

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the **Federal Register** expensive and impractical. Furthermore, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their 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, Takeoff Minimums, and ODP listed on FAA forms is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs and the effective dates of the SIAPs, the associated Takeoff Minimums, and ODPs. 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, Takeoff Minimums and ODP as contained in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. 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 before adopting these SIAPs, Takeoff Minimums and ODPs 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.

### 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 April 4, 2008.

**James J. Ballough,**

*Director, Flight Standards Service.*

### Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, under Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and/or Takeoff Minimums and/or Obstacle Departure 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:

\* \* \* *Effective 5 JUN 2008*

Eek, AK, Eek, RNAV (GPS) RWY 17, Orig  
Eek, AK, Eek, RNAV (GPS) RWY 35, Orig  
Eek, AK, Eek, Takeoff Minimums and Obstacle DP, Orig  
Homer, AK, Homer, NDB–A, Orig–A, CANCELLED  
Wilmington, DE, New Castle, MLS RWY 9, Orig–B, CANCELLED  
Punta Gorda, FL, Charlotte County, RNAV (GPS) RWY 4, Orig  
Punta Gorda, FL, Charlotte County, RNAV (GPS) RWY 15, Orig  
Punta Gorda, FL, Charlotte County, RNAV (GPS) RWY 22, Orig  
Punta Gorda, FL, Charlotte County, RNAV (GPS) RWY 33, Orig  
Punta Gorda, FL, Charlotte County, VOR RWY 4, Amdt 1  
Punta Gorda, FL, Charlotte County, VOR RWY 22, Amdt 4

Punta Gorda, FL, Charlotte County, GPS RWY 3, Orig–A, CANCELLED  
Punta Gorda, FL, Charlotte County, GPS RWY 15, Orig, CANCELLED  
Punta Gorda, FL, Charlotte County, GPS RWY 21, Orig, CANCELLED  
Punta Gorda, FL, Charlotte County, GPS RWY 33, Orig, CANCELLED  
Punta Gorda, FL, Charlotte County, Takeoff Minimums and Obstacle DP, Amdt 1  
Burlington, IA, Southeast Iowa Rgnl, ILS OR LOC RWY 36, Amdt 10  
Dubuque, IA, Dubuque Rgnl, VOR RWY 31, Amdt 12  
Dubuque, IA, Dubuque Rgnl, VOR RWY 36, Amdt 6  
Ulysses, KS, Ulysses, RNAV (GPS) RWY 12, Amdt 1  
Ulysses, KS, Ulysses, RNAV (GPS) RWY 30, Amdt 1  
Nantucket, MA, Nantucket Memorial, ILS OR LOC RWY 6, Orig–A  
Adrian, MI, Lenawee County, RNAV (GPS) RWY 5, Amdt 1  
Long Prairie, MN, Todd Field, RNAV (GPS) RWY 34, Orig  
Long Prairie, MN, Todd Field, Takeoff Minimums and Obstacle DP, Orig  
Lebanon, NH, Lebanon Muni, ILS OR LOC RWY 18, Amdt 5A  
Monticello, NY, Sullivan County Intl, VOR/DME OR GPS RWY 1, Amdt 3, CANCELLED  
Monticello, NY, Sullivan County Intl, Takeoff Minimums and Obstacle DP, Amdt 2, CANCELLED  
Shirley, NY, Brookhaven, VOR RWY 6, Amdt 4  
Shirley, NY, Brookhaven, RNAV (GPS) RWY 6, Amdt 1  
Tulsa, OK, Tulsa Intl, RNAV (GPS) RWY 18L, Amdt 1  
Tulsa, OK, Tulsa Intl, RNAV (GPS) RWY 26, Amdt 1  
Burlington/Mount Vernon, WA, Skagit Rgnl, RNAV (GPS) RWY 10, Amdt 1  
Burlington/Mount Vernon, WA, Skagit Rgnl, NDB RWY 10, Amdt 4  
Burlington/Mount Vernon, WA, Skagit Rgnl, GPS RWY 28, Orig–A, CANCELLED

[FR Doc. E8–8049 Filed 4–15–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### 14 CFR Part 97

[Docket No. 30603; Amdt. No. 3265]

### 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 April 16, 2008. 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 April 16, 2008.

**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 DOT Regulatory 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 April 4, 2008.

**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 No.	Subject
03/21/08	IN	FORT WAYNE	SMITH FIELD	8/9217	GPS RWY 13, ORIG.
03/21/08	IN	RENSELAER	JASPER COUNTY	8/9218	GPS RWY 18, ORIG.
03/21/08	IN	FORT WAYNE	SMITH FIELD	8/9219	VOR RWY 13, AMDT 9.
03/21/08	IA	CENTERVILLE	CENTERVILLE MUNI	8/9279	NDB OR GPS RWY 34, AMDT 1A.
03/21/08	IA	CENTERVILLE	CENTERVILLE MUNI	8/9280	NDB OR GPS RWY 16, AMDT 1A.
03/21/08	OH	COLUMBUS	PORT COLUMBUS INTL	8/9287	ILS OR LOC RWY 28L, AMDT 28.
03/21/08	OH	COLUMBUS	PORT COLUMBUS INTL	8/9288	ILS OR LOC RWY 10L, AMDT 18.
03/27/08	IN	GREENCASTLE	PUTNAM COUNTY	8/0033	RNAV (GPS) RWY 36, AMDT 1.
03/28/08	AR	MORRILTON	MORRILTON MUNI	8/0183	TAKE-OFF MINIMUMS AND (OBSTACLE) DEPARTURE PROCEDURES, ORIG.
03/31/08	NY	OGDENSBURG	OGDENSBURG INTL	8/0386	RNAV (GPS) RWY 27, ORIG.
03/31/08	VA	NORFOLK	NORFOLK INTL	8/0400	ILS RWY 5, AMDT 24E.
03/31/08	WI	PRAIRIE DU SAC	SAUK-PRAIRIE	8/0408	RNAV (GPS) RWY 18, ORIG.
04/01/08	MS	CLEVELAND	CLEVELAND MUNI	8/0514	GPS RWY 35, ORIG.
04/01/08	GA	BAXLEY	BAXLEY MUNI	8/0516	NDB RWY 8, AMDT 1.
04/01/08	NC	ROANOKE RAPIDS	HALIFAX COUNTY	8/0518	NDB OR GPS RWY 5, AMDT 3B.
04/01/08	CT	WINDSOR LOCKS	BRADLEY INTL	8/0520	ILS RWY 24, AMDT 10A.
04/01/08	MS	MARKS	SELFS	8/0593	RNAV (GPS) RWY 2, ORIG.
04/01/08	MS	MARKS	SELFS	8/0594	RNAV (GPS) RWY 20, ORIG.
04/01/08	ID	GRANGEVILLE	IDAHO COUNTY	8/0630	GPS RWY 25, ORIG.
04/01/08	ID	GRANGEVILLE	IDAHO COUNTY	8/0631	GPS RWY 7, ORIG.
04/01/08	SC	WALTERBORO	LOWCOUNTRY REGIONAL	8/0637	GPS RWY 35, ORIG.
04/01/08	SC	WALTERBORO	LOWCOUNTRY REGIONAL	8/0638	GPS RWY 17, ORIG.
04/01/08	SC	WALTERBORO	LOWCOUNTRY REGIONAL	8/0641	GPS RWY 5, ORIG-A.
04/02/08	CA	DELANO	DELANO MUNI	8/0805	TAKE-OFF MINIMUMS AND (OBSTACLE) DEPARTURE PROCEDURES, AMDT 3.
04/02/08	CA	MARYSVILLE	YUBA COUNTY	8/0807	ILS OR LOC RWY 14, AMDT 5.
04/02/08	WY	JACKSON	JACKSON HOLE	8/0808	RNAV (RNP) Z RWY 1, ORIG.
04/02/08	UT	LOGAN	LOGAN-CACHE	8/0809	ILS OR LOC/DME RWY 17, ORIG.
04/02/08	CA	SAN FRANCISCO	SAN FRANCISCO INTL	8/0810	RNAV (GPS) Z RWY 28R, AMDT 2A.

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 BILLING CODE 4910-13-P

**DEPARTMENT OF VETERANS AFFAIRS**

**38 CFR Part 17**  
**RIN 2900-AM59**

**Elimination of Co-Payment for Weight Management Counseling**

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Direct final rule.

**SUMMARY:** The Department of Veterans Affairs (VA) is taking direct action to amend its medical regulations concerning co-payments for inpatient hospital care and outpatient medical care. More specifically, this rule designates weight management counseling (individual and group sessions) as a service that is not subject to co-payment requirements. The intended effect of this direct final rule is to increase participation in weight management counseling by removing

the co-payment barrier. This direct final rule also amends the medical regulations by making nonsubstantive changes to correct references to statutory provisions.

**DATES:** This rule is effective on June 16, 2008, without further notice, unless VA receives relevant adverse comments by May 16, 2008.

**ADDRESSES:** Written comments may be submitted through [www.Regulations.gov](http://www.Regulations.gov); by mail or hand-delivery to the Director, Regulations Management (00REG), Department of Veterans Affairs, 810 Vermont Ave., NW., Room 1068, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to “RIN 2900-AM59—Elimination of Co-payment for Weight Management Counseling.” Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays). Please call (202) 461-4902 for an appointment

(this is not a toll-free number). In addition, during the comment period, comments may be viewed online through the Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Tony Guagliardo, Director, Business Policy, Chief Business Office (16), Veterans Health Administration, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 254-0384 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** This document amends VA’s “Medical” regulations, which are set forth at 38 CFR part 17 (referred to below as the regulations), to eliminate co-payments for weight management counseling (individual and group sessions).

A large number of veterans using VA medical facilities are overweight (body mass index of 25–29.9) or obese (body mass index of 30 or higher). Among male veterans using VA medical facilities in 2000, 40 percent were classified as overweight and 33 percent were classified as obese. Among female veterans using VA medical facilities in