

Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 9L, Amdt 1  
 Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 27R, Amdt 2  
 Grand Forks, ND, Grand Forks Intl, Takeoff Minimums and Obstacle DP, Amdt 2  
 Hastings, NE, Hastings Muni, Takeoff Minimums and Obstacle DP, Amdt 3  
 Newark, NJ, Newark Liberty Intl, RNAV (RNP) Y RWY 29, Orig  
 Newark, NJ, Newark Liberty Intl, RNAV (RNP) Z RWY 29, Orig  
 Dansville, NY, Dansville Muni, Takeoff Minimums and Obstacle DP, Amdt 2  
 Saratoga Springs, NY, Saratoga County, RNAV (GPS) RWY 5, Amdt 1  
 Saratoga Springs, NY, Saratoga County, Takeoff Minimums and Textual DP, Amdt 3  
 Saratoga Springs, NY, Saratoga County, VOR/DME-A, Amdt  
 Sidney, NY, Sidney Muni, Takeoff Minimums and Obstacle DP, Amdt 4  
 Sidney, NY, Sidney Muni, VOR RWY 25, Amdt 3  
 Lima, OH, Lima Allen County, ILS OR LOC RWY 27, Amdt 3  
 Lima, OH, Lima Allen County, RNAV (GPS) RWY 27, Orig  
 Lima, OH, Lima Allen County, Takeoff Minimums and Obstacle DP, Orig  
 Lima, OH, Lima Allen County, VOR RWY 27, Amdt 15  
 Mansfield, OH, Mansfield Lahm Rgnl, ILS OR LOC RWY 32, Amdt 16  
 Mansfield, OH, Mansfield Lahm Rgnl, RNAV (GPS) RWY 14, Orig  
 Mansfield, OH, Mansfield Lahm Rgnl, RNAV (GPS) RWY 32, Orig  
 Mansfield, OH, Mansfield Lahm Rgnl, Takeoff Minimums and Obstacle DP, Orig  
 Mansfield, OH, Mansfield Lahm Rgnl, VOR RWY 14, Amdt 14  
 Mansfield, OH, Mansfield Lahm Rgnl, VOR RWY 32, Amdt 7  
 Toledo, OH, Toledo Express, ILS OR LOC RWY 7, Amdt 28  
 Toledo, OH, Toledo Express, RNAV (GPS) RWY 25, Amdt 2  
 Sand Springs, OK, William R Pogue Muni, GPS RWY 35, Orig-C, CANCELLED  
 Sand Springs, OK, William R Pogue Muni, RNAV (GPS) RWY 17, Orig  
 Sand Springs, OK, William R Pogue Muni, RNAV (GPS) RWY 35, Orig  
 Sand Springs, OK, William R Pogue Muni, Takeoff Minimums and Obstacle DP, Amdt 2  
 Sand Springs, OK, William R Pogue Muni, VOR/DME-A, Amdt 3  
 Corvallis, OR, Corvallis Muni, GPS RWY 17, Orig, CANCELLED  
 Corvallis, OR, Corvallis Muni, RNAV (GPS) RWY 17, Orig  
 Florence, SC, Florence Rgnl, RADAR-1, Amdt 1  
 Florence, SC, Florence Rgnl, Takeoff Minimums and Textual DP, Amdt 5  
 Florence, SC, Florence Rgnl, VOR OR TACAN-A, Amdt 6  
 Crossville, TN, Crossville Memorial-Whitson Fld, ILS OR LOC RWY 26, Amdt 13  
 Crossville, TN, Crossville Memorial-Whitson Fld, RNAV (GPS) RWY 26, Orig  
 Crossville, TN, Crossville Memorial-Whitson Fld, VOR/DME-A, Amdt 9

Murfreesboro, TN, Murfreesboro Muni, RNAV (GPS) RWY 18, Amdt 1  
 Murfreesboro, TN, Murfreesboro Muni, RNAV (GPS) RWY 36, Amdt 1  
 Smyrna, TN, Smyrna, NDB RWY 32, Amdt 9  
 Smyrna, TN, Smyrna, RNAV (GPS) RWY 14, Orig  
 Smyrna, TN, Smyrna, RNAV (GPS) RWY 32, Orig  
 Smyrna, TN, Smyrna, Takeoff Minimums and Obstacle DP, Amdt 5  
 Smyrna, TN, Smyrna, VOR/DME RWY 14, Amdt 7  
 Smyrna, TN, Smyrna, VOR/DME RWY 32, Amdt 13  
 Sparta, TN, Upper Cumberland Rgnl, RNAV (GPS) RWY 4, Orig-A  
 Sparta, TN, Upper Cumberland Rgnl, RNAV (GPS) RWY 22, Orig-A  
 Dallas-Fort Worth, TX, Dallas-Fort Worth Intl, RNAV (GPS) RWY 18L, Orig  
 Dallas-Fort Worth, TX, Dallas-Fort Worth Intl, RNAV (GPS) RWY 18R, Orig  
 Dallas-Fort Worth, TX, Dallas-Fort Worth Intl, RNAV (GPS) RWY 36L, Amdt 2  
 Dallas-Fort Worth, TX, Dallas-Fort Worth Intl, RNAV (GPS) RWY 36R, Amdt 2  
 Houston, TX, Ellington Field, RNAV (GPS) RWY 22, Amdt 1  
 Huntsville, TX, Huntsville Muni, NDB RWY 18, Amdt 1  
 Huntsville, TX, Huntsville Muni, RNAV (GPS) RWY 18, Orig  
 Huntsville, TX, Huntsville Muni, VOR/DME-A, Amdt 6  
 Salt Lake City, UT, Salt Lake City Intl, Takeoff Minimums and Obstacle DP, Amdt 10  
 Rutland, VT, Rutland-Southern Vermont Rgnl, LOC/DME RWY 19, Orig, CANCELLED  
 Rutland, VT, Rutland-Southern Vermont Rgnl, LOC Y RWY 19, Amdt 3  
 Rutland, VT, Rutland-Southern Vermont Rgnl, LOC Z RWY 19, Amdt 1  
 Rutland, VT, Rutland-Southern Vermont Rgnl, RNAV (GPS) RWY 1, Orig  
 Rutland, VT, Rutland-Southern Vermont Rgnl, RNAV (GPS) RWY 19, Amdt 1  
 Rutland, VT, Rutland-Southern Vermont Rgnl, VOR/DME RWY 1, Amdt 1  
 Rutland, VT, Rutland-Southern Vermont Rgnl, VOR/DME RWY 19, Amdt 1  
 Burlington/Mount Vernon, WA, Skagit Rgnl, RNAV (GPS) RWY 28, Orig-A  
 Rhinelander, WI, Rhinelander-Oneida County, ILS OR LOC RWY 9, Amdt 7  
 Stevens Point, WI, Stevens Point Muni, RNAV (GPS) RWY 3, Orig  
 Stevens Point, WI, Stevens Point Muni, RNAV (GPS) RWY 21, Orig  
 Stevens Point, WI, Stevens Point Muni, VOR/DME RWY 3, Amdt 15  
 Stevens Point, WI, Stevens Point Muni, VOR/DME RWY 21, Amdt 19  
 Watertown, WI, Watertown Muni, GPS RWY 29, Orig, CANCELLED  
 Watertown, WI, Watertown Muni, NDB RWY 23, Amdt 2  
 Watertown, WI, Watertown Muni, RNAV (GPS) RWY 5, Orig  
 Watertown, WI, Watertown Muni, RNAV (GPS) RWY 11, Orig  
 Watertown, WI, Watertown Muni, RNAV (GPS) RWY 23, Orig  
 Watertown, WI, Watertown Muni, RNAV (GPS) RWY 29, Orig

Watertown, WI, Watertown Muni, VOR/DME RNAV OR GPS RWY 5, Amdt 3B, CANCELLED

Beckley, WV, Raleigh County Memorial, RNAV (GPS) RWY 10, Orig  
 Beckley, WV, Raleigh County Memorial, RNAV (GPS) RWY 19, Orig  
 Beckley, WV, Raleigh County Memorial, RNAV (GPS) RWY 28, Orig

[FR Doc. E9-3213 Filed 2-25-09; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### 14 CFR Part 97

[Docket No. 30652; Amdt. No. 3309]

#### 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 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 February 26, 2009. 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 February 26, 2009.

**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 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 are available online free of charge. Visit [nfdc.faa.gov](http://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 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 (FDC)/Permanent Notice to Airmen (P-NOTAM), and is incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of Title 14 of the Code of Federal Regulations.

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 in FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAP and the corresponding effective dates. 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 as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP as modified by FDC/P-NOTAMs.

The SIAPs, as modified by FDC P-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, 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 which created the need for all these SIAP amendments requires making them effective in less than 30 days.

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 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, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC, on February 6, 2009.

**John M. Allen,**

*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:

**§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, and 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, ISMLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs.

FDC date	State	City	Airport	FDC No.	Subject
01/16/09 .....	OH	COLUMBUS .....	RICKENBACKER INTL .....	9/2429	THIS NOTAM PUBLISHED IN TL 09-05 IS HEREBY RE-SCINDED IN ITS ENTIRETY. ILS RWY 5R, ILS RWY 5R (CAT II), AMDT 2
01/22/09 .....	AL	ALABASTER .....	SHELBY COUNTY .....	9/2468	VOR OR GPS A, AMDT 6
01/22/09 .....	OK	BARTLESVILLE .....	BARTLESVILLE MUNI .....	9/2554	LOC RWY 17, AMDT 3
01/22/09 .....	AZ	PHOENIX .....	PHOENIX-MESA GATEWAY .....	9/2602	RNAV (GPS) RWY 30L, ORIG
01/22/09 .....	MQ	SAND ISLAND, MIDWAY ATOLL	HENDERSON FLD .....	9/2619	RNAV (GPS) RWY 24, ORIG-A
01/22/09 .....	MQ	SAND ISLAND, MIDWAY ATOLL	HENDERSON FLD .....	9/2620	RNAV (GPS) RWY 6, ORIG-A

FDC date	State	City	Airport	FDC No.	Subject
01/22/09 .....	MQ	SAND ISLAND, MIDWAY ATOLL.	HENDERSON FLD .....	9/2621	NDB RWY 24, ORIG
01/22/09 .....	MQ	SAND ISLAND, MIDWAY ATOLL.	HENDERSON FLD .....	9/2622	NDB RWY 6, ORIG
01/23/09 .....	OK	TULSA .....	TULSA INTL .....	9/2663	ILS OR LOC RWY 36R, ILS RWY 36R (CAT II) AMDT 29
01/23/09 .....	MN	MINNEAPOLIS .....	AIRLAKE .....	9/2667	VOR OR GPS RWY 12, AMDT 1A
01/23/09 .....	MN	MINNEAPOLIS .....	AIRLAKE .....	9/2668	ILS OR LOC RWY 30, ORIG-B
01/23/09 .....	TX	EL PASO .....	HORIZON .....	9/2701	VOR/DME OR GPS A, AMDT 4A
01/23/09 .....	TX	EL PASO .....	EL PASO INTL .....	9/2704	RADAR-1, AMDT 13B
01/23/09 .....	TX	EL PASO .....	EL PASO INTL .....	9/2705	ILS OR LOC RWY 22, AMDT 32A
01/23/09 .....	TX	EL PASO .....	EL PASO INTL .....	9/2706	GPS RWY 4, ORIG-A
01/23/09 .....	TX	EL PASO .....	EL PASO INTL .....	9/2707	RNAV (GPS) RWY 22, ORIG-A
01/23/09 .....	NY	CANANDAIGUA .....	CANANDAIGUA .....	9/2878	RNAV (GPS) RWY 13, ORIG
02/03/09 .....	MD	BALTIMORE .....	BALTIMORE-WASHINGTON INTL THURGOOD MARSHALL.	9/3453	ILS RWY 15R, AMDT 15A
01/30/09 .....	OR	REDMOND .....	ROBERTS FIELD .....	9/3721	ILS OR LOC RWY 22, AMDT 2
02/05/09 .....	OH	COLUMBUS .....	RICKENBACKER INTL .....	9/4049	ILS RWY 5R, ILS RWY 5R (CAT II) AMDT 2
02/04/09 .....	CA	PALMDALE .....	PALMDALE REGIONAL/USAF PLANT 42.	9/4286	RNAV (GPS) RWY 25, ORIG-B

[FR Doc. E9-3215 Filed 2-25-09; 8:45 am]  
BILLING CODE 4910-13-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 40

[Docket No. RM08-3-001; Order No. 716-A]

#### Mandatory Reliability Standard for Nuclear Plant Interface Coordination

Issued February 19, 2009.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Final rule; order on rehearing.

**SUMMARY:** In this order, the Commission denies the New York Independent System Operator, Inc.'s request for rehearing of Order No. 716, *Mandatory Reliability Standard for Nuclear Plant Interface Coordination*. In Order No. 716, the Commission approved as mandatory and enforceable the Nuclear Plant Interface Coordination Reliability Standard proposed by the North American Electric Reliability Corporation.

**DATES:** *Effective Date:* This order denying rehearing of the final rule will become effective March 30, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Michael Gandolfo (Technical Information), Office of Electric Reliability, Division of Reliability Standards, Federal Energy Regulatory Commission, 888 First Street, NE.,

Washington, DC 20426, (202) 502-6817.

Richard M. Wartchow (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8744.

#### SUPPLEMENTARY INFORMATION:

United States of America.  
Federal Energy Regulatory Commission.

Before Commissioners: Jon Wellinhoff, Acting Chairman; Suedeenn G. Kelly, Marc Spitzer, and Philip D. Moeller.

#### Order on Rehearing

(Issued February 19, 2009.)

1. In Order No. 716, the Commission approved as mandatory and enforceable the Nuclear Plant Interface Coordination Reliability Standard proposed by the North American Electric Reliability Corporation (NERC).<sup>1</sup> In this order, the Commission denies the New York Independent System Operator, Inc.'s (New York ISO) request for rehearing of Order No. 716.

#### Background

2. On November 19, 2007, NERC, the Commission-certified Electric Reliability Organization (ERO), submitted for Commission approval the Nuclear Reliability Standard, designated NUC-001-1. NERC supplemented the

filing on December 11, 2007 to propose four related NERC glossary terms.

3. In Order No. 716, the Commission approved the Nuclear Reliability Standard and related definitions. In doing so, the Commission approved the applicability provisions provided in Requirements R1 and R2, as clarified in NERC's May 13, 2008 comments.<sup>2</sup> The Nuclear Reliability Standard applies to "transmission entities," defined as "all entities that are responsible for providing services related to Nuclear Plant Interface Requirements (NPIRs)"<sup>3</sup> and lists 11 types of functional entities that could provide services related to NPIRs.<sup>4</sup> In Order No. 716, the Commission accepted NERC's clarification that the Nuclear Reliability Standard will apply to an entity that provides services relating to a nuclear plant generator operator's nuclear plant licensing requirements on the later of one of two events: on the effective date, for entities in NERC's compliance registry that already received notice in the form of a proposed NPIR, or on the

<sup>2</sup> *Id.* P 68.

<sup>3</sup> The NERC glossary defines NPIRs as "The requirements, based on [nuclear plant licensing requirements] and Bulk Electric System requirements, that have been mutually agreed to by the Nuclear Plant Generator Operator and the applicable Transmission Entities."

<sup>4</sup> The Nuclear Reliability Standard list of the applicable functional entities consists of transmission operators, transmission owners, transmission planners, transmission service providers, balancing authorities, reliability coordinators, planning authorities, distribution providers, load-serving entities, generator owners and generator operators.

<sup>1</sup> *Mandatory Reliability Standard for Nuclear Plant Interface Coordination*, Order No. 716, 73 FR 63,770 (Oct. 27, 2008), 125 FERC ¶ 61,065, *addressing proposals* in Notice of Proposed Rulemaking (NOPR), 73 FR 16,586 (Mar. 28, 2008), FERC Stats. and Regs. ¶ 32,629 (2008).