

Procedure (SIAP) to the Monte Vista Municipal Airport. The area would be depicted on aeronautical charts for pilot reference.

**DATES:** Comments must be received on or before March 27, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Operations Branch, ANM-530, Federal Aviation Administration, Docket No. 95-ANM-31, 1601 Lind Avenue SW, Renton, Washington 98055-4056.

The official docket may be examined at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:**

James Frala, ANM-532.4, Federal Aviation Administration, Docket No. 95-ANM-31, 1601 Lind Avenue SW, Renton, Washington 98055-4056; telephone number: (206) 227-2535.

**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 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. 95-ANM-31." The postcard will be date/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 at the address listed above 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 NPRM by submitting a request to the Federal Aviation Administration, Operations Branch, ANM-530, 1601 Lind Avenue SW, Renton, Washington 98055-4056. 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, 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 establish Class E airspace at Monte Vista, Colorado, to accommodate a new GPS SIAP to the Monte Vista Municipal Airport. The area would be depicted on aeronautical charts for pilot reference. 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 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. 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, when promulgated, 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).

**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. 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 or more above the surface of the earth.*

\* \* \* \* \*

ANM CO E5 Monte Vista, CO [New]

Monte Vista Municipal Airport, CO  
(Lat. 37°31'43"N, long. 106°02'46"W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Monte Vista Municipal Airport; that airspace extending upward from 1,200 feet above the surface beginning at lat. 37°35'00"N, long. 106°16'00"W; to lat. 37°55'00"N, long. 106°05'00"W; to lat. 37°59'00"N, long. 105°55'00"W; to lat. 37°56'00"N, long. 105°42'00"W; to lat. 37°07'00"N, long. 105°23'00"W; to lat. 37°08'00"N, long. 105°49'00"W; to lat. 37°16'00"N, long. 106°02'00"W; thence to point of beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on January 16, 1997.

Glenn A. Adams III,

Assistant Manager, Air Traffic Division,  
Northwest Mountain Region.

[FR Doc. 97-2637 Filed 2-3-97; 8:45 am]

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**14 CFR Part 71**

**[Airspace Docket No. 96-ACE-23]**

**Proposed Establishment of Class E Airspace; York, NE**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking, extension of comment period.

**SUMMARY:** This notice announces an extension of the comment period on a Direct final rule; request for comments which proposes to establish Class E airspace at York, NE. This action is taken because the Direct Final rule, request for comments published in the Federal Register, January 6, 1997, did not give sufficient time for comments.

**DATES:** Comments must be received on or before February 11, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Operations Branch, Air Traffic Division, ACE-530, Federal Aviation Administration, Docket No. 96-ACE-23, 601 E. 12th St., Kansas City, MO 64106; telephone (816) 426-3408.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, (816) 426-3408.

**SUPPLEMENTARY INFORMATION:**

**Background**

Airspace Docket No. 96-ACE-23, published on January 6, 1997 (62 FR 607) proposed to establish Class E airspace at York, NE. This action will extend the comment period closing date on that airspace docket from January 6, 1997, to February 11, 1997, to allow for a 35 day comment period instead of existing 18-day abbreviated comment period.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Extension of Comment Period**

The comment period closing date on Airspace Docket No. 96-ACE-23 is hereby extended to February 11, 1997.

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.

Issued in Kansas City, MO, on January 23, 1997.

Herman J. Lyons, Jr.,  
Manager, Air Traffic Division, Central Region.  
[FR Doc. 97-2639 Filed 2-3-97; 8:45 am]

BILLING CODE 4910-13-M

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 721**

[OPPTS-50622A; FRL-5580-7]

**Aliphatic Ester; Proposed Revocation of a Significant New Use Rule**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to revoke a significant new use rule (SNUR) promulgated under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for aliphatic ester based on a new evaluation of toxicity data. Based on the data the Agency determined that it could no longer support a finding that activities not described in the TSCA section 5(e) consent order may result in significant changes in human exposure. **DATES:** Written comments must be received by March 6, 1997.

**ADDRESSES:** Each comment must bear the docket control number OPPTS-50622A. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M Street, SW., Room G-099, East Tower, Washington, DC 20460.

All comments which are claimed confidential must be clearly marked as such. Three additional sanitized copies of any comments containing confidential business information (CBI) must also be submitted. Nonconfidential versions of comments on this rule will be placed in the rulemaking record and will be available for public inspection. Unit III of this preamble contains additional information on submitting comments containing CBI.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppt-ncic@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by (OPPTS-50622A). No CBI should be submitted through e-mail. Electronic comment on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found under Unit IV of this preamble.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543A, 401 M St., SW., Washington, DC 20460; telephone: (202) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of August 30, 1995 (60 FR 45072) (FRL-4926-2) EPA issued a SNUR establishing significant new uses for aliphatic ester. Because of additional data EPA has received for this substance, EPA is proposing to revoke this SNUR.

**I. Proposed Revocation**

EPA is proposing to revoke the significant new use and recordkeeping requirements for the following chemical substance under 40 CFR part 721, subpart E. In this unit, EPA provides a brief description for the substance, including its premanufacture notice (PMN) number, chemical name (generic name if the specific name is claimed as CBI), CAS number (if assigned), basis for

the revocation of the section 5(e) consent order for the substance, and the CFR citation removed in the regulatory text section of this proposed rule. Further background information for the substance is contained in the rulemaking record referenced below in Unit IV of this preamble.

**PMN Number P-93-633**

*Chemical name:* (generic) Aliphatic ester.

*CAS number:* Not available.

*Effective date of revocation of section 5(e) consent order:* December 7, 1995.

*Basis for revocation of SNUR:* The consent order which was the basis of this SNUR was revoked based on a reassessment of the developmental toxicity data used in the risk assessment of this substance. EPA's reevaluation of the data established a No Observed Adverse Effect Level (NOAEL) of 250 mg/kg. Based on that assessment EPA determined that it could no longer support an unreasonable risk finding under section 5(e) of TSCA and revoked the consent order. EPA can no longer make the finding that activities not described in the TSCA section 5(e) consent order may result in significant changes in human exposure.

*CFR Number:* 40 CFR 721.2815.

**II. Background and Rationale for Revocation of the Rule**

During review of the PMN submitted for the chemical substance that is the subject of this revocation, EPA concluded that regulation was warranted based on the fact that activities not described in the section 5(e) consent order may result in significant changes in human exposure. Based on these findings, a SNUR was promulgated.

EPA has revoked the section 5(e) consent order that is the basis for this SNUR and determined that it could no longer support a finding that activities not described in the section 5(e) consent order may result in significant changes in human exposure. The proposed revocation of SNUR provisions for this substance designated herein is consistent with this finding.

In light of the above, EPA is proposing to revoke the SNUR provisions for this chemical substance. When this revocation becomes final, EPA will no longer require notice of any company's intent to manufacture, import, or process this substance. In addition, export notification under section 12(b) of TSCA will no longer be required.