements provided NMFS is notified prior to, or at the time of, landing and, as instructed, the tag is removed and returned to NMFS or the fish is made available so that it may be inspected and the tag recovered.

DATES: The interim final rule is effective December 31, 1997. Comments must be received on or before January 30, 1998.

ADDRESSES: Comments on the interim final rule should be sent to Rebecca Lent, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282. Comments regarding