

West Bend, WI, West Bend Muni, VOR/DME  
RNAV OR GPS RWY 13, Amdt 5A,  
CANCELLED

[FR Doc. 2010-5286 Filed 3-17-10; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### 14 CFR Part 97

[Docket No. 30715; Amdt. No. 3365]

#### 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 March 18, 2010. 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 March 18, 2010.

**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.*

**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 March 5, 2010.

**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:

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   |
|------------|-------|--------------|---|---------|----------|---|
| 8-Apr-10   | NY    | ISLIP        | LONG ISLAND MAC ARTHUR                              | 9/9568  | 2/23/10  | RNAV (GPS) RWY 6, ORIG.   |
| 8-Apr-10   | ID    | BOISE        | BOISE AIR TERMINAL/<br>GOWEN FLD.                   | 0/2553  | 2/23/10  | LOC BC RWY 28L, AMDT 1.   |
| 8-Apr-10   | ID    | BOISE        | BOISE AIR TERMINAL/<br>GOWEN FLD.                   | 0/2554  | 2/23/10  | VOR/DME OR TACAN RWY<br>10L, AMDT 1B.                             |
| 8-Apr-10   | ID    | BOISE        | BOISE AIR TERMINAL/<br>GOWEN FLD.                   | 0/2556  | 2/23/10  | ILS OR LOC RWY 10R, AMDT<br>10; ILS RWY 10R (CAT II),<br>AMDT 10. |
| 8-Apr-10   | MD    | CLINTON      | WASHINGTON EXECUTIVE/<br>HYDE FIELD.                | 0/4027  | 2/23/10  | RNAV (GPS) RWY 5, ORIG.   |
| 8-Apr-10   | KS    | GREAT BEND   | GREAT BEND MUNI                                     | 0/4495  | 2/23/10  | NDB OR GPS A, AMDT 5.   |
| 8-Apr-10   | SD    | PIERRE       | PIERRE REGIONAL                                     | 0/4897  | 2/16/10  | ILS OR LOC RWY 31, AMDT<br>12A.                                   |
| 8-Apr-10   | SD    | BRITTON      | BRITTON MUNI  | 0/4899  | 2/16/10  | RNAV (GPS) RWY 13, ORIG.  |
| 8-Apr-10   | SD    | BRITTON      | BRITTON MUNI  | 0/4900  | 2/16/10  | RNAV (GPS) RWY 31, ORIG.  |
| 8-Apr-10   | TX    | AMARILLO     | RICK HUSBAND AMARILLO<br>INTL.                      | 0/4901  | 2/16/10  | ILS RWY 4, AMDT 22.   |
| 8-Apr-10   | TX    | AUSTIN       | AUSTIN-BERGSTROM INTL ..                            | 0/4902  | 2/16/10  | ILS OR LOC RWY 17R, AMDT<br>3.                                    |
| 8-Apr-10   | OK    | HENRYETTA    | HENRYETTA MUNI                                      | 0/4941  | 2/16/10  | RNAV (GPS) RWY 36, ORIG-A.  |
| 8-Apr-10   | OK    | NORMAN       | UNIVERSITY OF OKLAHOMA<br>WESTHEIMER.               | 0/4943  | 2/16/10  | NDB RWY 35, ORIG-B.   |
| 8-Apr-10   | TX    | LUBBOCK      | LUBBOCK PRESTON SMITH<br>INTL.                      | 0/4968  | 2/16/10  | VOR A, AMDT 6A.   |
| 8-Apr-10   | MT    | HAMILTON     | RAVALLI COUNTY                                      | 0/4994  | 2/23/10  | RNAV (GPS) B, ORIG.   |
| 8-Apr-10   | MT    | HAMILTON     | RAVALLI COUNTY                                      | 0/4997  | 2/23/10  | RNAV (GPS) A, ORIG.   |
| 8-Apr-10   | LA    | DE QUINCY    | DE QUINCY INDUSTRIAL<br>AIRPARK.                    | 0/5003  | 2/16/10  | NDB RWY 15, AMDT 1A.  |
| 8-Apr-10   | LA    | ALEXANDRIA   | ALEXANDRIA INTL                                     | 0/5004  | 2/23/10  | RNAV (GPS) RWY 36, ORIG.  |
| 8-Apr-10   | LA    | DE RIDDER    | BEAUREGARD REGIONAL ..                              | 0/5005  | 2/16/10  | RNAV (GPS) RWY 36, AMDT 1.  |
| 8-Apr-10   | LA    | DE RIDDER    | BEAUREGARD REGIONAL ..                              | 0/5006  | 2/16/10  | RNAV (GPS) RWY 18, ORIG.  |
| 8-Apr-10   | LA    | DE RIDDER    | BEAUREGARD REGIONAL ..                              | 0/5007  | 2/16/10  | NDB RWY 36, AMDT 5.   |
| 8-Apr-10   | LA    | DE RIDDER    | BEAUREGARD REGIONAL ..                              | 0/5008  | 2/16/10  | LOC RWY 36, AMDT 3.   |
| 8-Apr-10   | LA    | DE RIDDER    | BEAUREGARD REGIONAL ..                              | 0/5056  | 2/16/10  | RADAR-1, ORIG.  |
| 8-Apr-10   | OH    | AKRON        | AKRON FULTON INTL                                   | 0/5059  | 2/16/10  | NDB OR GPS RWY 25, AMDT<br>13A.                                   |
| 8-Apr-10   | OH    | AKRON        | AKRON FULTON INTL                                   | 0/5060  | 2/16/10  | LOC RWY 25, AMDT 13A.   |
| 8-Apr-10   | OH    | AKRON        | AKRON FULTON INTL                                   | 0/5061  | 2/16/10  | TAKEOFF MINIMUMS AND<br>OBSTACLE DP, AMDT 1.                      |
| 8-Apr-10   | IA    | BURLINGTON   | SOUTHEAST IOWA RE-<br>GIONAL.                       | 0/5066  | 2/16/10  | VOR RWY 30, AMDT 13.  |
| 8-Apr-10   | IA    | BURLINGTON   | SOUTHEAST IOWA RE-<br>GIONAL.                       | 0/5067  | 2/16/10  | ILS OR LOC RWY 36, AMDT 10.                                       |
| 8-Apr-10   | IA    | BURLINGTON   | SOUTHEAST IOWA RE-<br>GIONAL.                       | 0/5068  | 2/16/10  | VOR/DME RWY 12, AMDT 6.   |
| 8-Apr-10   | IA    | CLINTON      | CLINTON MUNI  | 0/5079  | 2/16/10  | VOR RWY 3, AMDT 15.   |
| 8-Apr-10   | IA    | CLINTON      | CLINTON MUNI  | 0/5084  | 2/16/10  | RNAV (GPS) RWY 21, ORIG.  |
| 8-Apr-10   | IA    | CLINTON      | CLINTON MUNI  | 0/5085  | 2/16/10  | ILS RWY 3, AMDT 4A.   |
| 8-Apr-10   | IA    | CLINTON      | CLINTON MUNI  | 0/5086  | 2/16/10  | RNAV (GPS) RWY 3, ORIG.   |
| 8-Apr-10   | IA    | CLINTON      | CLINTON MUNI  | 0/5087  | 2/16/10  | VOR/DME RWY 21, AMDT 9A.  |
| 8-Apr-10   | ME    | PRESQUE ISLE | NORTHERN MAINE RE-<br>GIONAL ARPT AT<br>PRESQUE IS. | 0/5151  | 2/16/10  | VOR/DME RWY 1, AMDT 12A.  |
| 8-Apr-10   | WV    | MARTINSBURG  | EASTERN WV REGIONAL/<br>SHEPHERD.                   | 0/5197  | 2/16/10  | VOR A, AMDT 9.  |
| 8-Apr-10   | TX    | AMARILLO     | RICK HUSBAND AMARILLO<br>INTL.                      | 0/5201  | 2/16/10  | RNAV (GPS) RWY 31, ORIG.  |
| 8-Apr-10   | TX    | AUSTIN       | AUSTIN-BERGSTROM INTL ..                            | 0/5203  | 2/16/10  | ILS RWY 17L, AMDT 1.  |
| 8-Apr-10   | TX    | AUSTIN       | AUSTIN-BERGSTROM INTL ..                            | 0/5204  | 2/16/10  | ILS RWY 35R, AMDT 1.  |
| 8-Apr-10   | PA    | COLLEGEVILLE | PERKIOMEN VALLEY                                    | 0/5649  | 2/16/10  | VOR A, ORIG.  |
| 8-Apr-10   | MN    | ST PAUL      | ST PAUL DOWNTOWN HOL-<br>MAN FLD.                   | 0/5661  | 2/16/10  | ILS OR LOC RWY 14, AMDT 1.  |
| 8-Apr-10   | MI    | LANSING      | CAPITAL CITY  | 0/6591  | 2/23/10  | ILS OR LOC RWY 28L, AMDT<br>26.                                   |

| AIRAC date     | State | City             | Airport                  | FDC No. | FDC date | Subject                        |
|----------------|-------|------------------|--------------------------|---------|----------|--------------------------------|
| 8-Apr-10 ..... | AL    | TUSCALOOSA ..... | TUSCALOOSA REGIONAL .... | 0/6915  | 2/23/10  | VOR OR TACAN RWY 22, AMDT 14C. |
| 8-Apr-10 ..... | MI    | SAGINAW .....    | MBS INTL .....           | 0/7049  | 2/23/10  | ILS RWY 23, AMDT 4A.           |

[FR Doc. 2010-5284 Filed 3-17-10; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 520

[Docket No. FDA-2010-N-0002]

#### Oral Dosage Form New Animal Drugs; Tetracycline Powder

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Alpharma, Inc. The supplemental NADA provides for revised labeling for a 25 gram per pound concentration of tetracycline hydrochloride soluble powder used to make medicated drinking water for calves, swine, chickens, and turkeys for the treatment and control of various bacterial diseases.

**DATES:** This rule is effective March 18, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Cindy L. Burnsteel, Center for Veterinary Medicine (HFV-130), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 240-276-8341, e-mail: [cindy.burnsteel@fda.hhs.gov](mailto:cindy.burnsteel@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:** Alpharma, Inc., 440 Rte. 22, Bridgewater, NJ 08807 filed a supplement to NADA 65-140 that provides for revised labeling for DURAMYCIN-10 (tetracycline hydrochloride), a soluble powder containing 25 grams of tetracycline hydrochloride per pound used to make medicated drinking water for calves, swine, chickens, and turkeys for the treatment and control of various bacterial diseases. The supplemental application is approved as of January 12, 2010, and the regulations are amended in 21 CFR 520.2345d to reflect the approval.

In addition, FDA has noticed that this approved concentration of tetracycline soluble powder has not been codified

for this sponsor. At this time, the regulations are being amended to reflect approval of this product. This change is being made to improve the accuracy of the animal drug regulations.

Approval of this supplemental NADA did not require review of additional safety or effectiveness data or information. Therefore, a freedom of information summary is not required.

The agency has determined under 21 CFR 25.33 that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

#### List of Subjects in 21 CFR Part 520

Animal drugs.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

#### PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

■ 1. The authority citation for 21 CFR part 520 continues to read as follows:

**Authority:** 21 U.S.C. 360b.

■ 2. In § 520.2345d, revise paragraphs (b)(2) and (b)(3); remove paragraph (b)(4); and redesignate paragraph (b)(5) as paragraph (b)(4) to read as follows:

#### § 520.2345d Tetracycline powder.

\* \* \* \* \*

(b) \* \* \*

(2) No. 000010: 102.4 and 324 grams per pound as in paragraph (d) of this section.

(3) No. 046573: 25, 102.4, and 324 grams per pound as in paragraph (d) of this section.

\* \* \* \* \*

Dated: March 5, 2010.

**Steven D. Vaughn,**

*Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

[FR Doc. 2010-5925 Filed 3-17-10; 8:45 am]

BILLING CODE 4160-01-S

## POSTAL SERVICE

### 39 CFR Part 111

#### Eligibility for Commercial Flats Failing Deflection

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service published a proposed rule regarding eligibility for commercial flats failing deflection in the **Federal Register** on December 14, 2009. This final rule provides revised mailing standards and price eligibility for commercial flats of all classes that fail to meet the deflection standard.

**DATES:** Basic standards effective June 7, 2010, with price consequences effective October 3, 2010.

**FOR FURTHER INFORMATION CONTACT:** Bill Chatfield, 202-268-7278.

**SUPPLEMENTARY INFORMATION:** This final rule contains modifications to the original proposal, in response to customer comments. The final rule does not include changes to the deflection standards, but to the pricing eligibility. In response to the original deflection proposal and scheduled implementation in May 2009, customers expressed concerns about the potential additional postage due for pieces failing the deflection standards. Based on these concerns and to align with other quality efforts, in December 2009 the Postal Service proposed to change the price eligibilities applicable for pieces that fail the deflection standards.

In this final rule notice we provide background, summary of the comments received, our response to the comments, a summary of the changes and revisions to the applicable prices for pieces that do not meet the deflection standards, followed by changes to the mailing standards in *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®).

#### Background

The Postal Service's final rule for new mailing standards to be effective in May 2009 was published in the **Federal Register** (74 FR 15380-15384) on April 6, 2009. The final rule included new deflection standards, previously applicable only to automation flats, for all commercial flat-size mail except saturation and high-density Periodicals and Standard Mail® flats, as a basic