

realized the value of the provision for its intended purposes and the substantial workload that would be generated for both the agency and the operators if the provision were removed.

Accordingly, the FAA has determined that the 90-day period allowed by § 21.93(b)(2)(iii) will continue to be available after December 31, 1999. The affected operators are reminded that the 90-day period provision is only valid for maintenance purposes. Those airplanes using intermixed engines and/or nacelles will continue to be considered Stage 3 for compliance purposes as long as the reason for the configuration is maintenance-related. The FAA warns operators that the swapping of engines between airplanes will be closely monitored. If, for example, an engine is removed from a Stage 3 configured airplane, and replaced with an intermix engine operated under § 21.93(b)(2)(iii), careful attention will be paid by the FAA to the status of the removed engine. If the removed engine is reinstalled on a different airplane, the FAA will monitor whether any required maintenance or repair was first accomplished, as stated by the agency when the rule was adopted.

If operators are found to be abusing § 21.93(b)(2)(iii) in order to meet Stage 3 compliance requirements, operators will face enforcement action and the agency will consider removing the allowance or requiring prior approval for its use. A chronic lack of spare engines or a determination that an operator does not have sufficient engines available to operate a Stage 3 fleet at one time is not considered an acceptable reason for using § 21.93(b)(2)(iii).

Operators may use § 21.93(b)(2)(iii) to intermix engines only when maintenance must be performed on an engine and no conforming engine for the configuration is available. Engine removals that invoke § 21.93(b)(2)(iii) will be carefully monitored by the FAA.

Issued in Washington, DC on November 17, 1999.

James D. Erickson,

Director of Environment and Energy.

[FR Doc. 99-30502 Filed 11-22-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-ANM-01]

Amendment of Class E Airspace, Lewiston, ID; Establishment of Class E Airspace, Grangeville, ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Lewiston, ID, Class E airspace and establishes additional controlled airspace at Grangeville, ID, to accommodate the development of two new Standard Instrument Approach Procedures (SIAP) utilizing the Global Positioning System (GPS) at the Idaho County Airport, Grangeville, ID.

EFFECTIVE DATE: 0901 UTC, February 24, 2000.

FOR FURTHER INFORMATION CONTACT: Dennis Ripley, ANM-520.6, Federal Aviation Administration, Docket No. 99-ANM-01, 1601 Lind Avenue, SW, Renton, Washington 98055-4056; telephone number: (425) 227-2527.

SUPPLEMENTARY INFORMATION:

History

On August 31, 1999, the FAA proposed to amend Title 14, Code of Federal Regulations, part 71 (14 CFR part 71) by revising the Lewiston, ID, Class E airspace area and establishing additional controlled airspace at Grangeville, ID (64 FR 47449). This rule provides the additional airspace necessary to encompass the new SIAP's to the Idaho County Airport, Grangeville, ID. This amendment provides additional airspace at Lewiston, ID, to encompass newly established waypoints in order to satisfy current criteria standards associated with SIAP holding patterns. This rule also allows for the establishment of airspace at Grangeville, ID, providing controlled airspace for the final approach phase of flight for the newly established SIAP's. 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 7400.9G, dated September 1, 1999, and effective September 16, 1999, 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 modifies Class E airspace at Lewiston, ID, and establishes Class E airspace at Grangeville, ID by providing the additional airspace necessary to fully contain new flight procedures at Idaho County Airport. The intended effect of this rule is designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under Instrument Flight Rules (IFR) at the Idaho County Airport and between the terminal and en route transition stages.

The FAA has determined that this 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 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

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 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

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

* * * * *

ANM ID E5 Grangeville, ID [New]

Idaho County Airport, Grangeville, ID
(Lat. 45°56'33" N, long. 116°07'27" W)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Idaho County Airport.

* * * * *

ANM ID E5 Lewiston, ID [Revised]

Lewiston-Nez Perce County Airport,
Lewiston, ID

(Lat. 46°22'28" N, long. 117°00'55" W)
Nez Perce VOR/DME

(Lat. 46°22'54" N, long. 116°52'10" W)
Walla Walla VOR/DME

(Lat. 46°05'13" N, long. 118°17'33" W)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 46°29'25" N, long. 117°34'09" W; to lat. 46°30'45" N, long. 117°00'49" W; to lat. 46°34'25" N, long. 117°04'44" W; thence via the 14.4-mile arc centered on the Nez Perce VOR/DME to lat. 46°27'00" N, long. 116°32'09" W; to lat. 46°25'30" N, long. 116°26'03" W; to lat. 46°13'20" N, long. 116°30'04" W; to lat. 46°14'33" N, long. 116°35'15" W; thence via the Nez Perce VOR/DME 14.4-mile arc to lat. 46°09'00" N, long. 116°46'54" W; to lat. 46°17'00" N, long. 116°49'14" W; to lat. 46°18'05" N, long. 117°00'15" W; to lat. 46°17'42" N, long. 117°22'04" W; to lat. 46°10'30" N, long. 117°26'24" W; to lat. 46°12'00" N, long. 117°35'44" W; north to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 46°00'00" N, long. 116°00'04" W; to lat. 46°00'00" N, long. 116°19'00" W; to lat. 45°39'00" N, long. 116°10'03" W; to lat. 45°30'00" N, long. 116°14'03" W; to lat. 45°23'00" N, long. 116°21'03" W; to lat. 45°25'00" N, long. 116°34'04" W; to lat. 45°30'00" N, long. 116°46'04" W; to lat. 46°00'00" N, long. 116°56'04" W; thence west along lat. 46°00'00" N to the Walla Walla VOR/DME 16.6-mile radius, thence north along the Walla Walla VOR/DME 16.6-mile radius until intercepting V-536, thence northeast along V-536 and southeast along V-2 until intercepting long. 115°15'04" W, thence south along long. 115°15'04" W, until intercepting V-187, thence southeast along V-187 until intercepting long. 116°00'00" W, thence south along long. 116°00'00" W, to lat. 46°15'00" N, to lat. 46°00'00" N, long. 115°50'00" W, thence to the point of beginning; excluding all Federal airways.

* * * * *

Issued in Seattle, Washington, on
November 5, 1999.

Daniel A. Boyle,

Assistant Manager, Air Traffic Division,
Northwest Mountain Region.

[FR Doc. 99-30503 Filed 11-22-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 98F-0825]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to expand the safe use of 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane, which may contain not more than 2 percent by weight of triisopropanolamine, as an antioxidant and/or stabilizer for polymers intended for use in contact with food. This action responds to a petition filed by Dover Chemical Corp.

DATES: This regulation is effective November 23, 1999. Submit written objections and requests for a hearing by December 23, 1999.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT:

Andrew J. Zajac, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3095.

SUPPLEMENTARY INFORMATION: In a notice published in the *Federal Register* of October 6, 1998 (63 FR 53679), FDA announced that a food additive petition (FAP 8B4627) had been filed by Dover Chemical Corp., 3676 Davis Rd. NW., Dover, OH 44622. The petition proposed to amend the food additive regulations in § 178.2010 *Antioxidants and/or stabilizer for polymers* (21 CFR 178.2010) to expand the safe use of 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane, which may contain not more than 2 percent by weight of triisopropanolamine, as an antioxidant and/or stabilizer for polymers intended for use in contact with food.

FDA has evaluated the data in the petition and other relevant material. Based on this information, the agency concludes that: (1) The proposed use of the additive is safe, (2) the additive will achieve its intended technical effect, and therefore, (3) the regulations in

§ 178.2010 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has previously considered the environmental effects of this rule as announced in the notice of filing for FAP 8B4627 (63 FR 53679). No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human environment and that an environmental impact statement is not required.

This final rule contains no collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time on or before December 23, 1999, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.