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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 31209; Amdt. No. 3814]

#### 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 amends, suspends, or removes 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 for the 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 September 4, 2018. 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 September 4, 2018.

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

#### For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590-0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 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.federalregister.gov/code_of_federal_regulations/ibr_locations.html).

#### Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at [nfdc.faa.gov](http://nfdc.faa.gov) to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

#### FOR FURTHER INFORMATION CONTACT:

Thomas J. Nichols, Flight Procedure Standards Branch (AFS-420) Flight Technologies and Procedures 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 (NFDC)/Permanent Notice to Airmen (P-NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. 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 on FAA form documents is unnecessary.

This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

#### Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for part 97 of this final rule.

#### The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent 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 and Takeoff Minimums and ODPs, 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 that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

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 under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these 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, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on August 10, 2018.

**Rick Domingo,**  
Executive 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 and Takeoff Minimums and

ODPs, 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(f), 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
13-Sep-18	NE	Fairbury	Fairbury Muni	8/3783	7/23/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	MD	Annapolis	Lee	8/3830	7/23/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	NY	Le Roy	Le Roy	8/5610	7/25/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	GA	Calhoun	Tom B David Fld	8/8262	7/23/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	GA	Calhoun	Tom B David Fld	8/8265	7/23/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	NJ	Ocean City	Ocean City Muni	8/8675	7/10/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	NJ	Ocean City	Ocean City Muni	8/8676	7/10/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	TX	Houston	David Wayne Hooks Memorial.	8/8861	7/25/18	This NOTAM, published in TL 18-19, is hereby rescinded in its entirety.
13-Sep-18	FM	Pohnpei Island	Pohnpei Intl	7/4159	8/2/18	RNAV (RNP) Y RWY 9, Amdt 2.
13-Sep-18	TX	Houston	David Wayne Hooks Memorial.	8/0653	8/3/18	RNAV (GPS) RWY 35L, Amdt 1C.
13-Sep-18	NE	Fairbury	Fairbury Muni	8/0656	8/3/18	NDB-A, Amdt 3B.
13-Sep-18	MS	Starkville	George M Bryan	8/1534	8/6/18	LOC/DME RWY 36, Amdt 1A.
13-Sep-18	NJ	Ocean City	Ocean City Muni	8/1625	8/8/18	GPS RWY 6, Orig-B.
13-Sep-18	GA	Pine Mountain	Harris County	8/1840	7/27/18	VOR-A, Amdt 5B.
13-Sep-18	GA	Pine Mountain	Harris County	8/1842	7/27/18	RNAV (GPS) RWY 9, Orig-B.
13-Sep-18	IN	Huntington	Huntington Muni	8/2778	7/27/18	RNAV (GPS) RWY 27, Orig-A.
13-Sep-18	IN	Huntington	Huntington Muni	8/2779	7/27/18	RNAV (GPS) RWY 9, Orig-A.
13-Sep-18	IN	Huntington	Huntington Muni	8/2780	7/27/18	VOR-A, Amdt 2.
13-Sep-18	MI	Sault Ste Marie	Chippewa County Intl	8/3341	7/27/18	ILS OR LOC RWY 16, Amdt 8C.
13-Sep-18	NJ	Ocean City	Ocean City Muni	8/3634	8/8/18	VOR-A, Orig-B.
13-Sep-18	IA	Muscatine	Muscatine Muni	8/3780	7/27/18	RNAV (GPS)-B, Orig.
13-Sep-18	NY	New York	LaGuardia	8/4505	8/1/18	RNAV (GPS) Y RWY 4, Amdt 3A.
13-Sep-18	NY	New York	LaGuardia	8/4506	8/1/18	VOR RWY 4, Amdt 3C.
13-Sep-18	NY	New York	LaGuardia	8/4511	8/1/18	ILS OR LOC RWY 13, Amdt 2.
13-Sep-18	NY	New York	LaGuardia	8/4513	8/1/18	ILS OR LOC RWY 22, ILS RWY 22 (SA CAT 1-11), Amdt 21A.
13-Sep-18	NY	New York	LaGuardia	8/4514	8/1/18	RNAV (GPS) RWY 13, Orig.
13-Sep-18	NY	New York	LaGuardia	8/4515	8/1/18	RNAV (GPS)-B, Orig-A.
13-Sep-18	NY	New York	LaGuardia	8/4520	8/1/18	LDA-A, Amdt 2D.
13-Sep-18	NY	New York	LaGuardia	8/4521	8/1/18	RNAV (GPS) RWY 31, Amdt 1D.
13-Sep-18	NY	New York	LaGuardia	8/4522	8/1/18	RNAV (GPS) Y RWY 22, Amdt 2D.
13-Sep-18	NY	New York	LaGuardia	8/5663	8/1/18	ILS OR LOC RWY 4, Amdt 37.
13-Sep-18	AK	Nenana	Nenana Muni	8/5674	8/1/18	RNAV (GPS) RWY 4L, Amdt 1.
13-Sep-18	AK	Nenana	Nenana Muni	8/5675	8/1/18	NDB RWY 4L, Amdt 3A.
13-Sep-18	MD	Annapolis	Lee	8/8031	8/2/18	RNAV (GPS)-A, Orig.
13-Sep-18	NY	Le Roy	Le Roy	8/8644	8/2/18	VOR-A, Amdt 1B.
13-Sep-18	OK	Chandler	Chandler Rgnl	8/8927	8/1/18	RNAV (GPS) RWY 17, Orig-A.

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Part 744

[Docket No. 180718671-8671-01]

RIN 0694-AH57

#### Addition of Certain Entities to the Entity List, Revision of Entries on the Entity List and Removal of Certain Entities From the Entity List

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Export Administration Regulations (EAR) by adding fifteen entities under seventeen entries to the Entity List. These fifteen entities have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States and will be listed on the Entity List under the destinations of the People's Republic of China, Hong Kong, Pakistan, Russia, Saudi Arabia, Turkey, the United Arab Emirates and the United Kingdom. This final rule also modifies two entries on the entity list: One entry under the destination of Hong Kong and one entry under the destination of Russia. Lastly, this final rule removes one entity under the destination of Greece from the Entity List. The removal is the result of a request for removal BIS received pursuant to the EAR and a review of information provided in the removal request.

**DATES:** This rule is effective September 4, 2018.

**FOR FURTHER INFORMATION CONTACT:** Chair, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482-5991, Email: [ERC@bis.doc.gov](mailto:ERC@bis.doc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Entity List (15 CFR, subchapter C, part 744, Supplement No. 4) identifies entities reasonably believed to be involved, or to pose a significant risk of being or becoming involved, in activities contrary to the national security or foreign policy interests of the United States. The Export Administration Regulations (EAR) (15

CFR, Subchapter C, parts 730-774) imposes additional license requirements on, and limits the availability of most license exceptions for, exports, reexports, and transfers (in-country) to those listed. The license review policy for each listed entity is identified in the "License review policy" column on the Entity List, and the impact on the availability of license exceptions is described in the relevant **Federal Register** notice adding entities to the Entity List. BIS places entities on the Entity List pursuant to part 744 (Control Policy: End-User and End-Use Based) and part 746 (Embargoes and Other Special Controls) of the EAR.

The End-User Review Committee (ERC), composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, where appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote, and makes all decisions to remove or modify an entry by unanimous vote.

#### ERC Entity List Decisions

##### *Additions to the Entity List*

This rule implements the decision of the ERC to add fifteen entities under seventeen entries to the Entity List. These fifteen entities are being added based on § 744.11 (License requirements that apply to entities acting contrary to the national security or foreign policy interests of the United States) of the EAR. The seventeen entries added to the Entity List consist of two entries located in the People's Republic of China (China), five entries located in Hong Kong, two entries located in Pakistan, one entry located in Russia, one entry located in Saudi Arabia, two entries located in Turkey, three entries located in the United Arab Emirates (U.A.E.), and one entry located in the United Kingdom. There are seventeen entries for the fifteen entities because one entry is listed in three locations, resulting in two additional entries.

The ERC reviewed § 744.11(b) (Criteria for revising the Entity List) in making the determination to add these fifteen entities under seventeen entries to the Entity List. Under that paragraph, persons for whom there is reasonable cause to believe, based on specific and articulable facts, that they have been involved, are involved, or pose a significant risk of being or becoming involved in, activities that are contrary to the national security or foreign policy interests of the United States, along with those acting on behalf of such persons,

may be added to the Entity List. Paragraphs (b)(1) through (5) of § 744.11 provide an illustrative list of activities that could be contrary to the national security or foreign policy interests of the United States.

The ERC determined that the two entities located in China (Ma Yunong and Seajet Company Limited), as well as one entity located in Hong Kong (ZM International Company Ltd.) have been involved in activities that are contrary to the national security and foreign policy interests of the United States as set forth in § 744.11(b). Specifically, the ERC determined that these parties unlawfully procured and diverted U.S.-origin armored vehicles to the Democratic People's Republic of Korea (North Korea) in violation of the EAR. For the remaining four entities located in Hong Kong (Calvin Law, CLC Holdings Limited, LHI Technology (H.K.) Company Limited, and Ray Hui), the ERC determined that these entities have been involved in activities that are contrary to the national security and foreign policy interests of the United States as set forth in § 744.11(b). These four entities procured U.S.-origin items for reexport to entities in China and other countries without obtaining the necessary license(s).

The ERC determined that the U.A.E.-based company Good Luck Shipping LLC has been involved in activities contrary to the national security and foreign policy interests of the United States as set forth in § 744.11(b) of the EAR; this entity has transshipped U.S.-origin items to sanctioned destinations without the required authorizations. The ERC determined that Technology Links Pvt. Ltd., located in Pakistan, be added to the Entity List based on the company's involvement in the supply of items subject to the EAR to nuclear and missile-related Entity List parties in Pakistan without the license required under § 744.11 of the EAR. In addition, the ERC determined that Techcare Services FZ LLC, located in the U.A.E., and UEC (Pvt.) Ltd., located in Pakistan, Saudi Arabia and the U.A.E., made multiple attempts to acquire U.S.-origin commodities ultimately destined for Pakistan's unsafeguarded nuclear program and have provided false and misleading information to BIS during an end-use check.

The ERC also determined that the two entities located in Turkey, Huseyin Engin Borluca and 3K Aviation Consulting and Logistics, along with Evans Meridians Ltd., located in the British Virgin Islands, have engaged in transactions in violation of the U.S. embargo against Iran by transferring, or attempting to transfer, U.S.-origin