

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9P, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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ACE IA E5 Creston, IA

Creston Municipal Airport, IA
(Lat. 41°01'17" N., long. 94°21'48" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Creston Municipal Airport, IA and within 2.6 miles each side of the 169° bearing from the airport extending from the 6.5-mile radius to 11 miles south of the airport.

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Issued in Forth Worth, TX, on December 11, 2006.

Donald R. Smith,

*Manager, System Support Group, ATO
Central Service Area.*

[FR Doc. 06–9826 Filed 12–27–06; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30528; Amdt. No. 3199]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends 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: This rule is effective December 28, 2006. The compliance date for each SIAP 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 December 28, 2006.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Ave., SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

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.

*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, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, 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 amendment to Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) amends Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in the appropriate FAA Form 8260, as modified by the National Flight Data Center (FDC)/Permanent Notice to Airmen (P–NOTAM), which is incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Code of Federal Regulations. 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 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.

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 chart changes to SIAPs, 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 an 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.

Further, the SIAPs contained in this amendment are based on the criteria contained in 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 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 December 15, 2006.

James J. Ballough,
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, Identified as follows:

Effective Upon Publication

FDC date	State	City	Airport	FDC number	Subject
11/22/06	CO	Hayden	Yampa Valley	6/6578	Rescind NOTAM Published in TL07-1.ILS or LOC/DME Y Rwy 10, Amdt 2.
11/29/06	CO	Hayden	Yampa Valley	6/6653	ILS or LOC/DME Y Rwy 10, Amdt 2.
12/04/06	FL	Tampa	Tampa Int	6/7515	RNAV (RNP) Y Rwy 18L, Orig-A.
12/04/06	ME	Augusta	Augusta State	6/7520	VOR Rwy 35, Amdt 5.
12/04/06	NC	Reidsville	Rockingham County NC Shiloh	6/7563	VOR/DME A, Amdt 8.
12/04/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7582	RNAV (GPS) Rwy 8, Orig.
12/04/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7585	RNAV (GPS) Rwy 7R, Orig.
12/04/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7586	ILS Rwy 26, Orig-A.
12/04/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7587	ILS Rwy 7L, Amdt 10A.
12/04/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7588	RNAV (GPS) Rwy 7L, Orig.
12/04/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7589	ILS Rwy 7R, Amdt 1A.
12/05/06	CA	Chico	Chico Muni	6/7596	ILS Rwy 13L, Amdt 10A.
12/05/06	DC	Washington	Ronald Reagan Washington Ntl	6/7614	RNAV (RNP) Rwy 19, Orig-A.
12/05/06	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7645	ILS Rwy 8, Orig.
12/05/06	NY	White Plains	Westchester County	6/7665	ILS Rwy 16, Amdt 22F.
12/05/06	NY	White Plains	Westchester County	6/7666	NDB Rwy 16, Amdt 21.
12/08/06	NY	Ogdensburg	Ogdensburg Intl	6/7937	LOC Rwy 27, Amdt 2A.
12/08/06	AK	Hooper Bay	Hooper Bay	6/7938	RNAV (GPS) Rwy 13, Orig.
12/08/06	AK	Hooper Bay	Hooper Bay	6/7939	RNAV (GPS) Rwy 31, Orig.
12/08/06	AK	Hooper Bay	Hooper Bay	6/7940	VOR/DME Rwy 31, Orig.
12/08/06	NC	Asheville	Asheville Regional	6/7949	ILS Rwy 16, Amdt 3A.
12/08/06	NC	Lincolnton	Lincolnton-Lincoln County Regional	6/7956	LOC Rwy 23, Orig-A.
12/08/06	NC	Lincolnton	Lincolnton-Lincoln County Regional	6/7957	NDB or GPS Rwy 23, Amdt 2.
12/08/06	WV	Martinsburg	Eastern West Virginia Regional/Shepherd Field	6/7962	ILS Rwy 26, Amdt 6.
12/08/06	NC	Shelby	Shelby Muni	6/7985	NDB Rwy 23, Orig.
12/08/06	NC	Fayetteville	Fayetteville Regional/Grannis Field	6/7986	ILS Rwy 4, Amdt 15.
12/12/06	MD	Baltimore	Baltimore-Washington Intl	6/8227	ILS Rwy 33L, Amdt 9B.
12/12/06	DE	Wilmington	New Castle	6/8228	ILS Rwy 1, Amdt 20A.
12/12/06	DE	Wilmington	New Castle	6/8230	VOR OR GPS Rwy 1, Amdt 3B.
09/28/06	GU	Agana	Guam Intl	6/1659	RNAV (RNP) Z Rwy 6L, Orig.
09/28/06	GU	Agana	Guam Intl	6/1664	RNAV (RNP) Z Rwy 24L, Orig.

[FR Doc. E6-21954 Filed 12-27-06; 8:45 am]

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FEDERAL TRADE COMMISSION**16 CFR Part 305**

RIN 3084-AA74

Appliance Labeling Rule**AGENCY:** Federal Trade Commission (“FTC” or “Commission”).**ACTION:** Final rule.

SUMMARY: The Energy Policy Act of 2005 directs the Commission to issue labeling requirements for the electricity used by ceiling fans to circulate air. The Commission is publishing amendments to the Appliance Labeling Rule that establish energy labeling requirements for these products.

DATES: The amendments published in this final rule will become effective on January 1, 2009.

ADDRESSES: Requests for copies of this document are available from: Public Reference Branch, Room 130, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. The complete record of this proceeding is also available at that address. Relevant portions of the proceeding, including this document, are available at <http://www.ftc.gov>.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome, (202) 326-2889, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:**I. Background**

Section 324 of the Energy Policy and Conservation Act of 1975 (“EPCA”) (42 U.S.C. 6291-6309), as amended, requires the FTC to prescribe labeling rules for the disclosure of estimated annual energy cost, or alternative energy consumption information, for a variety of products covered by the statute, including home appliance, lighting, and plumbing products.¹ The Commission’s Appliance Labeling Rule (“the Rule”) (16 CFR part 305) implements the requirements of EPCA by directing manufacturers to disclose energy information about major household appliances. This information enables consumers to compare the energy use or efficiency of competing models.² When initially published in 1979,³ the Rule

applied to eight appliance categories: refrigerators, refrigerator-freezers, freezers, dishwashers, water heaters, clothes washers, room air conditioners, and furnaces. The Commission subsequently expanded the Rule’s coverage to include central air conditioners, heat pumps, fluorescent lamp ballasts, plumbing products, lighting products, pool heaters, and some other types of water heaters.⁴

Congress enacted the Energy Policy Act of 2005 (“EPACT 2005”) directing the Commission to require energy labeling for ceiling fans.⁵ Pursuant to this directive, on June 21, 2006, the Commission published a notice of proposed rulemaking (“NPRM”) seeking public comment on proposed fan labeling requirements (71 FR 35584). Before discussing the comments received in response to the NPRM and the Commission’s final requirements for ceiling fan labeling, this Notice describes the provisions of EPACT 2005, ceiling fan uses, ENERGY STAR specifications, and existing state labeling programs.

A. Energy Policy Act of 2005

Section 137 of EPACT 2005 (Pub. L. No. 109-58 (2005)) amends EPCA to include new requirements related to ceiling fans. Section 324(a)(2)(G)(i) of EPCA (42 U.S.C. 6294(a)(2)(G)(i)) requires the Commission to “issue, by rule, in accordance with this section, labeling requirements for the electricity used by ceiling fans to circulate air in a room.” The statute also directs the Department of Energy (“DOE”) to prescribe test procedures and energy conservation standards for ceiling fans.⁶ (See 42 U.S.C. 6293(b)(16) and 42 U.S.C. 6295(v)). According to EPACT 2005, the test procedure for ceiling fans must be based on the “ENERGY STAR Testing Facility Guidance Manual: Building a Testing Facility and Performing the Solid State Test Method for ENERGY STAR Qualified Ceiling Fans, Version 1.1” (“ENERGY STAR Guidance Manual”) published by the Environmental Protection Agency (EPA). (42 U.S.C. 6293(b)(16)). However,

⁴ See 52 FR 46888 (Dec. 10, 1987) (central air conditioners); 59 FR 49556 (Sept. 28, 1994) (pool heaters); 54 FR 28031 (July 5, 1989) (fluorescent lamp ballasts); 58 FR 54955 (Oct. 25, 1993) (certain plumbing products); and 59 FR 25176 (May 13, 1994) (lighting products).

⁵ Section 137 of EPACT 2005 (Pub. L. 109-58 (2005)).

⁶ EPACT 2005 (42 U.S.C. 6295(ff)) further directs DOE to require that all ceiling fans manufactured after January 1, 2007 have fan speed controls separate from any lighting controls, adjustable speed controls (either more than one speed or variable speed), and reversible fan action capability (except for some exempted categories).

in issuing testing and conservation standards, DOE may exempt or set different standards for certain product classes if the primary standards are not technically feasible or economically justified. DOE may also establish separate or exempted product classes for highly decorative fans for which air movement performance is a secondary design feature. (42 U.S.C. 6295(v)). DOE published a final test procedure for ceiling fans on December 8, 2006 (71 FR 71430) based on the ENERGY STAR Guidance Manual.

In developing labeling rules for products covered by EPCA (such as ceiling fans), the Commission must follow the requirements set out in section 324(c) (42 U.S.C. 6294(c)).⁷ Under section 324(c), labels must disclose the estimated annual operating cost determined in accordance with DOE test procedures unless otherwise indicated in the law. The Commission, however, may require a different measure of energy consumption if DOE determines that the cost disclosure is not technologically feasible or the Commission determines such a disclosure is not likely to assist consumers in making purchasing decisions or is not economically feasible. (42 U.S.C. 6294(c)(1)(A)). In addition, labels must disclose information about the range of operating costs (or a different measure of energy consumption if required by the Commission). (42 U.S.C. 6294(c)(1)(B)). The Commission’s labeling rules also must include a description of the applicable type or class of covered product, information about the range of operating costs (or energy use), a description of applicable test procedures, a prototype label, and directions for displaying the label. (42 U.S.C. 6294(c)(2)).

Additionally, EPCA authorizes the Commission to require the disclosure of energy information found on the label in any printed material displayed or distributed at the point of sale. (42 U.S.C. 6293(c)(4)). The Commission also may direct manufacturers to provide additional energy-related disclosures on the label (or information shipped with the product), including instructions for the maintenance, use, or repair of the

⁷ EPACT 2005 did not amend the list of covered products in EPCA section 322 (42 U.S.C. 6292) to include the new products added by the legislation such as ceiling fans, exit signs, and torchieres. Nevertheless, language elsewhere in EPACT 2005 (e.g., section 137(b)) makes it clear that Congress intended to treat these items as covered products. Accordingly, the Commission believes that ceiling fans are subject to EPCA requirements for covered products, such as energy range disclosures on labels required by section 324(c) and the reporting requirements of section 326(b).

¹ 42 U.S.C. 6294.

² More information about the Rule can be found at <http://www.ftc.gov/appliances>.

³ 44 FR 66466 (Nov. 19, 1979).