

# Rules and Regulations

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 94-ASW-03]

#### Revision of Class E Airspace; Oakdale, LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action revises the Class E airspace extending upward from 700 feet above ground level (AGL) at Allen Parish Airport, Oakdale, LA. The relocation of Restricted Area, R-3806 has made this rule necessary. This action is intended to provide adequate controlled airspace extending upward from 700 feet or more above the surface for aircraft executing the nondirectional radio beacon (NDB) standard instrument approach (SIAP) at Allen Parish Airport, Oakdale, LA.

**EFFECTIVE DATE:** 0901 UTC, May 20, 1999.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

#### SUPPLEMENTARY INFORMATION:

##### History

On August 23, 1994, a proposal to amend 14 CFR part 71 to revise Class E airspace at Oakdale, LA, was published in the **Federal Register** (59 FR 43307). The proposal was to revise controlled airspace extending upward from 700 feet AGL at Allen Parish Airport, Oakdale, LA. The relocation of Restricted Area, R-3806 has made this rule necessary. The intended effect of the proposal was to provide adequate Class E airspace to contain aircraft

executing the NDB SIAP at Allen Parish Airport, Oakdale, LA.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed with the exception of minor editorial changes.

The coordinates for this airspace docket are based on North American Datum 83. Designated Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, 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 14 CFR Part 71 revises Class E airspace, at Oakdale, LA, extending upward from 700 feet above the surface within a 6.5-mile radius of the Allen Parish Airport, Oakdale, LA.

The FAA has determined that this regulation only involves an established body of technical regulations that require 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 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 of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS [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.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, *Airspace Designations and Reporting Points*, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

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

\* \* \* \* \*

#### ASW LA E5 Oakdale, LA [Revised]

Allen Parish Airport, LA  
(Lat. 30°45'00" N., long. 092°41'18" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Allen Parish Airport.

\* \* \* \* \*

Issued in Fort Worth, TX, on February 25, 1999.

**Albert L. Viselli,**

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

[FR Doc. 99-5389 Filed 3-3-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF COMMERCE

### Bureau of Economic Analysis

#### 15 CFR Part 806

[Docket No. 990106005-9055-02]

RIN 0691-AA32

#### Direct Investment Surveys: Raising Exemption Level for Annual Survey of Foreign Direct Investment in the United States

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Final rule.

**SUMMARY:** These final rules amend 15 CFR Part 806.15 by raising the exemption level for reporting in the Annual Survey of Foreign Direct

Investment in the United States (Form BE-15). The survey is a mandatory survey conducted by the Bureau of Economic Analysis (BEA), U.S. Department of Commerce, under the authority of the International Investment and Trade in Services Survey Act. These changes bring the survey into conformity with the Benchmark Survey of Foreign Direct Investment in the United States—1997 (Form BE-12) and reduce reporting burden on small respondents. The revised rules raise the exemption level for the survey to \$30 million on the BE-15(SF) short form, up from \$10 million (measured by the Company's total assets, sales, or net income or loss); on the survey's long form, the exemption level is raised to \$100 million, up from \$50 million. In addition, the revised survey bases industry coding on the North American Industry Classification System (NAICS) in place of the U.S. Standard Industrial Classification system that was formerly used, and modifies the detail collected on the composition of external financing of the reporting enterprise, on research and development expenditures, and on the operations of foreign-owned businesses in individual States.

**EFFECTIVE DATE:** These rules will be effective April 5, 1999.

**FOR FURTHER INFORMATION CONTACT:** R. David Belli, Chief, International Investment Division (BE-50), Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230; phone 202-606-9800.

**SUPPLEMENTARY INFORMATION:** In the January 14, 1999 *Federal Register*, Volume 64, No. 9, pages 2454-2455, the Bureau of Economic Analysis published a notice of proposed rulemaking to amend 15 CFR part 806.15 by raising the exemption level for reporting in the annual survey of foreign direct investment in the United States. No comments on the proposed rule were received. Thus, this final rule is the same as the proposed rule.

The Annual Survey of Foreign Direct Investment in the United States (Form BE-15) is part of BEA's regular data collection program for foreign direct investment in the United States. The surveys are mandatory and are conducted pursuant to the International Investment and Trade in Services Survey Act (22 U.S.C. 3101-3108, as amended). The annual survey is necessary to provide reliable, useful, and timely measures of foreign direct investment in the United States. The survey covers all affiliates above a size-exemption level and collects annual data on the financial structure and

operations of nonbank U.S. affiliates of foreign companies needed to update similar data for the universe of U.S. affiliates collected once every 5 years in the BE-12 benchmark survey. The data are used to derive annual estimates of the operations of U.S. affiliates of foreign companies, including their balance sheets; income statements; property, plant, and equipment; external financing; employment and employee compensation; merchandise trade; sales of goods and services; taxes; and research and development (R&D) activity. The data will also be used to measure the economic significance of foreign direct investment in the United States and to analyze its effect on the U.S. economy. Finally, they will be used in formulating, and assessing the impact of, U.S. policy on foreign direct investment.

The revisions to the survey will bring it into conformity with the Benchmark Survey of Foreign Direct Investment in the United States—1997 (BE-12) and will be effective beginning with the 1998 annual survey. The BE-12 is BEA's quinquennial census of foreign direct investment in the United States; it collects annual data and is intended to cover the universe of U.S. affiliates. (A U.S. affiliate is a U.S. business enterprise in which a foreign person owns or controls ten percent or more of the voting stock, or an equivalent interest in an unincorporated business enterprise.) The new rules raise the exemption level for the survey to \$30 million on the BE-15(SF) short form, up from \$10 million (measured by the company's total assets, sales, or net income or loss), and increase the exemption level at which the long form is required to \$100 million, up from \$50 million. Both changes reduce burden for smaller companies. In addition, the survey bases industry coding on the North American Industry Classification System (NAICS) in place of the U.S. Standard Industrial Classification system, and modifies the detail collected on the composition of external financing of the reporting enterprise, on research and development expenditures, and on the operations of foreign-owned businesses in individual States.

#### **Executive Order 12612**

These proposed rules do not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under E.O. 12612.

#### **Executive Order 12866**

These proposed rules have been determined to be not significant for purposes of E.O. 12866.

#### **Paperwork Reduction Act**

The collection of information required in these final rules has been approved by OMB (OMB No. 0608-0034).

Notwithstanding any other provisions of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid Office of Management and Budget Control Number; such a Control Number (0608-0034) has been displayed. Public reporting burden for this collection of information is estimated to vary from 2 hours to 550 hours per response with an average of 26 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, Washington, DC 20230; and to the Office of Management and Budget, O.I.R.A., Paperwork Reduction Project 0608-0034, Washington, DC 20503.

#### **Regulatory Flexibility Act**

The Assistant General Counsel for Legislation and Regulation, Department of Commerce, has certified to the Chief Counsel for Advocacy, Small Business Administration, under provisions of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that these final rules will not have a significant economic impact on a substantial number of small entities. Most small businesses are not foreign owned, and many that are will not be required to report because their assets, sales, and net income are each equal to or less than the \$30 million exemption level at or below which reporting is not required. Also under these rules, companies with assets, sales, or net income above \$30 million, but not above \$100 million will report on the abbreviated BE-15(SF) short form, rather than on the BE-15(LF) long form. These provisions are intended to reduce the reporting burden on smaller companies.

#### **List of Subjects in 15 CFR Part 806**

Balance of payments, Economic statistics, Foreign instruments in United

States, Reporting and recordkeeping requirements.

**J. Steven Landefeld,**

*Director, Bureau of Economic Analysis.*

For the reasons set forth above, BEA amends 15 CFR Part 806 as follows:

#### **PART 806—DIRECT INVESTMENT SURVEYS**

1. The authority citation for 15 CFR Part 806 continues to read as follows:

**Authority:** 5 U.S.C. 301, 22 U.S.C. 3101–3108, and E.O. 11961 (3 CFR, 1977 Comp., p. 86), as amended by E.O. 12013 (3 CFR, 1977 Comp., p. 147), E.O. 12318 (3 CFR, 1981 Comp., p. 173), and E.O. 12518 (3 CFR, 1985 Comp., p. 348).

#### **§ 806.15 [Amended]**

2. Section 806.15(i) is amended as follows:

The exemption level of \$10,000,000 in the first sentence is revised to read "\$30,000,000"; in the second sentence, the long form exemption level of \$50,000,000 is revised to read "\$100,000,000"; and the short form exemption level "at least one of the three items exceeds \$10,000,000 but no one item exceeds \$50,000,000 (positive or negative)" is revised to read "at least one of the three items exceeds \$30,000,000 but no one item exceeds \$100,000,000 (positive or negative)."

[FR Doc. 99–5342 Filed 3–3–99; 8:45 am]

BILLING CODE 3510–06–M

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### **Food and Drug Administration**

##### **21 CFR Part 520**

#### **Oral Dosage Form New Animal Drugs; Oxytetracycline Hydrochloride Soluble Powder**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental abbreviated new animal drug application (ANADA) filed by Merial, Ltd. The supplemental ANADA provides for use of a larger package size of oxytetracycline hydrochloride soluble powder in the drinking water of chickens, turkeys, swine, cattle, and sheep for the treatment and control of various bacterial diseases.

**EFFECTIVE DATE:** March 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Patricia D. Leinbach, Center for

Veterinary Medicine (HFV–142), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–6965.

**SUPPLEMENTARY INFORMATION:** Merial, Ltd., 2100 Ronson Rd., Iselin, NJ 08830–3077, filed supplemental ANADA 200–144 that provides for use of a larger package size of oxytetracycline hydrochloride soluble powder in the drinking water of chickens, turkeys, swine, cattle, and sheep for the treatment and control of various bacterial diseases. The supplemental ANADA is approved as of December 16, 1998, and the regulations are amended in 21 CFR 520.1660d(a) and (b) to reflect the approval.

Furthermore, the regulations had not been previously amended to reflect the sponsor change from Rhone Merieux Canada, Inc., to Merial, Ltd. The regulation in § 520.1660d(b) is amended at this time to reflect the sponsor change.

Approval of this supplemental ANADA does not require additional safety and effectiveness data. Therefore, a freedom of information summary for approval of this supplemental application is not required.

The agency has determined under 21 CFR 25.33(a)(1) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

#### **List of Subjects in 21 CFR Part 520**

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

#### **PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS**

1. The authority citation for 21 CFR part 520 continues to read as follows:

**Authority:** 21 U.S.C. 360b.

2. Section 520.1660d is amended by adding paragraphs (a)(9) and (b)(7), and by revising paragraph (b)(2) to read as follows:

#### **§ 520.1660d Oxytetracycline hydrochloride soluble powder.**

(a) \* \* \*

(9) Each 2.73 grams of powder contains 1 gram of OTC HCl (packets: 9.87 and 19.75 oz; pails: 5 lb).

(b) \* \* \*

(2) No. 017144 for use of OTC HCl concentration in paragraph (a)(4) of this section in chickens, turkeys, and swine.

\* \* \* \* \*

(7) No. 050604 for use of OTC HCl concentration in paragraph (a)(9) of this section in chickens, turkeys, and swine.

\* \* \* \* \*

Dated: February 24, 1999.

**Woodrow M. Knight,**

*Acting Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

[FR Doc. 99–5280 Filed 3–3–99; 8:45 am]

BILLING CODE 4160–01–F

### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 58**

[R4–9912; FRL–6237–6]

#### **Modification of the Ozone Monitoring Season for Alabama, Florida, Georgia, Kentucky, Mississippi and Tennessee**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is amending 40 CFR part 58, appendix D, section 2.5, to lengthen the ozone monitoring season in Alabama, Georgia, Kentucky, Mississippi and Tennessee from April 1 through October 31 to March 1 through October 31; and to shorten the ozone monitoring season for Florida from year round to March 1 through October 31.

**EFFECTIVE DATE:** This final rule is effective on March 4, 1999.

**ADDRESSES:** Copies of the material relating to this rule may be examined during normal business hours at the following locations: Environmental Protection Agency, Sam Nunn Atlanta Federal Center, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303–3104; and Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dick Schutt of the EPA Region 4 office at 404/562–9033 or e-mail at "schutt.dick@epa.gov".

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On July 9, 1998, EPA released a new guidance document concerning ozone monitoring season selection and modification ("Guideline for Selecting and Modifying the Ozone Monitoring Season Based on an 8-Hour Ozone Standard," July 9, 1998. EPA–454/R–98–001). This guidance provides a basis