

by commenters, was determined to be in the public interest.

As to the commenters' call for a "list" of disqualifying medications, the Federal Air Surgeon has determined that an exhaustive "listing" of specific medications or specific treatments to determine an airman's eligibility is not possible. All the positive and negative effects of any medication or treatment are rarely appreciated when first introduced. In some cases, substantial amounts of time may pass before a particular drug or treatment can be judged with confidence, particularly with its application to individuals in the aviation environment. Because of the continuous changes in the field of medicine and pharmacology, the FAA has determined that publishing a static list of disqualifying medication is not appropriate or practical.

In case where an individual has been determined to have a disqualifying condition and/or use a disqualifying medication or other treatment and requests special issuance of a medical certificate, the Federal Air Surgeon considers not only all relevant scientific data on the particular condition and/or medication or other treatment but also the individual's particular situation and the role that he/she will perform in aviation. The case-by-case review can and does result in instances where the particular condition and/or medication or other treatment precludes the affected individual from receiving even an individually tailored special issuance medical certificate. Conversely, with the availability of new data and experience, some similarly affected individuals may, by adjustments in their medication dosage or other treatment, or restrictions in their privileges, for example, receive special issuance of medical certificates.

Because this careful analysis of each special issuance case is frequently not fully appreciated, the perception exists that many conditions and/or medications or other treatment are always disqualifying. In fact, with the availability of new data and experience, the Federal Air Surgeon has found it safe to issue special medical certificates to the majority of those individuals who historically were always denied. But, as there are literally hundreds of diagnoses, medications, and other treatments, as well as thousands of combinations that frequently change over time, the FAA cannot, as a practical matter, produce a "list" of medications and/or treatments that would be considered disqualifying or, conversely, acceptable for airman medical certification.

While at any point in time there may be treatment and medications that

preclude the special issuance of a medical certificate, the FAA will continue to seek public comment, when appropriate, as it has done recently concerning insulin-using diabetics (see 59 FR 67426, September 29, 1994), to assist the Federal Air Surgeon in formulating policy on the special issuance of medical certificates.

Finally, the *Bullwinkel* decision highlighted a deficit in FAA procedures that the emergency final rule has now corrected; the agency does not view the decision as finding the policy and practice of the FAA to be "contrary to law" as characterized by one commenter. The rule change clarifies and resolves any previous ambiguity in FAA's medical standards regarding medication and/or other treatment.

Conclusion

Accordingly, after careful consideration of all the comments submitted, the FAA has determined that no further rulemaking action is warranted.

Issued in Washington, DC, on February 23, 1996.

Jon L. Jordan,

Federal Air Surgeon.

[FR Doc. 96-4686 Filed 2-28-96; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 95-AWP-34]

Amendment of Class E Airspace; Winnemucca, NV; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects errors in the geographic coordinates of a final rule that was published in the Federal Register on January 10, 1996, Airspace Docket No. 95-AWP-34, The Final Rule amended Class E airspace at Winnemucca, NV.

EFFECTIVE DATE: 0901 UTC February 29, 1996.

FOR FURTHER INFORMATION CONTACT: Scott Speer, Airspace Specialist, System Management Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6533.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 96-377, Airspace Docket No. 95-AWP-34, published on January 10, 1996 (61 FR

693), revised the description of the Class E airspace area at Winnemucca, NV. An error was discovered in the geographic coordinates for the Winnemucca, NV, Class E airspace area. This action corrects that error.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the geographic coordinates for the Class E airspace area at Winnemucca, NV, as published in the Federal Register on January 10, 1996 (61 FR 693), (Federal Register Document 96-377), are corrected as follows:

§ 71.1 [Corrected]

On page 694, in the second and third columns, the airspace description for Winnemucca, NV, is corrected to read as follows:

* * * * *

AWP NV E5 Winnemucca, NV [Corrected]

Winnemucca Municipal Airport, NV.

(lat. 40°53'47" N, long. 117°48'21" W)

Winnemucca NDB

(lat. 40°57'48" N, long. 117°50'29" W)

Battle Mountain VORTAC

(lat. 40°34'09" N, long. 116°55'20" W)

That airspace extending upward from 700 feet above the surface within a 4.3-mile radius of the Winnemucca Municipal Airport and within 7.8 miles northwest and 4.3 miles east of the Winnemucca NDB 342° and 162° bearings, extended from the 4.3 miles south to 8.7 miles north of the NDB. That airspace extending upward from 1,200 feet above the surface within 4.3 miles northeast and 9.6 miles southwest of the Winnemucca NDB 342° and 162° bearings, extending from the southeast edge of V-113 to 9.6 miles southeast of the NDB and within 4.3 miles each side of the 162° bearing from the Winnemucca NDB, extending from 9.6 miles southeast of the NDB to the north edge of V-32 and within 4.3 miles each side of the Battle Mountain VORTAC 296° radial extending from 10.4 miles to 43.4 miles northwest of the Battle Mountain VORTAC and that airspace bounded by a line beginning at lat. 40°33'00" N, long. 117°52'00" W; to lat. 40°37'01" N, long. 117°47'32" W; to lat. 40°33'58" N, long. 117°46'15" W, thence to the point of beginning and that airspace bounded by a line beginning at lat. 41°05'00" N, long. 118°12'30" W; to lat. 41°09'36" N, long. 118°08'50" W; to lat. 41°03'00" N, long. 118°06'00" W, thence to the point of beginning and that airspace bounded by a line beginning at lat. 40°45'38" N, long. 117°39'23" W; to lat. 40°36'30" N, long. 117°15'15" W; to lat. 40°35'00" N, long. 117°34'30" W, thence to the point of beginning.

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Issued in Los Angeles, California, on February 14, 1996.

Leonard A. Mobley,

*Acting Manager, Air Traffic Division,
Western-Pacific Region.*

[FR Doc. 96-4560 Filed 2-28-96; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 28475; Amdt. No. 1712]

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 (SIAPs) 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 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:

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 Standard Instrument Approach Procedures (SIAPs). 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 § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. 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 (and FAR) 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

The amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National 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 amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. 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. 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 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 February 23, 1996.

Thomas C. Accardi,

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 by establishing, amending, suspending, or revoking 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 is revised to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, 44701; and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§ 97.23, § 97.25, § 97.27, § 97.29, § 97.31, § 97.33, § 97.35—[Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME