

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96-AEA-10]

Proposed Amendment to Class E Airspace; Penn Yan, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Class E airspace area at Penn Yan, NY. The development of a new Standard Instrument Approach Procedure (SIAP) at Penn Yan Airport based on the Global Positioning System has made this proposal necessary. Additional controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for instrument flight rules (IFR) operations at the airport.

DATES: Comments must be received on or before November 15, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Operations Branch, AEA-530, Docket No. 96-AEA-10 F.A.A. Eastern Region, Federal Building #111, John F. Kennedy Int'l Airport, Jamaica, NY 11430.

The official docket may be examined in the Office of the Assistant Chief Counsel, AEA-7, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, NY 11430.

An informal docket may also be examined during normal business hours in the Operations Branch, AEA-530, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, NY 11430.

FOR FURTHER INFORMATION CONTACT: Mr. Francis T. Jordan, Jr., Airspace Specialist, Operations Branch, AEA-530, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, NY 11430; telephone: (718) 553-4521.

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, 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 above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-AEA-10." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with the FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Office of the Assistant Chief Counsel, AEA-7, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, NY 11430. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A, which 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 amend the Class E airspace area at Penn

Yan, NY. A GPS RWY 01 SIAP has been developed for the Penn Yan Airport. Additional controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for IFR operations at the airport. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, 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 for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(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. Since this is a routine matter that would only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have 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 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 Part 71 continues to read as follows:

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

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, is proposed to be amended as follows:

Paragraph 6605 Class E airspace areas extending upward from 700 feet or more above the surface of the Earth.

* * * * *

AEA NY E5 Penn Yan, NY [Revised]

Penn Yan Airport, NY
(Lat. 42°38'20" N, long. 77°03'14" W)

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Penn Yan Airport, excluding that portion within the Romulus, NY, Class E airspace area.

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Issued in Jamaica, New York, on October 3, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region

[FR Doc. 96-27183 Filed 10-23-96; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket Nos. 96N-0244 and 94P-0444]

Food Labeling; Declaration of Free Glutamate in Food; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Advance notice of proposed rulemaking; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting an advance notice of proposed rulemaking that appeared in the Federal Register of September 12, 1996 (61 FR 48102). The document announced FDA's consideration of establishing requirements for label information about the free glutamate content of foods. The document was published with some errors. This document corrects those errors.

FOR FURTHER INFORMATION CONTACT: Felicia B. Satchell, Center for Food Safety and Applied Nutrition (HFS-158), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5099.

In FR Doc. 96-23159, appearing on page 48102 in the Federal Register of Thursday, September 12, 1996, the following corrections are made:

1. On page 48102, in the third column, "[Docket No. 96N-0244]" is corrected to read "[Docket Nos. 96N-0244 and 94P-0444]".

2. On page 48109, in the first column, in the 20th line from the bottom, "(.032g)" is corrected to read "(.032g/100g)" and "(.047g)" is corrected to read "(.047g/100g)".

Dated: October 17, 1996.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 96-27201 Filed 10-23-96; 8:45 am]

BILLING CODE 4160-01-F

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 206

RIN 3067-AC56

Disaster Assistance; Appeals Procedures

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed rule.

SUMMARY: The Federal Emergency Management Agency (FEMA) is changing the procedures for the review and disposition of appeals related to Public Assistance grants. The rule is intended to simplify the administrative process and reduce delays in reaching a final resolution of an appeal.

DATES: We invite comments on this proposed rule and will accept comments until December 23, 1996.

ADDRESSES: Please send written comments to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, room 840, 500 C Street SW., Washington, DC 20472, (facsimile) (202) 646-4536.

FOR FURTHER INFORMATION CONTACT: Mira Kuic, Program Specialist, Engineering Branch, Infrastructure Support Division, Federal Emergency Management Agency, room 713, 500 C Street SW., Washington, DC 20472, (202) 646-4687.

SUPPLEMENTARY INFORMATION: Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (Stafford Act), any decision regarding eligibility or amount of assistance may be appealed. Before this proposed rule, FEMA allowed three appeal levels. The following Federal officials were designated to receive and consider first, second, and third level appeals, respectively: Regional Director, Associate Director, and Director.

This proposed rule reduces, from three to two, the number of appeal requests allowed to be submitted by an applicant. If a first appeal request is denied by the Regional Director, in lieu of submitting a second appeal to the Associate Director, an applicant may submit a second appeal to the Director. The Director's decision is considered final. No changes are being made in the time frames for submittal, notification and disposition of appeals.

The intent of this change is to reduce the significant amount of time (and associated costs) dedicated to the review and disposition of repetitive appeal issues. FEMA has found that very little, if any, new information is submitted with third appeals. A third appeal response typically confirms an existing FEMA policy or clarifies the regulations as applied to specific projects. Therefore, reducing the number of submittals at the Headquarters level would avoid repetitive reviews of the same decisions and issues. This change will eliminate approximately one third of the total time required for the entire appeals process and will provide applicants with a final resolution sooner than previously. All provisions for fair and impartial consideration as required by the Stafford Act are maintained.

National Environmental Policy Act.

This proposed rule is categorically excluded from the preparation of environmental impact statements and environmental assessments as an administrative action in support of normal day-to-day grant activities. No environmental impact statement or environmental assessment has been prepared.

Regulatory Flexibility Act. The Director certifies that this rule is not a major rule under Executive Order 12291, and will not have significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, and is not expected (1) to adversely affect the availability of disaster assistance funding to small entities, (2) to have significant secondary or incidental effects on a substantial number of small entities, nor (3) to create any additional burden on small entities. Hence no regulatory impact analysis has been prepared.

Paperwork Reduction Act. This proposed rule does not involve any collection of information for the purposes of the Paperwork Reduction Act.

Executive Order 12612, Federalism. In publishing this proposed rule, FEMA has considered the President's Executive Order 12612 on Federalism. This proposed rule makes no changes in the division of governmental responsibilities between the Federal government and the States. Grant administration procedures in accordance with 44 CFR part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, remain the same. No Federalism assessment has been prepared.

Executive Order 12778, Civil Justice Reform. The rule meets the applicable