PART 1204—[AMENDED]

1. The authority citation for 14 CFR Part 1204 Subpart 5 continues to read as follows:

Authority: 42 U.S.C. 2473.

2. Section 1204.509 is added to read as follows:

§ 1204.509 Delegation of authority to take action regarding "liquidated damage" assessments under the Contract Work Hours and Safety Standards Act, and associated labor statutes.

(a) Delegation of authority. The Director, Industrial Relations Office, is hereby delegated authority to act for the Administrator in all matters where the "Agency Head" is authorized to act under 29 CFR Part 5, labor standards provisions applicable to contracts covering federally financed and assisted construction and labor standards provisions applicable to nonconstruction contracts, in matters regarding the assessment of liquidated damages.

(b) Redlegation. None authorized except by virtue of succession.

(c) Reporting. The official to whom authority is delegated in this regulation will assure that feedback is provided to the Administrator informed of significant actions, problems, or other matters of substance related to the exercise of the authority delegated hereunder.

James C. Fletcher,
Administrator.

DEPARTMENT OF COMMERCE
International Trade Administration
15 CFR Part 399
[Docket No. 70610-7110]
Revision of Validated License Controls on Controllable Pitch Propellers

AGENCY: Export Administration, International Trade Administration, Commerce.

ACTION: Final rule.

SUMMARY: Export Administration maintains the Commodity Control List (CCL), which identifies those items subject to Department of Commerce export controls.

This rule amends the validated export license controls on certain controllable pitch propellers described in paragraph (e)(2) of the “List of Equipment Controlled by ECCN 1416A” in ECCN 1416A on the CCL (Supplement No. 1 to §399.1). This action is in accordance with a finding of foreign availability under section 5(f) of the Export Administration Act of 1979, as amended. Controllable pitch propellers rated at 40,000 hp capacity and below (controlled under ECCN 1416A on the CCL) now require a validated license for export only to destinations in Country Groups Q, S, W, Y, and Z, the People’s Republic of China, and Afghanistan for national security reasons.

Notice of the foreign availability determination on this equipment has been published previously (52 FR 34976, Sept. 16, 1987).


FOR FURTHER INFORMATION CONTACT: Donald J. Bryczynski, Office of Foreign Availability, Department of Commerce, Washington, DC 20230. Telephone: (202) 377-3564.

SUPPLEMENTARY INFORMATION:

Rulemaking Requirements

1. Because this rule concerns a foreign and military affairs function of the United States, it is not a rule or regulation within the meaning of section 1(a) of Executive Order 12291, and it is not subject to the requirements of that Order. Accordingly, no preliminary or final Regulatory Impact Analysis has to be or will be prepared.

2. Section 19(a) of the Export Administration Act of 1979, as amended (50 U.S.C. app. 2412(a)), exempts this rule from all requirements of section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553), including those requiring publication of a notice of proposed rulemaking, an opportunity for public comment, and a delay in effective date. This rule is also exempt from these APA requirements because it involves a foreign and military affairs function of the United States. Further, no other law requires that notice of proposed rulemaking and an opportunity for public comment be given for this rule. Accordingly, it is being issued in final form. However, as with other Department of Commerce rules, comments from the public are always welcome. Written comments (six copies) should be submitted to: Joan Maguire, Regulations Branch, Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

3. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by section 553 of the Administrative Procedure Act (5 U.S.C. 553), or by any other law, under sections 553(a) and 553(b) of the APA, none was published.
DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission
18 CFR Parts 2 and 284
[Docket No. RM87-34-000]

Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Interim rule and statement of policy; notice of effective date.

SUMMARY: The Federal Energy Regulatory Commission gives notice that Order No. 500, issued on August 7, 1987 (52 FR 30334), became effective on September 15, 1987, upon issuance of the mandate of the United States Court of Appeals for the District of Columbia Circuit in Associated Gas Distributors v. FERC, No. 85-1811 (D.C. Cir. June 23, 1987). The Commission also amends the regulations adopted in Order No. 500 to reflect the September 15, 1987 effective date of the order. In addition, the Commission gives notice that the suspension of § 284.10 of the Commission’s regulations is removed effective November 1, 1987 and all waivers of that section will terminate on the same day. Accordingly, § 284.10, as amended by Order No. 500, is effective on November 1, 1987.

EFFECTIVE DATE: Order No. 500 is effective September 15, 1987. The suspension of § 284.10 of the Commission’s regulations is removed effective November 1, 1987, and all waivers of that section will terminate on the same date. Accordingly, § 284.10, as amended by Order No. 500, is effective on November 1, 1987.


SUPPLEMENTARY INFORMATION: On August 7, 1987, the Commission issued Order No. 500 responding on an interim basis to the decision of the United States Court of Appeals for the District of Columbia Circuit concerning Order No. 436 in Associated Gas Distributors v. FERC, No. 85-1811 (D.C. Cir. June 23, 1987). In Order No. 500, the Commission stated that Order No. 500 would become effective immediately upon issuance of the Court’s mandate or upon leave of the Court. The Court’s mandate issued on September 15, 1987. Accordingly, Order No. 500 became effective on September 15, 1987. The Commission also stated in Order No. 500 that the stay of the effectiveness of § 284.10 which the Commission issued on July 2, 1987, 52 FR 27796 (July 24, 1987), would be removed effective the first day of the second month after the effective date of Order No. 500. In addition, in a companion order to Order No. 500, issued on August 7, 1987, the Commission stated that the waivers of § 204.10(a)(4) granted individual pipelines would also terminate on the first day of the second month after the effective date of Order No. 500, Texas Eastern Transmission Corp., 40 FERC ¶ 61,137 (Aug. 7, 1987). Therefore, the suspension of § 284.10 is removed effective November 1, 1987, and all waivers of that section will terminate on the same day. Accordingly, § 284.10, as amended by Order No. 500, is effective on November 1, 1987.

Part 2 and Part 284, Chapter I, Title 18, Code of Federal Regulations, are amended as set forth below.

Kenneth F. Plumb,
Secretary.

PART 2—GENERAL POLICY AND INTERPRETATIONS

1. The authority citation for Part 2 continues to read as follows:


§ 2.104 [Amended]
2. In § 2.104(f) the phrase “on the effective date of this order” [The Commission will publish a notice of the effective date as soon as leave is obtained from the Court or the mandate of the Court issues]” is removed and the date “on September 15, 1987,” is inserted in its place.
§ 284.8 [Amended]

4. In § 284.8(f)(6), the phrase “on the effective date of this rule” [The Commission will publish a notice of the effective date as soon as leave is obtained from the Court or the mandate of the Court issues,] is removed and the date “on September 15, 1987,” is inserted in its place, and the phrase “on the first day of the second month after the effective date of this rule” is removed and the date “on November 1, 1987,” is inserted in its place.

§ 284.9 [Amended]

5. In § 284.9(f)(6), the phrase “on the effective date of this rule” [The Commission will publish a notice of the effective date as soon as leave is obtained from the Court or the mandate of the Court issues,] is removed and the date “on September 15, 1987,” is inserted in its place, and the phrase “on the first day of the second month after the effective date of this rule” is removed and the date “on November 1, 1987,” is inserted in its place.

§ 284.10 [Amended]

6. The suspension of § 284.10 is removed effective November 1, 1987. [FR Doc. 87-21822 Filed 9-21-87; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

[Docket No. 86F-0437]

Indirect Food Additives; Polymers

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of polyarylate resins, formed by reaction of bisphenol-A with diphenylisophthalate and diphenylterephthalate, as articles or components of articles intended for use in contact with food. This action responds to a petition filed by Celanese Engineering Resins, Inc.


ADDRESS: Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Room 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Vir Anand, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of December 18, 1986 (51 FR 45393), FDA announced that a petition (FAP 68396) had been filed by Celanese Engineering Resins, Inc., c/o 1150 17th Street NW., Washington, DC 20036, proposing that the food additive regulations be amended to provide for the safe use of polyarylate resin, a product of bisphenol-A with diphenylisophthalate and diphenylterephthalate, as articles or components of articles intended for use in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that polyarylate resins are safe for use in contact with food. The agency is amending 21 CFR Part 177 by adding § 177.1555, which prescribes the conditions of use for polyarylate resins.

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 (address above) by appointment with the information contact person listed above. As provided in 21 CFR 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 carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency’s finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. This action was considered under FDA’s final rule implementing the National Environmental Policy Act (21 CFR Part 25).

Any person who will be adversely affected by this regulation may at any time on or before October 22, 1987, 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 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 177

Food additives, Food packaging.

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 Food Safety and Applied Nutrition, Part 177 is amended as follows:

PART 177—INDIRECT FOOD ADDITIVES: POLYMERS

1. The authority citation for 21 CFR Part 177 continues to read as follows:

Authority: Secs. 201(s), 409, 72 Stat. 1784-1786 as amended (21 U.S.C. 321(s), 348); 21 CFR 5.10 and 5.61.

2. Part 177 is amended by adding § 177.1555 to read as follows:

§ 177.1555 Polyarylate resins.

Polyarylate resins (CAS Reg. No. 51706-10-6) may be safely used as articles or components of articles intended for use in contact with food in accordance with the following prescribed conditions:

(a) Identity. Polyarylate resins [1, 3-benzenedicarboxylic acid, diphenyl ester, polymer with phenyl 1,4-benzenedicarboxylate and 4-4-(1-methylethylidene) bis(phenol)] are formed by melt polycondensation of bisphenol-A with diphenylisophthalate and diphenylterephthalate.

(b) Specifications. (1) The finished copolymers shall contain from 70 to 80 weight percent of polymer units derived from diphenylisophthalate and 20 to 30 weight percent of polymer units derived from diphenylterephthalate.

(2) Polyarylate resins shall have a minimum weight average molecular weight of 20,000.