

the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530; telephone: (817) 222-5593.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed under the caption **ADDRESSES**. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit, with those comments, a self-addressed, stamped, postcard containing the following statement: "Comments to Airspace Docket No. 96-ASW-13." The postcard will be date and time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM)

by submitting a request to the Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A that describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace, controlled airspace extending upward from 700 feet AGL, at Russellville Municipal Airport, Russellville, AR. A new GPS SIAP to RWY 25 has made this proposal necessary. The intended effect of this proposal is to provide adequate Class E airspace for aircraft executing the GPS SIAP to RWY 25 at Russellville Municipal Airport, Russellville, AR.

The coordinates for this airspace docket are based on North American Datum 83. Designated Class E airspace areas extending upward from 700 feet or more above ground level are published in Paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations that need frequent and routine amendments 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 Procedure (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, *Airspace Designations and Reporting Points*, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

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

* * * * *

ASW AR E5 Russellville, AR [Revised]
Russellville, Russellville Municipal Airport,
AR

(lat. 35°15'33"N., long. 93°05'38"W.)

Russellville NDB

(lat. 35°15'26"N., long. 93°05'40"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Russellville Municipal Airport, and within 2.4 miles each side of the 184° bearing from the Russellville NDB extending from the 6.4-mile radius to 6.6 miles south of the airport, and within 4 miles each side of the 075° bearing from the airport extending from the 6.4-mile radius to 18 miles northeast of the airport, excluding that airspace which overlies the Morrilton, AR, Class E airspace area.

* * * * *

Issued in Fort Worth, TX on June 17, 1996.

Albert L. Viselli,

*Acting Manager, Air Traffic Division,
Southwest Region.*

[FR Doc. 96-17418 Filed 7-8-96; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 303

**Rules and Regulations Under the
Textile Fiber Products Identification
Act**

AGENCY: Federal Trade Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: On October 30, 1992, Teijin Limited ("Teijin") filed an application with the Federal Trade Commission ("Commission") requesting the establishment of a new generic fiber name and definition. The application was filed pursuant to Rule 8 of the Rules and Regulations Under the Textile Fiber Products Identification Act (the "Textile Act"—15 U.S.C. 70; implementing regulations at 16 CFR part 303). The

application maintains that its new fiber, "manufactured from poly tetramethylene ether/poly butylene glycol terephthalate copolymer," has a unique chemical composition and distinctive physical characteristics such that it cannot be identified by any of the generic names already established by the Commission in Rule 7 (16 CFR 303.7). The application also states that Teijin intends to market the fiber commercially, and subsequent information from the applicant states that the fiber is now being used in the U.S. Teijin recommends that the new fiber be given one of the following generic names, in descending order of preference: (1) "Polyetherester," (2) "Elastoester," or (3) "Estelast." The Teijin application includes a proposed definition for the new fiber.

The Commission now solicits comments as to whether Rule 7 should be amended to include a new generic name and definition covering Teijin's fiber.

DATES: Written comments will be accepted through September 9, 1996.

ADDRESSES: Submit written comments and other submissions to: Secretary, Federal Trade Commission, Room H-159, Sixth & Pennsylvania Avenue, N.W., Washington, D.C. 20580. Submissions should be marked: "Rule 7 Under the Textile Act—Comment."

FOR FURTHER INFORMATION CONTACT:

Bret S. Smart, Program Advisor, Los Angeles Regional Office, Federal Trade Commission, 11000 Wilshire Boulevard, #13209, Los Angeles, CA 90024, (310) 235-4040.

SUPPLEMENTARY INFORMATION:

I. Background

Rule 6 (16 CFR 303.6) of the Rules and Regulations under the Textile Fiber Products Identification Act requires manufacturers to use the generic names of the fibers contained in their textile fiber products in making required disclosures of the fiber content of the products. Rule 7 (16 CFR 303.7) sets forth the generic names and definitions that the Commission has established or synthetic fibers. Rule 8 (16 CFR 303.8) sets forth the procedures for establishing new generic names.

Teijin submitted its initial application in this matter to the Commission on October 30, 1992, and subsequently submitted additional information. The application and related materials have been placed on the rulemaking record. After an initial analysis, the Commission, on December 29, 1992, issued the designation "TL 0001" for temporary use in identifying the Teijin fiber until a final determination can be made as to the merits of the application for a new generic name.

II. Chemical Composition, Physical and Chemical Properties

In its application, Teijin describes the fiber, its composition, and its physical and chemical properties, as follows:

The general formula of the chemical composition of poly tetramethylene ether/poly butylene glycol terephthalate copolymer, $-\text{[(CH}_2\text{CH}_2\text{CH}_2\text{CH}_2\text{O)}_m\text{] - (COC}_6\text{H}_4\text{COOCH}_2\text{CH}_2\text{CH}_2\text{CH}_2\text{O)}_n\text{-}$, consists of:

Poly tetramethylene ether
(CH₂CH₂CH₂CH₂O)_m: 60% by weight
Poly butylene glycol terephthalate
(COC₆H₄COOCH₂CH₂CH₂CH₂O)_n: 40% by weight

* * * * *

Assuming that poly(tetramethylene ether) glycol is considered a part of glycol components, then Applicant's fiber is somewhat similar to polyester. Nonetheless, Applicant's fiber is not "composed of at least 85% by weight of an ester of a substituted aromatic carboxylic acid" since poly tetramethylene ether is only 60%. Thus Applicant's fiber manufactured from poly tetramethylene ether/poly butylene glycol terephthalate copolymer does not fall under the Commission's definition of polyester fiber found in 16 CFR 303.7(c).

* * * * *

The physical and chemical characteristics of Applicant's fiber. . . are distinctively different from the characteristics of those fibers identified by generic names listed in 16 CFR 303.7.

The physical properties of Applicant's fiber are shown in [the following Table:]

	Applicant's fiber	Polyester fiber	Spandex fiber
Tenacity (g/de)	1.0	3.0-5.0	0.6-1.2
Elongation (%)	650	20-40	450-800
Elastic recovery (%) 200% extension	78	Break	90

As shown in the table, physical properties of Applicant's fiber are quite different from those of polyester but similar to those of the spandex fiber.

* * * * *

Applicant provides additional information, specifically technical data, which may be pertinent to this application. Typical properties of Applicant's fiber manufactured from poly tetramethylene ether/poly butylene glycol terephthalate copolymer include:

1. Physical Properties

Melting point 180-210 C
Specific gravity 1.1-1.2
Tenacity 1.0 g/de
Elongation 650%
Elastic recovery 78%
Boiling water shrinkage 14%

2. Resistance to Chemicals

Solubility at room temperature
70% H₂SO₄ Insoluble for 3 minutes.
20% HCL Do.
Conc. HNO₃ Do.
Acetic Acid Do.
5% NaOH Do.
Acetone Do.
Toluene Do.
Ethyl acetate Do.
Methyl alcohol Do.
Chloroform Soluble.
m-Cresol Do.
Solubility at boiling temperature
Dioxane Soluble.
Xylene Do.
Nitrobenzene Do.
Chlorobenzene Do.
Dimethylformamide Do.

Additionally, information submitted by Teijin indicates that, relative to

spandex, REXE has the ability to withstand high temperatures when wet. This is particularly important with respect to dyeing. Teijin further states that REXE's tolerance of high temperature will allow the development of elastic fabrics with many of the properties of polyester. For example, fabrics made of REXE and polyester should have excellent washability. Finally, fabrics made of REXE and polyester are, according to Teijin, less discolored or adversely affected by chlorine than, for example, swimming suits made of nylon and spandex.

III. Suggested Generic Names

Applicant suggests the following generic names, in descending order of preference, for its new fiber:

1. "Polyetherester"
2. "Elastoester"

3. "Estelast"

IV. Proposed Definition

The Commission proposes the following definition for Teijin's new fiber:

A manufactured fiber in which the fiber-forming substance is a long-chain synthetic polymer composed of at least 50% by weight of aliphatic polyether and at least 35% by weight of polyester, as defined in 16 CFR 303.7(c).

V. Invitation to Comment

The Commission is soliciting comment on Teijin's application generally, but is especially interested in comments on whether the application meets the following criteria, which the Commission has identified as grounds for granting applications for new generic names:

[T]he Commission, in the interest of elucidating the grounds on which it has based this decision and shall base future decisions as to the grant of generic names for textile fibers, sets out the following criteria for grant of such generic names.

1. The fiber for which a generic name is requested must have a chemical composition radically different from other fibers, and that distinctive chemical composition must result in distinctive physical properties of significance to the general public.

2. The fiber must be in active commercial use or such use must be immediately foreseen.

3. The grant of the generic name must be of importance to the consuming public at large, rather than to a small group of knowledgeable professionals such as purchasing officers for large Government agencies.

The Commission believes it is in the public interest to prevent the proliferation of generic names, and will adhere to a stringent application of the above-mentioned criteria in consideration of any future applications for generic names and in a systematic review of any generic names previously granted which no longer meet these criteria.

* * * * *

In addition, [the Commission] notes that where appropriate, in considering applications for new generic names for fibers that are of the same general chemical composition as those for which a generic name already has been established, rather than of a chemical composition that is radically different, but that have distinctive properties of importance to the general public as a result of a new method of manufacture of their substantially differentiated physical characteristics, such as their fiber structure, it may allow such fiber to be designated in required information disclosures by either its generic name, or alternatively, by its "subclass" name. The Commission will consider this disposition when the distinctive feature or features of the subclass fiber make it suitable for uses for which other fibers under the established generic name would not be suited or would be significantly less well suited.

60 FR 62352, 62353 (Dec. 6, 1995) (reaffirming and clarifying criteria first announced at 38 FR 34114 (Nov. 12, 1973)).

The Commission additionally requests comments on the suggested names and proposed definition, set out above.

Before deciding whether to amend Rule 7, the Commission will consider any written comments submitted to the Secretary of the Commission within the above-mentioned comment period. Comments that are submitted will be available for public inspection, in accordance with the Freedom of Information Act, 5 U.S.C. 552, and Commission Regulation, 16 CFR 4, on normal business days between the hours of 8:30 a.m. and 5:00 p.m. at the Public Reference Room, Room 130, Federal Trade Commission, 6th & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

VI. Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial regulatory analysis (5 U.S.C. 603-604) are not applicable to this proposal because the Commission believes that the amendment, if promulgated, will not have a significant economic impact on a substantial number of small entities. The Commission has tentatively reached this conclusion with respect to the proposed amendment because the amendment would impose no additional obligations, penalties, or costs. The amendment would simply allow covered companies to use a new generic name for a new fiber that may not appropriately fit within current generic names and definitions. The amendment would impose no additional labeling requirements.

To ensure, however, that no substantial economic impact is being overlooked, public comment is requested on the effect of the proposed amendment on costs, profits, and competitiveness of, and employment in small entities. Subsequent to the receipt of public comments, the Commission will decide whether the preparation of a final regulatory flexibility analysis is warranted. Accordingly, based on available information, the Commission hereby certifies, pursuant to the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the proposed amendment, if promulgated, would not have a significant economic impact on a substantial number of small entities.

VII. Paperwork Reduction Act

This proposed amendment does not constitute a "collection of information" under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 109 Stat. 163) and

its implementing regulations (5 CFR part 1320).

The collection of information imposed by the procedures for establishing generic names (Rule 8, 16 CFR 303.8) has been submitted to OMB and has been assigned a control number of 3084-0101.

List of Subjects in 16 CFR Part 303

Labeling, Textile, Trade practices.
Authority: Sec. 7(c) of the Textile Fiber Products Identification Act (15 U.S.C. 70e(c)).
By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 96-17468 Filed 7-8-96; 8:45 am]

BILLING CODE 6750-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 93

[FRL-5527-9]

RIN 2060-AG16

Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to amend the transportation conformity rule to allow EPA to create and implement a conformity pilot program. The conformity rule requires that transportation activities conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do. Conformity to an air quality plan means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of national ambient air quality standards.

The pilot program would exempt up to six areas from some of the existing rule's requirements. After EPA approval, the areas will experiment with alternative conformity procedures for the three-year duration of the program. Today's notice invites applications for participation in the pilot program and presents the application and selection process, which will be finalized in the final rule.

Along with recent amendments to the conformity rule, the pilot program is part of an EPA strategy to provide states and localities greater flexibility in meeting federal transportation conformity requirements while reinforcing Clean Air Act commitments.