

examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are unnecessary, impracticable, and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

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. For the same reason, the FAA certifies that this amendment 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 97

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC on December 2, 1994.

Thomas C. Accardi,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. app. 1348, 1354(a), 1421 and 1510; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, and 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

***** Effective February 2, 1995**

Red Bluff, CA, Red Bluff Muni, VOR/DME RWY 15, Amdt 5
Red Bluff, CA, Red Bluff Muni, VOR RWY 33, Amdt 6
Red Bluff, CA, Red Bluff Muni, NDB RWY 33, Amdt 1
Decorah, IA, Decorah Muni, NDB RWY 29, Orig
Decorah, IA, Decorah Muni, VOR/DME RNAV OR GPS RWY 29, Amdt 3
Shenandoah, IA, Shenandoah Muni, NDB RWY 4, Orig
Shenandoah, IA, Shenandoah Muni, NDB RWY 30, Amdt 10, Cancelled
Baton Rouge, LA, Baton Rouge Metropolitan/Ryan Field, LOC BC RWY 4L, Amdt 5
Chesapeake, VA, Chesapeake Muni, NDB RWY 5, Amdt 1, Cancelled

***** Effective January 5, 1995**

Mobile, AL, Mobile Downtown, VOR RWY 18, Orig
Mobile, AL, Mobile Downtown, RADAR-1 Orig
Anchorage, AK, Anchorage International, LOC RWY 6L, Amdt 8
Anchorage, AK, Anchorage International, ILS RWY 6R, Amdt 10
Creston, IA, Creston Muni, NDB OR GPS RWY 34, Amdt 1

[FR Doc. 94-30485 Filed 12-9-94; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 1639; Amdt. No. 27981]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference—approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;
2. The FAA Regional Office of the region in which the affected airport is located; or
3. The Flight Inspection Area Office which originated the SIAP

For Purchase—

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (AIP-200), FAA Headquarters Building, 800

Independence Avenue, SW.,
Washington, DC 20591; or

2. The FAA Regional Office of the
region in which the affected airport is
located.

By Subscription—

Copies of all SIAPs, mailed once
every 2 weeks, are for sale by the
Superintendent of Documents, U.S.
Government Printing Office,
Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:
Paul J. Best, Flight Procedures
Standards Branch (AFS-420), Technical
Programs Division, Flight Standards
Service, Federal Aviation
Administration, 800 Independence
Avenue, SW., Washington, DC 20591;
telephone (202) 267-8277.

SUPPLEMENTARY INFORMATION: This
amendment to part 97 of the Federal
Aviation Regulations (14 CFR part 97)
establishes, amends, suspends, or
revokes Standard Instrument Approach
Procedures (SIAPs). The complete
regulatory description of each SIAP is
contained in official FAA form
documents which are incorporated by
reference in this amendment under 5
U.S.C. 552(a), 1 CFR part 51, and § 97.20
of the Federal Aviation Regulations
(FAR). The applicable FAA Forms are
identified as FAA Form 8260-5.
Materials incorporated by reference are
available for examination or purchase as
stated above.

The large number of SIAPs, their
complex nature, and the need for a
special format make their verbatim
publication in the *Federal Register*
expensive and impractical. Further,
airmen do not use the regulatory text of
the SIAPs, but refer to their graphic
depiction on charts printed by
publishers of aeronautical materials.
Thus, the advantages of incorporation
by reference are realized and
publication of the complete description
of each SIAP contained in FAA form
documents is unnecessary. The
provisions of this amendment state the
affected CFR (and FAR) sections, with
the types and effective dates of the
SIAPs. This amendment also identifies
the airport, its location, the procedure
identification and the amendment
number.

This amendment to part 97 is effective
upon publication of each separate SIAP
as contained in the transmittal. The
SIAPs contained in this amendment are
based on the criteria contained in the
United States Standard for Terminal
Instrument Approach Procedures
(TERPS). In developing these SIAPs, the
TERPS criteria were applied to the
conditions existing or anticipated at the
affected airports.

The FAA has determined through
testing that current non-localizer type,
non-precision instrument approaches
developed using the TERPS criteria can
be flown by aircraft equipped with
Global Positioning System (GPS)
equipment. In consideration of the
above, the applicable Standard
Instrument Approach Procedures
(SIAPs) will be altered to include "or
GPS" in the title without otherwise
reviewing or modifying the procedure.
Because of the close and immediate
relationship between these SIAPs and
safety in air commerce, I find that notice
and public procedure before adopting
these SIAPs are unnecessary,
impracticable, and contrary to the
public interest and, where applicable,
that good cause exists for making some
SIAPs effective in less than 30 days.

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. For the same
reason, the FAA certifies that this
amendment 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 97

Air Traffic Control, Airports,
Navigation (Air).

Issued in Washington, DC on December 2,
1994.

Thomas C. Accardi,
Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the
authority delegated to me, part 97 of the
Federal Aviation Regulations (14 CFR
part 97) is amended by establishing,
amending, suspending, or revoking
Standard Instrument Approach
Procedures, effective at 0901 UTC on
the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97
continues to read as follows:

Authority: 49 U.S.C. app. 1348, 1354(a),
1421 and 1510; 49 U.S.C. 106(g); and 14 CFR
11.49(b)(2).

2. Part 97 is amended to read as
follows:

§§ 97.23, 97.27, 97.33, and 97.35 [Amended]

By amending: § 97.23 VOR, VOR/
DME, VOR or TACAN, and VOR/DME
or TACAN; § 97.27 NDB, NDB/DME;
§ 97.33 RNAV SIAPs; and § 97.35
COPTER SIAPs, identified as follows:

* * * Effective February 2, 1995

McGrath, AK, McGrath, VOR/DME or GPS-
C, Orig
McGrath, AK, McGrath, VOR or GPS-A,
Amdt 7
McGrath, AK, McGrath, NDB or GPS-B,
Amdt 1
Sand Point, AK, Sand Point, NDB/DME or
GPS-A, Amdt 4
Sand Point, AK, Sand Point, NDB/DME or
GPS-B, Orig
Sand Point, AK, Sand Point, NDB or GPS
RWY 13, Orig
Hartselle, AL, Rountree Field, NDB or GPS-
A, Amdt 2
Huntsville, AL, Madison County Executive,
VOR/DME or GPS-B, Amdt 5
Lanett, AL, Chambers Muni, VOR/DME or
GPS-A, Amdt 2
Montgomery, AL, Dannelly Field, VOR or
GPS-A, Amdt 3A
Montgomery, AL, Dannelly Field, NDB or
GPS RWY 10, Amdt 18B
Montgomery, AL, Dannelly Field, RNAV or
GPS RWY 3, Amdt 5A
Malvern, AR, Malvern Muni, NDB or GPS
RWY 21, Amdt 1
McGehee, AR, McGehee Muni, VOR/DME or
GPS-A, Amdt 2
Mena, AR, Mena Intermountain Municipal,
VOR/DME or GPS-A, Amdt 9
Mena, AR, Mena Intermountain Municipal,
NDB or GPS-B, Amdt 7
Monticello, AR, Monticello, Muni, VOR or
GPS-A, Amdt 4A
Pine Bluff, AR, Grider Field, VOR or GPS
RWY 17, Amdt 19
Russellville, AR, Russellville Muni, NDB or
GPS-A, Amdt 4
Scottsdale, AZ, Scottsdale, VOR or GPS-A,
Amdt 2
Scottsdale, AZ, Scottsdale, VOR or GPS-C,
Orig
Scottsdale, AZ, Scottsdale, NDB or GPS-B,
Amdt 3
Columbia, CA, Columbia, NDB or GPS-A,
Orig
Colusa, CA, Colusa, County, VOR or GPS-A,
Amdt 4
Concord, CA, Buchanan Field, NDB or GPS
RWY 19R, Orig
Corona, CA, Corona Muni, VOR or GPS-A,
Amdt 4
Eureka, CA, Murray Field, VOR or GPS-A,
Amdt 6
Eureka, CA, Murray Field, RNAV or GPS
RWY 11, Amdt 5
Fresno, CA, Fresno-Chandler Downtown,
VOR/DME or GPS-C, Amdt 5
Fresno, CA, Fresno-Chandler Downtown,
NDB or GPS-B, Amdt 7
Grass Valley, CA, Nevada County Air Park,
VOR or GPS-A, Orig
Hanford, CA, Hanford Muni, VOR or GPS-A,
Amdt 7
Hayward, CA, Hayward Air Terminal, VOR/
DME or GPS-B, Amdt 1A

- Hayward, CA, Hayward Air Terminal, VOR or GPS-A, Amdt 6A
- Hemet, CA, Hemet-Ryan, NDB or GPS-A, Orig
- Palm Springs, CA, Bermuda Dunes, VOR or GPS RWY 28, Orig
- Holyoke, CO, Holyoke, NDB or GPS RWY 17, Amdt 1A
- Holyoke, CO, Holyoke, NDB or GPS RWY 35, Amdt 1A
- Pueblo, CO, Pueblo Memorial, VOR or TACAN or GPS RWY 26R, Amdt 27
- Pueblo, CO, Pueblo Memorial, NDB or GPS RWY 8L, Amdt 19
- Boca Raton, FL, Boca Raton, VOR/DME or GPS-A, Orig
- Quincy, FL, Quincy Muni, VOR/DME or GPS-A, Orig-A
- Tallahassee, FL, Tallahassee Regional, NDB or GPS RWY 36, Amdt 18A
- Tallahassee (Havana), FL, Tallahassee Commercial, VOR or GPS-A, Amdt 5
- Venice, FL, Venice Muni, NDB or GPS RWY 31, Amdt 1
- Winter Haven, FL, Winter Haven's Gilbert, VOR/DME or GPS-A, Amdt 5
- Madison, GA, Madison Muni, VOR/DME or GPS-A, Amdt 6
- Metter, GA, Metter Muni, NDB or GPS RWY 10, Amdt 2
- Monroe, GA, Monroe-Wilton County, NDB or GPS RWY 3, Amdt 3
- Montezuma, GA, Dr. C. P. Savage Sr., NDB or GPS RWY 18, Amdt 1
- Pine Mountain, GA, Callaway Gardens-Harris County, VOR or GPS-A, Amdt 3
- Pine Mountain, GA, Callaway Gardens-Harris County, NDB or GPS RWY 9, Amdt 7
- Plains, GA, Peterson Field, VOR/DME or GPS-B, Amdt 1
- Savannah, GA, Savannah International, VOR or GPS RWY 27, Amdt 15
- Savannah, GA, Savannah International, NDB or GPS RWY 9, Amdt 20
- Savannah, GA, Savannah International, RNAV or GPS RWY 18, Amdt 8
- Harlan, IA, Harlan Muni, NDB or GPS RWY 33, Amdt 3A
- Iowa Falls, IA, Iowa Falls Muni, NDB or GPS RWY 31, Amdt 3
- Jefferson, IA, Jefferson Muni, NDB or GPS RWY 32, Amdt 3A
- Mapleton, IA, Mapleton Muni, NDB or GPS RWY 20, Amdt 4
- Milford, IA, Fuller, VOR/DME or GPS-A, Orig-A
- Waverly, IA, Waverly Muni, VOR or GPS-A, Amdt 3
- West Union, IA, George L. Scott Muni, VOR/DME or GPS-A, Amdt 3
- West Union, IA, George L. Scott Muni, NDB or GPS RWY 35, Amdt 4
- Winterset, IA, Winterset-Madison County, VOR/DME or GPS-A, Orig-A
- Jerome, ID, Jerome County, VOR/DME or GPS-A, Amdt 1
- McCall, ID, McCall, NDB or GPS-A, Orig
- Rexburg, ID, Rexburg-Madison County, VOR or GPS RWY 35, Amdt 3
- Chicago, IL, Chicago O'Hare Intl, NDB or GPS RWY 9R, Amdt 16
- Chicago, IL, Chicago O'Hare Intl, NDB or GPS RWY 14L, Amdt 22
- Chicago, IL, Chicago O'Hare Intl, NDB or GPS RWY 14R, Amdt 21
- New Lenox, IL, Howell-New Lenox, VOR or GPS-A, Orig
- Olney/Noble, IL, Olney-Noble, VOR/DME or GPS-A, Amdt 8
- Olney/Noble, IL, Olney-Noble, NDB or GPS RWY 3, Amdt 12
- Paris, IL, Edgar County, VOR/DME or GPS-A, Amdt 7
- Paris, IL, Edgar County, NDB or GPS RWY 27, Amdt 9
- Quincy, IL, Quincy Muni-Baldwin Field, VOR/DME or GPS RWY 22, Amdt 7
- Quincy, IL, Quincy Muni-Baldwin Field, VOR or GPS RWY 4, Amdt 11
- Quincy, IL, Quincy Muni-Baldwin Field, RNAV or GPS RWY 13, Amdt 4
- Quincy, IL, Quincy Muni-Baldwin Field, RNAV or GPS RWY 31, Amdt 3
- Gardner, KS, Gardner Muni, NDB or GPS-D, Amdt 2
- Great Bend, KS, Great Bend Muni, NDB or GPS RWY 35, Amdt 2
- Johnson, KS, Stanton County Muni, NDB or GPS RWY 17, Orig
- Wichita, KS, Wichita Mid-Continent, NDB or GPS RWY 1R, Amdt 14
- Wichita, KS, Wichita Mid-Continent, RNAV or GPS RWY 1L, Orig
- Wichita, KS, Wichita Mid-Continent, RNAV or GPS RWY 19R, Orig
- Winfield, KS, Winfield-Arkansas City, NDB or GPS RWY 35, Amdt 3A
- London, KY, London-Corbin Arpt-Magee Field, VOR or GPS RWY 5, Amdt 12A
- Prestonsburg, KY, Big Sandy Regional, VOR/DME or GPS-A, Orig
- Somerset, KY, Somerset-Pulaski County-J.T. Wilson Field NDB or GPS RWY 4, Amdt 6
- Sturgis, KY, Sturgis Muni, NDB or GPS RWY 36, Amdt 6
- Lake Providence, LA, Byerley, NDB or GPS RWY 17, Amdt 1
- Leesville, LA, Leesville, NDB or GPS RWY 35, Orig
- Natchitoches, LA, Natchitoches Regional, NDB or GPS RWY 34, Amdt 3
- Springhill, LA, Springhill, NDB or GPS RWY 17, Orig
- Sulphur, LA, Southland Field, VOR/DME or GPS-A, Amdt 1
- Winnfield, LA, David G. Joyce, NDB or GPS RWY 8, Amdt 2B
- Palmer, MA, Metropolitan, NDB or GPS RWY 4, Orig
- Provincetown, MA, Provincetown Muni, NDB or GPS RWY 25, Amdt 1
- Stow, MA, Minute Man Air Field, NDB or GPS-A, Amdt 7A
- Lincoln, ME, Lincoln Regional, VOR/DME or GPS-A, Amdt 1
- Lincoln, ME, Lincoln Regional, NDB or GPS RWY 17, Orig
- Machias, ME, Machias Valley, NDB or GPS RWY 36, Orig
- Old Town, ME, Dewitt Fld, Old Town Muni, NDB or GPS RWY 22, Amdt 4
- Pittsfield, ME, Pittsfield Muni, NDB or GPS RWY 1, Amdt 3A
- Muskegon, MI, Muskegon County, VOR/DME or GPS RWY 6, Amdt 10
- Muskegon, MI, Muskegon County, VOR or GPS-A, Amdt 19
- Muskegon, MI, Muskegon County, NDB or GPS RWY 32, Amdt 11
- New Hudson, MI, New Hudson, VOR or GPS-A, Amdt 3
- Newberry, MI, Luce County Hale, VOR or GPS RWY 11, Amdt 9
- Newberry, MI, Luce County Hale, VOR or GPS RWY 29, Amdt 9
- Tecumseh, MI, Al Meyers, VOR or GPS-A, Amdt 6
- Traverse City, MI, Cherry Capital, VOR or TACAN or GPS-A, Amdt 20
- Traverse City, MI, Cherry Capital, NDB or GPS RWY 28, Amdt 10
- Troy, MI, Big Beaver, VOR or GPS-B, Orig
- Troy, MI, Oakland/Troy, VOR or GPS-A, Amdt 3
- West Branch, MI, West Branch Community, NDB or GPS RWY 27, Amdt 6A
- Madison, MN, Madison-Lac Qui Parle County, NDB or GPS RWY 31, Amdt 3
- Mora, MN, Mora Muni, NDB or GPS RWY 35, Amdt 2
- Motley, MN, Morey's, NDB or GPS RWY 9, Amdt 1
- Olivia, MN, Olivia Regional, VOR/DME or GPS-A, Amdt 1
- Ortonville, MN, Ortonville Muni-Martinson Field, NDB or GPS RWY 34, Amdt 1
- Princeton, MN, Princeton Muni, NDB or GPS RWY 15, Orig
- Staples, MN, Staples Muni, NDB or GPS RWY 14, Amdt 2
- Waseca, MN, Waseca Muni, NDB or GPS RWY 15, Amdt 3
- Waseca, MN, Waseca Muni, VPR or GPS-A, Amdt 3
- Wheaton, MN, Wheaton Muni, NDB or GPS RWY 34, Amdt 1
- Windom, MN, Windom Muni, NDB or GPS RWY 17, Amdt 4A
- Excelsior Springs, MO, Excelsior Springs Memorial, VOR or GPS RWY 19, Orig-A
- Festus, MO, Festus Meml, NDB or GPS RWY 36, Amdt 2A
- Hannibal, MO, Hannibal Muni, VOR/DME or GPS-A, Amdt 2
- Hannibal, MO, Hannibal Muni, NDB or GPS RWY 35, Amdt 3
- Joplin, MO, Joplin Regional, NDB or GPS RWY 13, Amdt 23
- Kansas City, MO, Kansas City Intl, NDB or GPS RWY 1L, Amdt 14A
- Marks, MS, Selfs, NDB or GPS RWY 2, Amdt 3
- Marks, MS, Selfs, NDB or GPS-A, Amdt 1
- Pascagoula, MS, Trent Lott Intl, VOR or GPS-A, Orig
- Philadelphia, MS, Philadelphia Muni, NDB or GPS RWY 18, Orig-A
- Philadelphia, MS, Philadelphia Muni, NDB or GPS RWY 36, Orig
- Picayune, MS, Picayune Pearl River County, VOR or GPS-A, Amdt 11
- Prentiss, MS, Prentiss-Jefferson Davis County, NDB or GPS RWY 30, Orig
- Raymond, MS, John Bell Williams, NDB or GPS RWY 12, Orig
- Ripley, MS, Ripley, VOR/DME or GPS-A, Amdt 1A
- Conrad, MT, Conrad, NDB or GPS RWY 23, Amdt 4
- Forsyth, MT, Tillitt Field, NDB or GPS RWY 26, Amdt 2A
- Kalispell, MT, Glacier Park Intl, VOR or GPS RWY 30, Amdt 9
- West Yellowstone, MT, Yellowstone, NDB or GPS RWY 1, Amdt 3A
- Siler City, NC, Siler City Municipal VOR or GPS-A, Amdt 1
- Siler City, NC, Siler City Municipal NDB or GPS RWY 21, Orig

- Southern Pines, NC, Moore County, VOR or GPS-A, Amdt 3A
- Southport, NC, Brunswick County, NDB or GPS-A, Amdt 3A
- Wallace, NC, Henderson Field, NDB or GPS RWY 27, Orig
- Waxhaw, NC, Jaars-Townsend, VOR/DME or GPS-A, Amdt 3
- West Jefferson, NC, Ashe County, NDB or GPS RWY 27, Orig
- Williamston, NC, Martin County, NDB or GPS RWY 21, Amdt 4
- Wilmington, NC, New Hanover International, NDB or GPS RWY 35, Amdt 16A
- Wilson, NC, Wilson Industrial Air Center, NDB or GPS RWY 3, Amdt 5A
- Wilson, NC, Wilson Industrial Air Center, NDB or GPS RWY 21, Orig-A
- Mandan, ND, Mandan Muni, VOR or GPS-A, Orig
- Mohall, ND, Mohall Muni, VOR/DME or GPS RWY 31, Amdt 2
- Omaha, NE, Eppley Airfield, NDB or GPS RWY 14R, Amdt 23
- Omaha, NE, Eppley Airfield, RNAV or GPS RWY 32L, Amdt 5
- Omaha, NE, Millard, VOR/DME RNAV or GPS RWY 12, Amdt 6
- Sidney, NE, Sidney Muni, VOR/DME OR TACAN or GPS RWY 12, Amdt 4
- Sidney, NE, Sidney Muni, VOR/DME OR TACAN or GPS RWY 30, Amdt 4
- Valentine, NE, Miller Field, NDB or GPS RWY 31, Amdt 6A
- Wayne, NE, Wayne Muni, NDB or GPS RWY 22, Amdt 3
- Lebanon, NH, Lebanon Muni, VOR or GPS RWY 25, Orig
- Gallup, NM, Gallup Municipal, VOR or GPS RWY 6, Amdt 7
- Hobbs, NM, Lea County (Hobbs), VOR/DME or TACAN or GPS RWY 21, Amdt 8
- Hobbs, NM, Lea County (Hobbs), VOR or TACAN or GPS RWY 3, Amdt 20
- Le Roy, NY, Le Roy, VOR or GPS-A, Orig
- Millbrook, NY, Sky Acres, VOR or GPS-A, Amdt 6
- New York, NY, John F. Kennedy Intl, VOR or GPS-D, Amdt 8
- New York, NY, La Guardia, VOR/DME or GPS-E, Amdt 2
- New York, NY, La Guardia, VOR/DME or GPS-G, Amdt 2
- New York, NY, La Guardia, VOR/DME or GPS-H, Orig
- New York, NY, La Guardia, VOR or GPS-F, Amdt 1
- Red Hook, NY, Sky Park, VOR or GPS RWY 1, Amdt 5
- Westhampton Beach, NY, The Francis S. Gabreski, NDB or GPS RWY 24, Amdt 3
- Ravenna, OH, Portage County, VOR/DME RNAV or GPS RWY 27, Amdt 2
- Ravenna, OH, Portage County, VOR or GPS-A, Amdt 5
- St. Clairsville, OH, Alderman, VOR or GPS-A, Amdt 3
- Salem, OH, Salem Airpark Inc, VOR or GPS-A, Orig-B
- Sandusky, OH, Griffing Sandusky, VOR/DME or GPS RWY 27, Amdt 1
- Sebring, OH, Tri-City, VOR or GPS RWY 17, Amdt 3A
- Shelby, OH, Shelby Community VOR or GPS-A, Amdt 4
- Sidney, OH, Sidney Muni, VOR/DME RNAV or GPS RWY 28, Amdt 4
- Sidney, OH, Sidney Muni, VOR or GPS RWY 22, Amdt 11
- Toledo, OH, Metcalf Field, VOR/DME or GPS RWY 4, Amdt 2
- Upper Sandusky, OH, Wyandot County, VOR or GPS-A, Amdt 3
- Urbana, OH, Grimes Field, VOR or GPS-A, Amdt 5
- Wadsworth, OH, Wadsworth Muni, NDB or GPS RWY 2, Amdt 4
- Wauseon, OH, Fulton County, NDB or GPS RWY 27, Amdt 6
- West Union, OH, Alexander Salamon, NDB or GPS RWY 23, Amdt 3A
- Willard, OH, Willard, VOR/DME or GPS-A, Orig
- Wilmington, OH, Clinton Fld, VOR or GPS-A, Orig
- Henryetta, OK, Henryetta Muni, NDB or GPS RWY 35, Amdt 2A
- Hugo, OK, Stan Stamper Muni, NDB or GPS RWY 35, Orig
- Madill, OK, Madill Muni, VOR/DME or GPS-A, Amdt 3
- Miami, OK, Miami Muni, VOR/DME or GPS-A, Amdt 1
- Pryor, OK, Mid-America Industrial, VOR/DME or GPS-A, Amdt 4
- Sallisaw, OK, Sallisaw Muni, NDB or GPS-A, Orig
- Weatherford, OK, Thomas P. Stafford, NDB or GPS RWY 17, Amdt 1
- Hermiston, OR, Hermiston Muni, VOR/DME or GPS-A, Amdt 2
- Roseburg, OR, Roseburg Regional, VOR or GPS-A, Amdt 5
- Salem, OR, McNary Fld, NDB or GPS RWY 31, Amdt 18
- Scappoose, OR, Scappoose Industrial Airpark, VOR/DME or GPS-A, Amdt 1A
- Greenwood, SC, Greenwood County, VOR or GPS RWY 9, Amdt 13
- Greenwood, SC, Greenwood County, NDB or GPS RWY 27, Amdt 1
- Hartsville, SC, Hartsville Muni, NDB or GPS RWY 21, Amdt 3A
- Hilton Head Island, SC, Hilton Head, VOR/DME or GPS-A, Amdt 9B
- Hilton Head Island, SC, Hilton Head, RNAV or GPS RWY 3, Amdt 4A
- Hilton Head Island, SC, Hilton Head, RNAV or GPS RWY 21, Amdt 4B
- Laurens, SC, Laurens County, NDB or GPS RWY 8, Amdt 1A
- Watertown, SD, Watertown Muni, VOR or TACAN or GPS RWY 17, Amdt 15
- Watertown, SD, Watertown Muni, NDB or GPS RWY 35, Amdt 7
- Jasper, TN, Marion County-Brown Field, NDB or GPS RWY 4, Amdt 4
- Parsons, TN, Scott Field, VOR/DME or GPS-A, Amdt 2
- Parsons, TN, Scott Field, VOR/DME or GPS-B, Amdt 1
- Portland, TN, Portland Muni, VOR/DME or GPS RWY 19, Amdt 2
- Rogersville, TN, Hawkins County, NDB or GPS RWY 7, Amdt 2
- Smithville, TN, Smithville Muni, NDB or GPS RWY 24, Amdt 2
- Springfield, TN, Springfield Robertson County, NDB or GPS RWY 22, Amdt 3
- Graham, TX, Graham Muni, NDB or GPS RWY 21, Amdt 1
- Granbury, TX, Granbury Muni, VOR or GPS-B, Amdt 3
- Haskell, TX, Haskell Muni, NDB or GPS RWY 18, Amdt 2
- Hebbronville, TX, Jim Hogg County, NDB or GPS RWY 13,
- Higgins, TX, Higgins-Lipscomb County, VOR/DME or GPS RWY 18, Amdt 3
- Houston, TX, Clover Field, VOR/DME or GPS-A, Amdt 2
- Houston, TX, Ellington Field, VOR/DME or TACAN or GPS RWY 4, Amdt 3
- Houston, TX, Ellington Field, VOR/DME or TACAN or GPS RWY 22 Amdt 2
- Houston, TX, May, VOR or GPS-A, Orig
- Houston, TX, Sugar Land Muni/Hull Field, VOR/DME RNAV or GPS RWY 17, Amdt 6
- Houston, TX, Sugar Land Muni/Hull Field, VOR/DME RNAV or GPS RWY 35, Amdt 7
- Houston, TX, Weiser Air Park, NDB or GPS-A, Orig
- La Grange, TX, Fayette Regional Air Center VOR/DME or GPS-A, Orig
- La Porte, TX, La Porte Muni, VOR or GPS-A, Amdt 12
- La Porte, TX, La Porte Muni, NDB or GPS RWY 30, Amdt 1
- Lago Vista, TX, Lago Vista Bar-K Airpark, VOR/DME or GPS-A, Amdt 2
- Lampasas, TX, Lampasas, VOR or GPS-A, Amdt 3
- Liberty, TX, Liberty Muni, VOR or GPS-A, Amdt 5
- Littlefield, TX, Littlefield Municipal, NDB or GPS RWY 1, Orig
- Llano, TX, Llano Muni, VOR or GPS-A, Amdt 2
- Lockhart, TX, Lockhart Muni, VOR/DME or GPS RWY 18, Orig
- Mason, TX, Mason County, VOR/DME or GPS-A, Amdt 2
- Mc Allen, TX, Mc Allen Miller Intl, NDB or GPS RWY 13, Amdt 6
- Mexia, TX, Mexia-Limestone Co, NDB or GPS-A, Amdt 2
- Wharton, TX, Wharton Muni, VOR/DME or GPS-A, Amdt 3
- Wharton, TX, Wharton Muni, NDB or GPS RWY 14, Amdt 1
- Wharton, TX, Wharton Muni, NDB or GPS RWY 32, Amdt 1
- Wheeler, TX, Wheeler Muni, VOR/DME or GPS-A, Amdt 1
- Wichita Falls, TX, Kickapoo Downtown Airpark, VOR/DME RNAV or GPS RWY 35, Amdt 2
- Wichita Falls, TX, Kickapoo Downtown Airpark, NDB or GPS-A, Amdt 6
- Wichita Falls, TX, Sheppard AFB/Wichita Falls Muni, VOR or GPS-D, Amdt 12
- Wichita Falls, TX, Sheppard AFB/Wichita Falls Muni, NDB or GPS RWY 33L, Amdt 9
- Logan, UT, Logan-Cache, VOR or GPS-A, Amdt 6
- Milford, UT, Milford Muni, VOR or GPS-A, Amdt 3
- Bridgewater, VA, Bridgewater Air Park, NDB or GPS-A, Amdt 4
- Brookneal, VA, Brookneal/Campbell County VOR/DME or GPS-A, Orig
- Chase City, VA, Chase City Muni, NDB or GPS RWY 36, Amdt 2A
- Farmville, VA, Farmville Muni, NDB or GPS RWY 3, Amdt 4
- Louisa, VA, Louisa County/Freeman Field, NDB or GPS RWY 27, Orig

Melfa, VA, Accomack County, VOR/DME or GPS RWY 3, Orig
 Pennington Gap, VA, Lee County, NDB or GPS-A, Amdt 2
 Portsmouth, VA, Hampton Roads, NDB or GPS RWY 2, Amdt 5
 Wallops Island, VA, Wallops Flight Facility, VOR/DME or TACAN or GPS RWY 10, Amdt 3
 Warrenton, VA, Warrenton-Fauquier, VOR or GPS RWY 14, Amdt 3
 West Point, VA, West Point Muni, VOR or GPS-A, Amdt 3
 Williamsburg, VA, Williamsburg-Jamestown, VOR or GPS-B, Amdt 2
 Wenatchee, WA, Pangborn Memorial, VOR or GPS-A, Amdt 5
 Wenatchee, WA, Pangborn Memorial, VOR or GPS-B, Amdt 4
 Wentachee, WA, Pangborn Memorial, VOR/DME or GPS-C, Amdt 3
 Appleton, WI, Outagamie County, NDB or GPS RWY 3, Amdt 14
 Boscobel, WI, Boscobel, VOR/DME or GPS-A, Amdt 3
 Chetek, WI, Chetek Muni-Southworth, VOR/DME or GPS RWY 17, Amdt 1
 Cottage Grove, WI, Blackhawk Airfield, VOR or GPS-A, Orig
 East Troy, WI, East Troy Muni, VOR or GPS-A, Orig
 Ladysmith, WI, Rusk County, NDB or GPS RWY 32, Amdt 1
 Lone Rock, WI, Tri-County Regional VOR or GPS-A, Amdt 6
 Mineral Point, WI, Iowa County, NDB or GPS RWY 22, Amdt 4
 Monroe, WI, Monroe Muni, VOR/DME RNAV or GPS RWY 12, Amdt 4
 Monroe, WI, Monroe Muni, VOR/DME or GPS RWY 30, Amdt 7
 Reedsburg, WI, Reedsburg Muni, VOR or GPS-A, Amdt 4
 Huntington, WV, Tri-State/Milton J. Ferguson Field, NDB or GPS RWY 12, Amdt 17
 Moundsville, WV, Marshall County, VOR/DME or GPS-A, Amdt 1
 Petersburg, WV, Grant County, VOR/DME-A, Amdt 1
 Point Pleasant, WV, Mason County, VOR/DME-A, Amdt 4
 Summersville, WV, Summersville, NDB or GPS RWY 4, Amdt 2
 Douglas, WY, Converse County, VOR or GPS RWY 28, Orig
 Evanston, WY, Evanston-Uinta County Burns Field, VOR/DME or GPS RWY 23, Amdt 2
 Evanston, WY, Evanston-Uinta County Burns Field, VOR/DME or GPS-A, Orig

The following are corrected procedure titles adding "or GPS" published in Transmittal Letter 94-25.

Blytheville, AR, Blytheville Muni, NDB or GPS RWY 18, Amdt 1
 Blytheville, AR, Blytheville Muni, NDB or GPS RWY 36, Amdt 1
 Bermuda Dunes, CA, Bermuda Dunes, VOR or GPS RWY 28, Orig Procedure Cancelled
 Denver, CO, Front Range, NDB or GPS RWY 26, Amdt 2A
 Lafayette, IN, Purdue University, VOR or GPS-A, Amdt 25
 Hallock, MN, Hallock Muni, VOR/DME or GPS RWY 31, Amdt 6A
 Choteau, MT, Choteau, NDB or GPS RWY 23, Orig-A

Astoria, OR, Astoria Regional, Copter VOR/DME or GPS 066, Amdt 1
 Eugene, OR, Mahlon Sweet Field, NDB or GPS RWY 16, Amdt 29

[FR Doc. 94-30487 Filed 12-9-94; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 175

[Docket No. 88F-0322]

Indirect Food Additives: Adhesives and Components of Coatings

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of a polyester resin prepared from terephthalic acid, isophthalic acid, succinic anhydride, ethylene glycol, diethylene glycol, and 2,2-dimethyl-1,3-propanediol as a component of polymeric coatings intended to contact aqueous and alcoholic foods. This action is in response to a petition filed by Nippon Gohsei (U.S.A.) Co., Ltd.

DATES: Effective December 12, 1994; written objections and requests for a hearing by January 11, 1995.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3080.

SUPPLEMENTARY INFORMATION: In a notice published in the *Federal Register* of November 4, 1988 (53 FR 44670), corrected on December 23, 1988 (53 FR 51950), FDA announced that a food additive petition (FAP 7B4017) had been filed by Nippon Gohsei (U.S.A.) Co., Ltd., 747 Third Ave., New York, NY 10017. The petition proposed that the food additive regulations in § 175.300 *Resinous and polymeric coatings* (21 CFR 175.300) be amended to provide for the safe use of a polyester resin prepared from terephthalic acid, isophthalic acid, succinic anhydride, ethylene glycol, diethylene glycol, and 2,2-dimethyl-1,3-propanediol as a component of polymeric coatings intended to contact alcoholic foods.

Upon further review of the petition, the agency noted that the petitioner had also requested use of the additive in contact with aqueous foods in addition to its use in contact with alcoholic foods. In a notice published in the *Federal Register* of June 15, 1994 (59 FR 30803), FDA amended the November 4, 1988, notice to state that the petitioner had requested that the food additive regulations be amended to provide for the safe use of the additive in contact with aqueous and alcoholic foods.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed use of the additive is safe and that § 175.300(b)(3) 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 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. FDA 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.

Any person who will be adversely affected by this regulation may at any time on or before January 11, 1995, 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 175

Adhesives, 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 Director, Center for Food Safety and Applied Nutrition, 21 CFR part 175 is amended as follows:

PART 175—INDIRECT FOOD ADDITIVES: ADHESIVES AND COMPONENTS OF COATINGS

1. The authority citation for 21 CFR part 175 continues to read as follows:

Authority: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 175.300 is amended in paragraph (b)(3) by adding new paragraph (xxxvii) to read as follows:

§ 175.300 Resinous and polymeric coatings.

* * * * *

(b) * * *

(3) * * *

(xxxvii) Polymeric resin as a coating component prepared from terephthalic acid, isophthalic acid, succinic anhydride, ethylene glycol, diethylene glycol, and 2,2-dimethyl-1,3-propanediol for use in contact with aqueous foods and alcoholic foods containing not more than 20 percent (by volume) of alcohol under conditions of use D, E, F, and G described in Table 2 of § 176.170 of this chapter. The resin shall contain no more than 30 weight percent of 2,2-dimethyl-1,3-propanediol.

* * * * *

Dated: November 30, 1994.

Fred K. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 94-30495 Filed 12-9-94; 8:45 am]

BILLING CODE 4160-01-F

21 CFR Parts 182 and 184

[Docket No. 80N-0218]

Citric Acid and Certain Citrate Derivatives; Affirmation of GRAS Status as Direct Human Food Ingredients

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is affirming citric acid, dibasic ammonium citrate, calcium citrate, potassium citrate, sodium citrate, isopropyl citrate, stearyl citrate, and triethyl citrate as generally recognized as safe (GRAS) for use as direct human food ingredients. The safety of these ingredients has been evaluated under the comprehensive safety review conducted by the agency.

DATES: Effective December 12, 1994. The Director of the Office of the Federal Register approves the incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 of certain publications in new §§ 184.1033(b), 184.1195(b), 184.1625(b), 184.1751(b), and 184.1911(b), effective December 12, 1994.

FOR FURTHER INFORMATION CONTACT: Patricia A. Hansen, Center for Food Safety and Applied Nutrition (HFS-206), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3098.

SUPPLEMENTARY INFORMATION:

I. Background

In the *Federal Register* of January 7, 1983 (48 FR 834), FDA published a proposal to affirm that citric acid, dibasic ammonium citrate, calcium citrate, potassium citrate, sodium citrate, isopropyl citrate, stearyl citrate, and triethyl citrate are GRAS for use as direct human food ingredients. The proposal was published in accordance with the announced FDA review of the safety of GRAS and prior-sanctioned food ingredients.

In accordance with § 170.35 (21 CFR 170.35), copies of the scientific literature review and the report of the Select Committee on GRAS Substances (the Select Committee) on citric acid and these citrate derivatives have been made available for public review in the Dockets Management Branch (address above). Copies of these documents are also available for purchase from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Rd., Springfield, VA 22161.

The proposal gave interested parties an opportunity to submit comments.

Several letters, each containing one or more comments, were received in response to the proposal. The substantive comments received addressed several points, among which were additional uses for certain citrates changes in the description of the manufacturing methods for other specific citrates, and other technical corrections to the regulations proposed for other specific citrates.

In the *Federal Register* of August 20 1992 (57 FR 37738), FDA published a tentative final rule announcing that it was tentatively affirming the GRAS status of citric acid and the citrate derivatives named above. In the tentative final rule, the agency responded to the comments that had been received in response to the proposal. The agency published a tentative final rule before proceeding to final action because a significant period of time had elapsed since publication of the proposal. In addition, the agency wished to allow for comment on two provisions in the tentative final rule that were not part of the original proposal: (1) The inclusion of the changes published in the third supplement to the Food Chemicals Codex, 3d ed., in the specifications for citric acid in new § 184.1033(b); and (2) the revised description of isopropyl citrate in new § 184.1386(a) and of stearyl citrate in new § 184.1851(a).

II. Response to Comments

Three comments were received in response to the agency's tentative final rule on citric acid and the citrates named above. None of the comments addressed the provisions in the tentative final rule on which the agency had requested comments. Two of the comments merely expressed general support for the agency's tentative affirmation of the GRAS status of citric acid and the above named citrates. One comment reported additional direct food uses for calcium citrate and requested inclusion of these uses in the final rule. The additional uses, for which the comment provided information on dietary exposure, were in home-prepared jams and jellies, and in beverages and beverage bases; the technical effects specified were as an anti-caking and free-flow agent, or as a processing aid. The comment also indicated that calcium citrate is used as a pH control agent.

In its safety review, the Select Committee had concluded that no evidence in the available information on calcium citrate demonstrates, or suggests reasonable grounds to suspect, a hazard to the public at levels that are now current or might reasonably be

expected in the future. In the proposal, the agency stated that it had undertaken its own review of the available information on calcium citrate and concurred in the conclusion of the Select Committee (48 FR 834 at 836). The agency has considered the requested additional uses of this ingredient and finds that the additional amounts consumed would not be large enough to change that conclusion and that sufficient safety data exist to affirm the uses as GRAS when the ingredient is used in accordance with current good manufacturing practice. The agency also concludes that the ingredient will perform the technical effects specified.

The agency concludes that a large margin of safety exists for current and reasonably expected future uses of calcium citrate in food. In light of this large margin of safety, the agency finds that inclusion of all of the food categories and technical effects in which calcium citrate is used, or in which its use was requested, would result in a regulation for calcium citrate that would be unnecessarily long. Therefore, the agency is no longer including a list of technical effects nor a list of food categories in new § 184.1195(c).

III. Scope of the Rule

FDA is amending the current regulations by removing 21 CFR 182.1033, 182.1195, 182.1625, 182.1751, 182.1911, 182.6033, 182.6195, 182.6386, 182.6511, 182.6625, 182.6751, 182.6851, and 182.8195. The agency is adding new 21 CFR 184.1033, 184.1140, 184.1195, 184.1386, 184.1625, 184.1751, 184.1851, and 184.1911.

IV. Environmental Impact

The agency has previously considered the environmental effects of this rule as announced in the proposed rule that published in the *Federal Register* of January 7, 1983 (48 FR 834). 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.

V. Economic Impact

FDA has examined the economic implications of this rule, which affirms that citric acid, dibasic ammonium citrate, calcium citrate, potassium citrate, sodium citrate, isopropyl citrate, stearyl citrate, and triethyl citrate are GRAS for use as direct human food ingredients, under Executive Order 12866 and the Regulatory Flexibility Act (Pub. L. 96-354). Executive Order 12866 directs Federal agencies to assess all costs and benefits of available regulatory

alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic and environmental benefits, public health and safety effects, distributive impacts and equity). The Regulatory Flexibility Act requires analyzing options for regulatory relief for small businesses.

The agency finds that this rule is not a significant regulatory action as defined by Executive Order 12866. Because no current activity is prohibited by this rule, the compliance cost to firms is zero. Because no increase in the health risks faced by consumers will result from this final rule, total costs are also zero. Potential benefits include the possible wider use of these substances to achieve intended technical effects and any resources saved by reducing the need to prepare further petitions to affirm the GRAS status of certain of these substances. In accordance with the Regulatory Flexibility Act, FDA has also determined that this rule will not have a significant impact on a substantial number of small businesses.

List of Subjects

21 CFR Part 182

Food ingredients, Food packaging, Spices and flavorings.

21 CFR Part 184

Food ingredients, Incorporation by reference.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR parts 182 and 184 are amended as follows:

PART 182—SUBSTANCES GENERALLY RECOGNIZED AS SAFE

1. The authority citation for 21 CFR part 182 continues to read as follows:

Authority: Secs. 201, 402, 409, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 371).

§ 182.1033 [Removed]

2. Section 182.1033 *Citric acid* is removed from subpart B.

§ 182.1195 [Removed]

3. Section 182.1195 *Calcium citrate* is removed from subpart B.

§ 182.1625 [Removed]

4. Section 182.1625 *Potassium citrate* is removed from subpart B.

§ 182.1751 [Removed]

5. Section 182.1751 *Sodium citrate* is removed from subpart B.

§ 182.1911 [Removed]

6. Section 182.1911 *Triethyl citrate* is removed from subpart B.

§ 182.6033 [Removed]

7. Section 182.6033 *Citric acid* is removed from subpart G.

§ 182.6195 [Removed]

8. Section 182.6195 *Calcium citrate* is removed from subpart G.

§ 182.6386 [Removed]

9. Section 182.6386 *Isopropyl citrate* is removed from subpart G.

§ 182.6511 [Removed]

10. Section 182.6511 *Monoisopropyl citrate* is removed from subpart G.

§ 182.6625 [Removed]

11. Section 182.6625 *Potassium citrate* is removed from subpart G.

§ 182.6751 [Removed]

12. Section 182.6751 *Sodium citrate* is removed from subpart G.

§ 182.6851 [Removed]

13. Section 182.6851 *Stearyl citrate* is removed from subpart G.

§ 182.8195 [Removed]

14. Section 182.8195 *Calcium citrate* is removed from subpart I.

PART 184—DIRECT FOOD SUBSTANCES AFFIRMED AS GENERALLY RECOGNIZED AS SAFE

15. The authority citation for 21 CFR part 184 continues to read as follows:

Authority: Secs. 201, 402, 409, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 371).

16. New § 184.1033 is added to subpart B to read as follows:

§ 184.1033 Citric acid.

(a) Citric acid ($C_6H_8O_7$, CAS Reg. No. 77-92-9) is the compound 2-hydroxy-1,2,3-propanetricarboxylic acid. It is a naturally occurring constituent of plant and animal tissues. It occurs as colorless crystals or a white powder and may be anhydrous or contain one mole of water per mole of citric acid. Citric acid may be produced by recovery from sources such as lemon or pineapple juice; by mycological fermentation using *Candida spp.*, described in §§ 173.160 and 173.165 of this chapter; and by the solvent extraction process described in § 173.280 of this chapter for the recovery of citric acid from *Aspergillus niger* fermentation liquor.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d ed. (1981), pp. 86-87 and its third supplement (March 1992), pp.

107-108, which are incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, and the Center for Food Safety and Applied Nutrition (HFS-200), 200 C St. SW., Washington, DC 20204, or may be examined at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitations other than current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

17 New § 184.1140 is added to subpart B to read as follows:

§ 184.1140 Ammonium citrate, dibasic.

(a) Ammonium citrate, dibasic ((NH₄)₂HC₆H₅O₇, CAS Reg. No. 3012-65-5) is the diammonium salt of citric acid. It is prepared by partially neutralizing citric acid with ammonia.

(b) The Food and Drug Administration, in cooperation with the National Academy of Sciences, is developing food-grade specifications for ammonium citrate, dibasic. In the interim, this ingredient must be of a purity suitable for its intended use.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as a flavor enhancer as defined in § 170.3(o)(11) of this chapter and as a pH control agent as defined in § 170.3(o)(23) of this chapter.

(2) The ingredient is used in nonalcoholic beverages as defined in § 170.3(n)(3) of this chapter and in cheeses as defined in § 170.3(n)(5) of this chapter at levels not to exceed current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section, or different from those set forth in part 181 of this chapter, do not exist or have been waived.

18 New § 184.1195 is added to subpart B to read as follows:

§ 184.1195 Calcium citrate.

(a) Calcium citrate (Ca₃(C₆H₅O₇)₂·4H₂O, CAS Reg. No. 813-94-5) is the

calcium salt of citric acid. It is prepared by neutralizing citric acid with calcium hydroxide or calcium carbonate. It occurs as a fine white, odorless powder and usually contains four moles of water per mole of calcium citrate.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d ed. (1981), pp. 49 and 50, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, and the Center for Food Safety and Applied Nutrition (HFS-200), 200 C St. SW., Washington, DC 20204, or may be examined at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. Calcium citrate may also be used in infant formula in accordance with section 412(g) of the Federal Food, Drug, and Cosmetic Act (the act) or with regulations promulgated under section 412(a)(2) of the act.

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

19. New § 184.1386 is added to subpart B to read as follows:

§ 184.1386 Isopropyl citrate.

(a) Isopropyl citrate is a mixture of the mono-, di-, and triisopropyl esters of citric acid. It is prepared by esterifying citric acid with isopropanol.

(b) The Food and Drug Administration, in cooperation with the National Academy of Sciences, is developing food-grade specifications for isopropyl citrate. In the interim, this ingredient must be of a purity suitable for its intended use.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as an antioxidant as defined in § 170.3(o)(3) of this chapter; a sequestrant as defined in § 170.3(o)(26) of this chapter; and a solvent and vehicle as defined in § 170.3(o)(27) of this chapter.

(2) The ingredient is used in margarine in accordance with § 166.110 of this chapter; in nonalcoholic

beverages as defined in § 170.3(n)(3) of this chapter; and in fats and oils as defined in § 170.3(n)(12) of this chapter at levels not to exceed current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section, or different from those set forth in part 181 of this chapter, do not exist or have been waived.

20. New § 184.1625 is added to subpart B to read as follows:

§ 184.1625 Potassium citrate.

(a) Potassium citrate (C₆H₅K₃O₇·H₂O, CAS Reg. No. 006100-05-6) is the potassium salt of citric acid. It is prepared by neutralizing citric acid with potassium hydroxide or potassium carbonate. It occurs as transparent crystals or a white granular powder, is odorless and deliquescent, and contains one mole of water per mole of potassium citrate.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d ed. (1981), p. 242, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, and the Center for Food Safety and Applied Nutrition (HFS-200), 200 C St. SW., Washington, DC 20204, or may be examined at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section, or different from those set forth in part 181 of this chapter, do not exist or have been waived.

21. New § 184.1751 is added to subpart B to read as follows:

§ 184.1751 Sodium citrate.

(a) Sodium citrate (C₆H₅Na₃O₇·2H₂O, CAS Reg. No. 68-04-2) is the sodium salt of citric acid. It is prepared by neutralizing citric acid with sodium hydroxide or sodium carbonate. The product occurs as colorless crystals or a white crystalline powder. It may be prepared in an anhydrous state or may contain two moles of water per mole of sodium citrate.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d ed. (1981), pp. 283-284, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the National Academy Press, 2101

Constitution Ave. NW., Washington, DC 20418, and the Center for Food Safety and Applied Nutrition (HFS-200), 200 C St. SW., Washington, DC 20204, or may be examined at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section, or different from those set forth in part 181 of this chapter, do not exist or have been waived.

22. New § 184.1851 is added to subpart B to read as follows:

§ 184.1851 Stearyl citrate.

(a) Stearyl citrate is a mixture of the mono-, di-, and tristearyl esters of citric acid. It is prepared by esterifying citric acid with stearyl alcohol.

(b) The Food and Drug Administration, in cooperation with the National Academy of Sciences, is developing food-grade specifications for stearyl citrate. In the interim, this ingredient must be of a purity suitable for its intended use.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as an antioxidant as defined in § 170.3(o)(3) of this chapter; an emulsifier and emulsifier salt as defined in § 170.3(o)(8) of this chapter; a sequestrant as defined in § 170.3(o)(26) of this chapter; and a surface-active agent as defined in § 170.3(o)(29) of this chapter.

(2) The ingredient is used in margarine in accordance with § 166.110 of this chapter; in nonalcoholic beverages as defined in § 170.3(n)(3) of this chapter; and in fats and oils as defined in § 170.3(n)(12) of this chapter at levels not to exceed current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section, or different from those set forth in part 181 of this chapter, do not exist or have been waived.

23. New § 184.1911 is added to subpart B to read as follows:

§ 184.1911 Triethyl citrate.

(a) Triethyl citrate ($C_{12}H_{20}O_7$, CAS Reg. No. 77-93-0) is the triethyl ester of

citric acid. It is prepared by esterifying citric acid with ethyl alcohol and occurs as an odorless, practically colorless, oily liquid.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d ed. (1981), p. 339, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, and the Center for Food Safety and Applied Nutrition (HFS-200), 200 C St. SW., Washington, DC 20204, or may be examined at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as a flavoring agent as defined in § 170.3(o)(12) of this chapter; a solvent and vehicle as defined in § 170.3(o)(27) of this chapter; and a surface-active agent as defined in § 170.3(o)(29) of this chapter.

(2) The ingredient is used in foods at levels not to exceed current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section, or different from those set forth in part 181 of this chapter, do not exist or have been waived.

Dated: November 29, 1994.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 94-30496 Filed 12-9-94; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD02-93-002]

RIN 2115-AE47

Drawbridge Operation Regulations, St. Croix River, MN and WI

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulation governing the operation of the S36 Bridge over the St. Croix

River at mile 23.4, at Stillwater, Minnesota. The existing regulation was temporarily amended for the 1994 St. Croix River boating season because the previous opening schedule was contributing to traffic delays and congestion in Stillwater. This revised opening schedule was evaluated through the 1994 St. Croix River boating season. As a result of traffic studies and evaluations, a new opening schedule is being implemented to reduce traffic delays and congestion.

EFFECTIVE DATE: January 11, 1995.

FOR FURTHER INFORMATION CONTACT:

Roger K. Wiebusch, Bridge Administrator, Second Coast Guard District, 1222 Spruce Street, St. Louis, Missouri 63103-2832, telephone (314) 539-3724.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Wanda G. Renshaw, Project Manager, and Lieutenant S. Moody, Project Attorney

Regulatory History

On Friday, October 8, 1993, the Coast Guard published a notice of proposed rulemaking entitled Drawbridge Operation Regulations, St. Croix River, Minnesota and Wisconsin in the **Federal Register** (58 FR 52466). The Coast Guard received six comments on the proposal. A public meeting was requested and held on April 7, 1994, in the Stillwater Municipal Building. At that meeting the bridge owner, Minnesota Department of Transportation (MNDOT), recommended a revised opening schedule based on traffic data and studies. The Coast Guard decided to issue a temporary regulation which would allow evaluation of MNDOT's proposed changes during the summer boating season. The temporary regulation was published as a Final Temporary Rule on Friday, June 3, 1994 in the **Federal Register** (59 FR 28776).

Background and Purpose

The St. Croix River is heavily used by recreational craft. River excursion boats are the only known commercial navigation passing the bridge. To meet the navigational needs of these boaters the S36 Bridge is presently required to open on signal from May 15 through October 15 on a set schedule of hourly and half hourly openings from 8 a.m. to 10 p.m. From October 16 through May 14, the draw opens on signal if at least 24 hours notice is given.

In an effort to reduce traffic congestion on the approaches to the

bridge, the Mayor of Stillwater requested that the bridge's operating schedule be amended. The Coast Guard proposed a change which would permit hourly openings on weekdays from 8 a.m. to 10 p.m. and on Saturdays, Sundays and federal holidays from 8 a.m. to midnight. The two hours advance notice from 10 p.m. to 8 a.m., weekdays, and from midnight to 8 a.m., Saturdays, Sundays and federal holidays would remain in effect.

Discussion of Comments and Changes

The Coast Guard received six comments on the Proposed Rulemaking. Three supported the proposed change; a fourth, from the Minnesota Historical Society, stated that the proposed action would have no effect on the historic characteristics of the bridge, which is listed on the National Register of Historic Places. Two comments, one from a local recreational boater and the other from the owner of a local marina, objected to the proposed change. As a result of the objections, the Coast Guard requested that MNDOT conduct traffic studies, evaluate the results and recommend an opening schedule that would retain an acceptable number of bridge openings and provide for peak highway traffic. Based on the evaluation of vehicle traffic counts and studies, MNDOT reported that no change was warranted by traffic conditions during weekday morning hours. Because heavy vehicular traffic arrived between 3 p.m. and 7 p.m. on weekdays, MNDOT recommended that the existing schedule be observed up to and including the 2:30 p.m. opening, and that openings after 2:30 p.m. should occur at 4 p.m., 5:30 p.m., 6:30 p.m. and 7 p.m. with an opening every half hour thereafter until 10 p.m. Because heavy vehicular traffic arrived between 9 a.m. and 8 p.m. on weekends and holidays, MNDOT recommended that the existing schedule be retained, up to and including the 9 a.m. opening, and that the opening schedule be revised for one opening per hour from 9 a.m. until 8 p.m. with half hourly openings from 8 p.m. until midnight.

The Coast Guard published a Final Temporary Rule promulgating the opening schedule recommended by MNDOT, and requested comments throughout the evaluation period, which ended November 15, 1994. No comments have been received. Accordingly, the Coast Guard is revising the existing regulation to promulgate the opening schedule in effect for the 1994 boating season.

Regulatory Evaluation

This regulation is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because operators of commercial vessels have indicated that they can adjust to the changes without impact on their businesses.

Small Entities

After considering the comments submitted in response to the Notice of Proposed Rulemaking published in the *Federal Register* on Friday, October 8, 1993, (58 FR 52466), the Coast Guard finds that any impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism Assessment

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612 and has determined that it does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has reviewed the environmental impact of this rule and concluded that under section 2.B.2 of the NEPA Implementing Procedures, COMDTINST M16475.1B, this final rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations have been found to not have a significant effect on the human environment. A Categorical Exclusion Determination is available in the docket.

List of Subjects in 33 CFR Part 117

Bridges.

For reasons set out in the preamble the Coast Guard is amending part 117 of title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.667 paragraph (b) is revised to read as follows:

§ 117.667 St. Croix River.

(b) The draw of the S36 Bridge Mile 23.4, at Stillwater, shall open on signal as follows:

(1) From May 15 through October 15, Monday through Friday, except Federal holidays, from:

- (i) 8 a.m. to 11 a.m., every hour on the hour;
- (ii) 11 a.m. to 2:30 p.m., every half hour;
- (iii) 2:30 p.m. to 5:30 p.m., at 2:30 p.m., 4 p.m. and 5:30 p.m.;
- (iv) 6:30 p.m. to 10 p.m., every half hour; and
- (v) 10 p.m. to 8 a.m., upon at least two hours notice.

(2) from May 15 through October 15, Saturdays, Sundays, and federal holidays from:

- (i) 8 a.m. to 9 a.m., every half hour;
- (ii) 9 a.m. to 8 p.m., every hour on the hour;
- (iii) 8 p.m. to midnight, every half hour; and
- (iv) Midnight to 8 a.m., upon at least two hours notice.

* * * * *
Dated: November 27, 1994.

Paul M. Blainey,
Rear Admiral, U.S. Coast Guard, Commander,
Second Coast Guard District.

[FR Doc. 94-30482 Filed 12-9-94; 8:45 am]
BILLING CODE 4910-14-M

33 CFR Part 165

[CGD01-94-155]

RIN 2115-AA97

Safety Zone; New Bedford First Night Fireworks Display, New Bedford Harbor, New Bedford, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in New Bedford main ship channel south of the New Bedford/Fairhaven Bridge in

the vicinity of New Bedford Channel Lighted Bell Buoy 16 (LLNR 16895), during the New Bedford First Night fireworks display. This safety zone is needed to protect vessels in the vicinity of the display, as well as personnel onboard these vessels, from potential hazards associated with the fireworks display.

EFFECTIVE DATES: This regulation is effective between the hours of 11 p.m. December 31, 1994, and 1 a.m. on January 1, 1995, unless terminated sooner by the Captain of the Port Providence. There will be no rain date for this event.

FOR FURTHER INFORMATION CONTACT: LT J.C. Wong of Marine Safety Field Office New Bedford at (508) 999-0072.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are LT J.C. Wong, Project Manager, Captain of the Port Providence, and LCDR F.J. Kenney, Project Counsel, First Coast Guard District Legal Office.

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Due to the date the application was received, there was not sufficient time to publish proposed rules in advance of the event. If the event, which is centered around a national holiday, were required to be postponed by publishing an NPRM, the event would be cancelled. Publishing an NPRM and delaying the event would be contrary to the public interest since the fireworks display is to celebrate the New Year's national holiday.

Background and Purpose

On December 31, 1994, the city of New Bedford is sponsoring a fireworks display in celebration of New Year's Eve. The fireworks will be launched from a barge anchored in New Bedford Channel in the vicinity of New Bedford Channel Lighted Bell Buoy 16 (LLNR 16895), beginning at 12 midnight December 31, 1994. This safety zone will be established within a 350 yard radius around the fireworks barge. The fireworks display will last for approximately one half hour.

The purpose of this rulemaking is to establish a safety zone to prohibit vessels from transiting or anchoring in the area of New Bedford Harbor over which the fireworks will be launched, in order to protect these vessels and the

persons onboard from potential damage, fire, or personal injury due to sparks and falling debris. The safety zone will be in effect between 11 p.m. on December 31, 1994, and 1 a.m. January 1, 1995, and will effectively close New Bedford Channel in the vicinity of New Bedford Channel Lighted Bell Buoy 16 (LLNR 16895) to all vessel traffic during the period.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The entities most likely to be effected are pleasure craft wishing to view the fireworks from the water as well as fishing vessels and other commercial vessel traffic wishing to transit the area. Spectator vessels will still be able to view the fireworks from the water but will be required to do so at a distance of more than 350 yards from the barge, which will not cause them undue hardship. Fishing vessels will be prohibited from transiting through the area while the zone is in effect. This will not have a significant economic impact on them because of the short duration of the zone and extensive advisories which will be made. Most of the fishermen who work out of New Bedford are aware that the fireworks and accompanying safety zone will be in place the evening of December 31, 1994. The commercial terminals in the harbor have been notified and any scheduled traffic will be aware of the safety zone. Thus, this safety zone should not cause undue hardship to any entity.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

For the reasons outlined in the Regulatory Evaluation above, the Coast Guard expects the impact to be minimal on all entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605 (b) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*)

Federalism

The Coast Guard has analyzed this final rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this rule and has concluded that under Section 2.B.2.c. of Commandant Instruction M16475.1B, it is an action under the Coast Guard's statutory authority to protect public safety, and thus is categorically excluded from further environmental documentation. A Categorical Exclusion Determination will be made available in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Final Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. A temporary § 165.T01–155 is added to read as follows:

§ 165.T01–155 Safety Zone; New Bedford Harbor, New Bedford, MA.

(a) *Location.* The following area is a safety zone:

All waters in a 350 yard radius around the fireworks barge anchored in New Bedford Harbor, MA. in the vicinity of New Bedford Channel Lighted Bell Buoy 16 (LLNR 16895).

(b) *Effective Date.* This section becomes effective between 11 p.m. on

December 30, 1994 and 1 a.m. on January 1, 1995, unless terminated sooner by the Captain of the Port.

(c) *Regulations.* The general regulations governing safety zones contained in 33 CFR 165.23 apply. Entry into any portion of the described zones is prohibited unless authorized by the Captain of the Port.

Dated: November 30, 1994.

P.A. Turlo,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 94-30477 Filed 12-9-94; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

42 CFR Part 57

RIN 0905-AE13

Grants for Faculty Training Projects in Geriatric Medicine and Dentistry

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Final rule.

SUMMARY: This final regulation revises the existing regulations governing the program for Grants for Faculty Training Projects in Geriatric Medicine and Dentistry authorized by section 777(b) of the Public Health Service Act (the Act), to implement statutory amendments made by the Health Professions Extension Amendments of 1992 and to include other technical and ministerial changes to conform the existing regulations with the amendments made by the statute. The final rule also removes a section in the regulations to allow for less restrictive requirements for those individuals who may benefit from further fellowship or retraining experience in a lifetime.

DATES: These regulations are effective December 12, 1994.

FOR FURTHER INFORMATION CONTACT: Neil H. Sampson, Director, Division of Associated, Dental and Public Health Professions, Bureau of Health Professions, HRSA, room 8-101, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857; telephone: (301) 443-6853.

SUPPLEMENTARY INFORMATION: On March 3, 1994, the Assistant Secretary for Health, with the approval of the Secretary of Health and Human Services, published in the *Federal Register* (59 FR 10104), a Notice of Proposed Rulemaking (NPRM) to revise the regulations governing the program

for Grants for Faculty Training Projects in Geriatric Medicine and Dentistry, authorized under section 777(b) of the Public Health Service Act (the Act) (42 U.S.C. 2940). The Health Professions Education Extension Amendments of 1992 (Pub. L. 102-408) amended and renumbered former section 789(b) of the Act (42 U.S.C. 295g-9(b)) to section 777(b).

The NPRM proposed amendments to implement several statutory provisions by: (1) Adding a definition for the term "Geriatric psychiatry" to implement the requirement for the expansion of project support to include the training of physicians who plan to teach geriatric psychiatry, and by (2) adding a definition for the term "Relevant advanced training or experience" to implement the requirement for dentists who are awarded a 2-year internal medicine or family medicine fellowship. The NPRM also proposed to remove a section in the regulations regarding the period of time for appointment to fellowships to allow for less restrictive requirements for those individuals who may benefit from further fellowship or retraining experience in a lifetime.

The public comment period on the proposed regulations closed on April 4, 1994. The Department received 4 public comments. The comments received on the proposed rule to section 777(b) and the Department's responses to the comments are discussed below according to the section numbers and headings of the regulation affected.

Section 57.4102 "Definitions"

The Department proposed the following definition for the term "Geriatric psychiatry":

"Geriatric psychiatry" means the prevention, diagnosis, evaluation and treatment of mental disorders and disturbances seen in older adults.

This definition was proposed to be added to the section to incorporate the statutory requirement for the expansion of project support to include the training of physicians who plan to teach geriatric psychiatry.

The Department received positive responses to this definition.

The Department also proposed the following definition for the term "Relevant advanced training or experience":

"Relevant advanced training or experience" means at least one of the following: (1) Completion of at least a 12-month graduate training program in a health-related discipline, the basic sciences, or education; or (2) a minimum of 2 years of clinical practice, of which at least 12 months were

devoted in part to managing older dental patients in a hospital, long-term care facility, or other setting.

This definition was proposed to be added to the section to incorporate the statutory requirement for the expansion of fellowship eligibility of dental fellows in the program.

One respondent found this definition "extremely helpful in setting a high standard for the selection of highly motivated and qualified candidates"

The Department also received a request that dentists who have had "relevant teaching experience in an accredited dental school" be added to the definition. The Department accepts the general intent of this recommendation while noting that "relevant" alone is not explicit and is open to interpretation. In response to this concern, the Department has expanded the definition of "Relevant advanced training or experience" in the final regulations to include an additional experience, "a minimum of 2 years of teaching experience in an accredited dental educational program of which at least 12 months were devoted in part to issues pertaining to the care of older adults."

Section 57.4111 "Duration of Fellowships"

The Department proposed to remove this section from the regulations to allow less restrictive requirements for those individuals who may benefit from further fellowship or retraining experience in a lifetime. The section language read:

"An appointment to a fellowship may be made for a period not to exceed 12 months. Fellowship assistance for participants in a 1-year fellowship program and a 1-year retraining program is limited to 12 months. Participants in 2-year fellowship programs may receive a second 12-month appointment for a total period of 24 months."

The Department gave an example in the NPRM how this language might be restrictive to fellows: "For example, a faculty fellow who completed a 1-year retraining to have the skills required to incorporate geriatrics into course content and clinical rotations may discover 5 years later that another fellowship experience would provide the opportunity to develop research skills in geriatrics required to expand the scope and depth of practice-based geriatric research."

One respondent requested the "removal of the 1-year fellowship [retraining] limit of Federal support for psychiatrists who wish to train other psychiatrists in geriatric psychiatry". The respondent stated that this is a reasonable request as it would permit