

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-ANM-3]

Amendment of Class E Airspace; Salt Lake City, Utah

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Salt Lake City, Utah, Class E airspace. This action is necessary to fully contain aircraft, holding at WAATS Intersection, within controlled airspace. The area will be depicted on aeronautical charts for pilot reference.

EFFECTIVE DATE: 0901 UTC, May 30, 1997.

FOR FURTHER INFORMATION CONTACT: James Riley, ANM-532.2, Federal Aviation Administration, Docket No. 97-ANM-3, 1601 Lind Avenue S.W., Renton, Washington, 98055-4056; telephone number: (206) 227-2537.

SUPPLEMENTARY INFORMATION:

History

On March 3, 1997, the FAA proposed to amend part 71 of Federal Aviation Regulations (14 CFR part 71) by amending the Class E airspace area at Salt Lake City, Utah, (62 FR 9399) to fully contain aircraft holding at WAATS Intersection, within controlled airspace. Currently, there is a possibility that aircraft holding at WATTS intersection, at certain altitudes, would be operating outside controlled airspace. This action corrects that situation. Interested parties were invited to participate in the rulemaking proceeding by submitting written comments on the proposal. No comments were received. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700 feet or more above the surface of the earth 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 will be published subsequently in the Order.

The Rule

This amendment to part 71 of Federal Aviation Regulations amends Class E airspace at Salt Lake City, Utah. 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. 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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule 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 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration the foregoing, 14 CFR part 71 is amended as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR 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.

§ 71.1 [Amended]

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

* * * * *

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

* * * * *

ANM UT E5 Salt Lake City, UT [Revised]

Salt Lake City International Airport, UT (Lat. 40°47'13" N, long. 111°58'08" W)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 41°00'00" N, long. 111°45'03" W, thence south along long. 111°45'03" W, to lat. 40°22'30" N, thence southeast to lat. 40°10'20" N, long. 111°35'03" W, thence southwest to lat. 40°03'30" N, long. 111°48'33" W, thence northwest to lat. 40°43'00" N, long. 112°22'03" W, thence north along long. 112°22'03" W, to lat. 41°00'00" N, thence east along lat. 41°00'00" N, to the point of beginning; that airspace extending upward from 1,200 feet above the surface bounded on the north by lat. 41°00'00" N, on the east by long. 111°25'33" W, thence south to lat. 40°11'00" N, thence east to lat. 40°06'00" N, long. 110°15'00" W, thence southwest to lat. 39°33'00" N, long. 110°55'00" W, thence

southwest to lat. 39°04'00" N, long. 112°27'30" W, thence northwest to lat. 39°48'00" N, long. 112°50'00" W, thence west via lat. 39°48'00" N, to the east edge of Restricted Area R-6402A, and on the west by the east edge of Restricted Area R-6402A, Restricted Area R-6402B and Restricted Area R-6406A and long. 113°00'03" W; excluding the portion within the Price, UT and the Delta, UT, airspace areas; that airspace east of Salt Lake City extending upward from 11,000 feet MSL bounded on the northwest by the southeast edge of V-32, on the southeast by the northwest edge of V-235, on the southwest by the northeast edge of V-101 and on the west by long. 111°25'33" W; excluding that airspace within the Evanston, WY, 1,200-foot Class E airspace area; that airspace southeast of Salt Lake City extending upward from 13,500 feet MSL bounded on the northeast by the southwest edge of V-484, on the south by the north edge of V-200 and on the west by long. 111°25'33" W; excluding the portion within Restricted Area R-6403 and the Bonneville, UT Class E airspace area.

* * * * *

Issued in Seattle, Washington, on April 11, 1997.

Glenn A. Adams III,

Assistant Manager, Air Traffic Division Northwest Mountain Region.

[FR Doc. 97-10598 Filed 4-23-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket No. RM96-1-006; Order No. 587-D]

Standards For Business Practices Of Interstate Natural Gas Pipelines

Issued April 18, 1997.

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Final rule; Order denying rehearing.

SUMMARY: The Federal Energy Regulatory Commission is denying requests for rehearing of the dates for complying with the requirements of Order No. 587-C (62 FR 10684). Order No. 587-C incorporated by reference standards promulgated by the Gas Industry Standards Board which require interstate pipelines to post information on World Wide Web homepages and to comply with new and revised business practices procedures. These business practices standards supplement standards adopted by the Commission in Order No. 587. (61 FR 39053, July 26, 1996).

DATES: Effective: April 18, 1997.

Pipelines are to make *pro forma* tariff

filings to implement the business practices standards by May 1, 1997. Implementation of the Internet Web page standards must take place by August 1, 1997, and the revised and new business practices standards by November 1, 1997.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street, N.E., Washington DC, 20426.

FOR FURTHER INFORMATION CONTACT:

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208-2294;

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, (202) 208-1283;

Kay Morice, Office of Pipeline Regulation, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, (202) 208-0507.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 2A, 888 First Street, N.E., Washington D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing 202-208-1397 if dialing locally or 1-800-856-3920 if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this order will be available on CIPS in ASCII and WordPerfect 5.1 format. CIPS user assistance is available at 202-208-2474.

CIPS is also available on the Internet through the Fed World system. Telnet software is required. To access CIPS via the Internet, point your browser to the URL address: <http://www.fedworld.gov> and select the "Go to the FedWorld Telnet Site" button. When your Telnet software connects you, log on to the FedWorld system, scroll down and select FedWorld by typing: 1 and at the command line and type: /go FERC. FedWorld may also be accessed by Telnet at the address fedworld.gov.

Finally, the complete text on diskette in WordPerfect format may be

purchased from the Commission's copy contractor, La Dorn Systems Corporation. La Dorn Systems Corporation is also located in the Public Reference Room at 888 First Street, N.E., Washington, DC 20426.

Before Commissioners: Elizabeth Anne Moler, Chair; Vicky A. Bailey, James J. Hoecker, William L. Massey, and Donald F. Santa, Jr.

Order Denying Rehearing

On April 3, 1997, the Interstate Natural Gas Association of America (INGAA) and Colorado Interstate Gas Company and Wyoming Interstate Company, Ltd., jointly (CIG/WIC), filed for rehearing of Order No. 587-C.¹ These rehearing requests focus only on the time schedule for implementation of the standards, not the substance of the standards. For the reasons discussed below, the rehearing requests are denied.

Background

In Order Nos. 587 and 587-B,² the Commission incorporated by reference 140 consensus standards developed by the Gas Industry Standards Board (GISB) covering certain industry business practices—Nominations, Flowing Gas, Invoicing, and Capacity Release—as well as adopting protocols and procedures for exchanging these business transaction documents over the Internet. Implementation of these standards follows a staggered schedule beginning April 1, 1997 and ending June 1, 1997.

In Order No. 587-C, the Commission incorporated by reference 27 GISB business practices standards that revised and supplemented the standards adopted in Order No. 587 as well as one new communication standard. GISB proposed that the communication standard be implemented August 1, 1997 and that pipeline tariff filings to comply with the business practices standards be made in a staggered schedule in May, June, and July of 1997, with implementation on November 1, 1997.

GISB had proposed two new communication standards, Standards 4.3.5 and 4.3.6, which would require pipelines to provide certain information on an Internet World Wide Web homepage (homepage) and to provide

for downloads of the information in a specified file structure.³ The Commission adopted the standard requiring posting on World Wide Web pages to be effective August 1, 1997, but declined to adopt the standard requiring file downloads in a specified electronic structure, because GISB had not yet specified the structure. The Commission stated that, if GISB adopted standards for the downloadable file formats quickly, the standards could still be implemented by August 1, 1997.

With respect to implementation of the 27 supplemental business practices standards, the Commission modified GISB's recommended compliance schedule by requiring all pipelines to make their *pro forma* tariff filings by May 1, 1997, rather than according to the May through July 1997 staggered schedule proposed by GISB. Based on the Commission's experience with the prior compliance filings, it concluded that the staggered schedule proposed by GISB would not provide sufficient time for the Commission to review the filings and issue two rounds of orders in time to meet the November 1, 1997 implementation date. The order stated that this change would ensure implementation by November 1, 1997, without creating undue burdens on the pipelines because so many fewer standards needed to be implemented and those standards do not require fundamental changes in pipeline operations.

The Commission, however, declined to adopt three standards (dealing with intra-day nominations, imbalances, and operational balancing agreements (OBAs))⁴ because the pipelines' obligations under these standards were not clear, and the Commission's experience with the previous standards showed that adoption of imprecise standards can sometimes cause more harm than good. The Commission concluded that standards in these areas were needed and gave the industry and GISB until September 1, 1997 to develop standards that delineate clearly the pipelines' obligations in these areas.

INGAA seeks rehearing of the overall time-line contending that requiring pipelines to make tariff filings by May 1, 1997, and to implement the World Wide Web standards and 27 supplemental business practices standards by August 1, 1997 and November 1, 1997, respectively, is too

¹ Order No. 587-C, 62 FR 10684 (Mar. 10, 1997), 78 FERC ¶ 61,231 (Mar. 4, 1997).

² Standards for Business Practices of Interstate Natural Gas Pipelines, Order No. 587, 61 FR 39053 (Jul. 26, 1996), III FERC Stats. & Regs. Regulations Preambles ¶ 31,038 (Jul. 17, 1996), *reh'g denied*, Order No. 587-A, 61 FR 55208 (Oct. 25, 1996), 77 FERC ¶ 61,061 (Oct. 21, 1996), Order No. 587-B, 62 FR 5521 (Feb. 6, 1997), III FERC Stats. & Regs. Regulations Preambles ¶ 31,046 (Jan. 30, 1997).

³ This information includes notices (critical notices, operation notices, system-wide notices); Order No. 566 affiliated marketer information (affiliate allocation log, discount postings); operationally available and unsubscribed capacity; Index of Customers; and the pipeline's tariff.

⁴ Standards 1.3.32, 2.3.29, and 2.3.30.

onerous. INGAA asserts the pipelines are still devoting considerable resources to ensure a smooth implementation of the first set of 140 standards being implemented April thru June. INGAA maintains that the GISB and the Commission schedule places the industry under too much time pressure, especially while the pipelines are attempting to finalize implementation during the period of uncertainty between final and rehearing orders. INGAA proposes that the schedule start with *pro forma* filings no later than November 1, 1997 with implementation no later than June 1, 1998.

INGAA maintains, however, that some pipelines may gain economic efficiency by implementing the 27 supplemental business practices standards early because these standards complement the first 140 standards. Thus, it emphasizes that its proposal is for implementation "no later than" the proposed dates.

CIG/WIC maintain that the August 1, 1997, deadline for implementation of the downloadable file format is unrealistic since GISB has not developed the standards yet. CIG/WIC find similarly unrealistic the September 1, 1997 deadline for clarification of the vague standards given the complexity of the issues.

Discussion

INGAA's request for an extension of the deadline for compliance with Order No. 587-C until June 1, 1998 is denied. The schedule proposed by GISB reflects a consensus of the industry as to an appropriate schedule for implementation, and the Commission finds no reason to delay implementation. Standardization of business practices and communications needs to be a high priority for the industry, and postponing implementation until the summer of 1998 would unduly delay these efforts.

INGAA has not identified any factors that would make implementation of these standards generally difficult for pipelines. There are only 27 revised and new business practices standards, and these merely supplement the previous 140 standards. Similarly, the technology for posting information on World Wide Web pages is easily available, and there are only five categories of information that must be posted. The absence of a generically applicable implementation problem is evidenced by INGAA's own recognition that many pipelines would prefer to implement these standards earlier than INGAA's proposed schedule for operational reasons. Indeed, some pipelines have sought to comply with all or most of the 27 supplemental

standards six months early by including them (along with the first 140) in their final compliance filing to become effective June 1, 1997.⁵

Further, in Order No. 587-C, the Commission provided that any pipelines seeking waivers of the requirements of the rule file within 30 days of issuance.⁶ To date, only five pipelines have filed for extensions of the implementation dates and two have filed to extend the tariff filing date, but not the implementation dates.⁷ Handling specific problems on an individual basis is preferable to granting a generic extension and will result in more rapid progress towards the Commission's goal of reaching a standardized marketplace.

CIG/WIC's rehearing request concerning the August 1, 1997, deadline for pipelines to provide for downloads of data from their homepages is without basis. As pointed out above, the Commission did not adopt Standard 4.3.5 requiring pipelines to provide for file downloads; the Commission only expressed its intention should GISB act quickly. Until that standard is adopted and a deadline set, rehearing does not lie. The Commission, however, reiterates that the development of a file download capability is important and urges GISB to develop the required standards.

The Commission denies CIG/WIC's request for rehearing with respect to the September 1, 1997 date for GISB to report on its progress in resolving the three vague standards. This deadline also is necessary for the Commission to learn within a reasonable timeframe whether the industry can resolve these issues on its own or whether the Commission needs to institute procedures to resolve these disputes. If the industry is unable to reach agreement on these standards, postponing the deadline will only lead to even further delay in implementing these needed standards.

The September 1, 1997 deadline gives the industry five months to work on

⁵ See Northwest Pipeline Company's compliance filing, Docket No. RP97-180-002 (April 1, 1997) (all 27 business practices standards and the World Wide Web standard); CNG Transmission Company's compliance filing, Docket No. RP97-181-002 (April 1, 1997) (22 business practices standards).

⁶ 62 FR at 10689; III FERC Stats. & Regs. Regulations Preambles at 30,588.

⁷ Tennessee Gas Pipeline Company, Docket No. RP97-60-001; Midwestern Gas Transmission Company, Docket No. RP97-59-001; East Tennessee Natural Gas Company, Docket No. RP97-58-001; Williston Basin Interstate Pipeline Company, Docket No. RM96-1-006; Cove Point LNG, L.P., Docket No. RP97-162-000; Questar Pipeline Company, Docket No. RP97-129-000; and Overthrust Pipeline Company, Docket No. RP97-131-000.

these standards, which appears adequate to consider these three standards. The imbalance and operational balancing agreement standards require only a clearer definition of when the standards apply.⁸ Although, as CIG/WIC point out, the intra-day nomination issue is perhaps more complex, GISB has already appointed its own task force to examine this issue. Resolving this standard quickly also is imperative, since the existing intra-day requirements have created a non-standardized marketplace where shippers cannot coordinate their intra-day nominations across pipelines.⁹ In addition, as the Commission stated in Order No. 587-C, it stands ready to help expedite the process by resolving intractable policy disputes impeding the development of standards in any areas.¹⁰

The Commission orders: The requests for rehearing are denied.

By the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 97-10607 Filed 4-23-97; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 201

[Docket No. 90N-0309]

Drug Labeling; Sodium Labeling for Over-the-Counter Drugs; Partial Delay of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; partial delay of effective date.

SUMMARY: The Food and Drug Administration (FDA) is delaying the effective date of the sodium labeling final rule for over-the-counter (OTC) drug products intended for oral ingestion, except for those products that contain sodium bicarbonate, sodium phosphate, or sodium biphosphate as an active ingredient. The regulation established conditions under which the labeling must include the sodium

⁸ These standards used the phrase "economically and operationally feasible" to describe when the pipeline must enter into an OBA and the phrase "substantially similar financial and operational implications" to describe when pipelines must permit shippers to net imbalances across contracts.

⁹ 62 FR at 10687; III FERC Stats. & Regs. Regulations Preambles at ¶ 30,586.

¹⁰ 62 FR at 10686; III FERC Stats. & Regs. Regulations Preambles at ¶ 30,583.