

To distinguish MEAs that are established by ground-based navigation aids versus MEAs that are established outside the operational service volume of ground-based navigation aids, the terms "standard MEA" and "special MEA" are included. As discussed earlier under 14 CFR part 95, the lowest altitude that an aircraft under IFR may be operated is determined by, among other things, the lowest altitude at which the aircraft radio navigation receivers are able to receive ground-based radio navigation fixes defining the airway segment or route. For purposes of this SFAR, this MEA is referenced as the "standard MEA." Operators in Alaska using IFR certified GPS/WAAS RNAV systems (as set forth in the definition of "required navigation system"), however, would be permitted to conduct operations over routes in or near Alaska based on route obstacle assessments and ATC two-way voice communication capability. This MEA may be lower than the "standard MEA" for purposes of this SFAR.

**Section 3. Operational requirements.** The purpose of Section 3 is to establish personnel training and qualifications, and GPS/WAAS performance and signal requirements necessary for operational approval to conduct IFR RNAV operations. This section allows operators subject to this SFAR to operate over routes where the MEA for a route or route segment is lower for GPS/WAAS IFR RNAV-equipped aircraft than the MEA for operators equipped only with VOR navigation systems. This flexibility would allow those GPS/WAAS IFR RNAV-equipped operators to conduct operations at the lowest permissible altitude in an attempt to avoid in-flight icing conditions.

Air carrier operators are required to establish training curriculums that must be reviewed, validated, and approved by the FAA prior to being authorized to conduct IFR RNAV operations for the en route portion of flight at MEAs outside the service volume of ground-based navigation aids under this SFAR. Title 14 CFR part 91 operators also are required to receive training prior to conducting IFR RNAV operations under this SFAR. The part 91 operator is responsible to ensure this training is accomplished. Training programs may be provided by the GPS WAAS avionics manufacturer/distributor. Training material also may be obtained from the FAA Capstone Program Office in Anchorage Alaska.

Section 3 also requires all operators to use authorized procedures for normal, abnormal, and emergency situations unique to these operations, including

degraded navigation capabilities, and satellite system outages. Detailed guidance material for these procedures will be provided in the IFR regional supplemental (e.g., pre-flight planning consideration of satellite outages, operational procedures for the loss of RNAV during the operation).

**Section 4. Equipment Requirements.** The purpose of Section 4 is to establish the minimum GPS/WAAS equipment requirements for IFR RNAV operations. TSO C145a and TSO C146a GPS WAAS navigation systems are the systems authorized to be used as the only means of navigation on Federal airways and other published routes outside the operational service volume of ground based nav aids in Alaska. The MEA's for these routes will be depicted on the published Low Altitude and High Altitude En Route Charts and depicted as a MEA-G. For example, a GPS MEA of 4000 feet MSL would be depicted using a blue color as: 4000G.

**Section 5. Expiration date.** The purpose of Section 5 is to establish the time period that this SFAR remains in effect. This SFAR would remain in effect until cancelled or revised.

#### *Parts 71, 95, 121, 125, 129, and 135—Amended*

A note would be also added to parts 71, 95, 121, 125, 129, and 135 to cross reference SFAR No. 97, the full text of which would appear in part 91.

#### **Paperwork Reduction Act**

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that the FAA consider the impact of paperwork and other information collection burdens imposed on the public. The FAA has determined that there are no current new information collection requirements associated with this proposed rule.

#### **International Compatibility**

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has determined that there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

#### **Economic Evaluation**

Proposed changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 directs each Federal agency to propose or adopt a regulation only upon a reasoned determination that the

benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Trade Agreements Act (19 U.S.C. 2531–2533) prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, the Trade Agreements Act requires agencies to consider international standards, and, where appropriate, that they be the basis for U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more annually (adjusted for inflation).

In conducting these analyses, the FAA determined that this proposed rule: (1) Would generate benefits and not impose any costs, is not a "significant regulatory action" as defined in section 3(f) of Executive Order 12866, and is not "significant" as defined in DOT's Regulatory Policies and Procedures; (2) would not have a significant economic impact on a substantial number of small entities; (3) would not constitute a barrier to international trade, and does not impose an unfunded mandate on state, local, or tribal governments, or on the private sector.

For regulations with an expected minimal impact, the above-specified analyses are not required. The Department of Transportation Order DOT 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If it is determined that the expected impact is so minimal that the proposal does not warrant a full evaluation, a statement to that effect and the basis for it is included in proposed regulation. This proposed rule would allow the use of GSP/WAAS for IFR RNAV procedures by locally based aircraft that are equipped under the Alaska Capstone Phase II test and evaluation program. Because there is no cost to the participants for the equipment or training, the expected outcome is expected to have a minimal impact on the flying public in Alaska. This proposed SFAR would also provide the opportunity for other air carrier and general aviation operators to voluntarily equip and train their personnel at their own expense. The decision to incur these costs would be gauged against the safety and efficiency benefits accruing