

the comment period, the FAA will publish a document in the Federal Register indicating that no adverse or negative comments were received, confirming the date on which the final rule will become effective. If the FAA does receive an adverse or negative comment within the comment period, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the Federal Register, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96-ACE-7." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612,

it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

#### PART 71—AMENDED

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

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

\* \* \* \* \*

ACE KS E5 Russell, KS [Revised]

Russell Municipal Airport, KS

(Lat. 38°52'20"N., long. 98°48'42"W.)

Hays VORTAC

(Lat. 38°50'52"N., long. 99°16'36"W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Russell Municipal Airport and within 4 miles each side of the 086° radial of Hays VORTAC extending from the 6.3-mile radius to 6.6 miles west of the airport and within 2 miles each side of the 354° bearing from Russell Municipal Airport extending from the 6.3-mile radius to 9.6 miles north of the airport and within 2 miles each side of the 174° bearing from Russell

Municipal Airport extending from the 6.3-mile radius to 8.8 miles south of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on June 14, 1996.

Herman J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 96-18056 Filed 7-16-96; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 95

[Docket No. 28621; Amdt. No. 397]

#### IFR Altitudes; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**EFFECTIVE DATE:** 0901 UTC, August 15, 1996.

#### 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, D.C. 20591; telephone: (202) 267-8277.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

#### The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published

aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment 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 95

Airspace, Navigation (air).

Issued in Washington, D.C. on July 5, 1996.

Thomas C. Accardi,

*Director, Flight Standards Service.*

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC,

1. The authority citation for part 95 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, and 14 CFR 11.49(b)(2).

2. Part 95 is amended to read as follows:

### REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES AND CHANGEOVER POINTS

[Amendment 397 effective date, August 15, 1996]

From	To	MEA	MAA
<b>§ 95.1001 Direct Routes—U.S.</b>			
<b>B9</b>			
<b>Atlantic Routes is Added to Read</b>			
Marathon, FL NDB *4000—MRA **1500—MOCA .....	*Deeds, FL FIX .....	**2000	
<b>§ 95.6099 VOR Federal Airway 99 is Amended to Delete</b>			
Hartford, CT VORTAC *4000—MRA **2500—MOCA .....	*Graym, MA FIX .....	**3000	
<b>§ 95.6151 VOR Federal Airway 151 is Amended to Read in Part</b>			
Gails, MA FIX .....	Inndy, RI FIX .....	2000	
Inndy, RI FIX *1500—MOCA .....	Providence, RI VORTAC .....	*2000	
<b>§ 95.6175 VOR Federal Airway 175 is Amended to Read in Part</b>			
Madup, IA FIX *3900—MRA .....	*Welte, IA FIX .....	5500	
Welte, IA FIX .....	Sioux City, IA VORTAC .....	3000	
<b>§ 95.6189 VOR Federal Airway 189 is Amended to Read in Part</b>			
Wright Brothers, NC VOR/DME *2000—MOCA .....	Tar River, NC VORTAC .....	*4000	
<b>§ 95.6233 VOR Federal Airway 233 is Amended to Read in Part</b>			
Gaylord, MI VOR/DME *5000—MRA .....	*Dripe, MI FIX .....	3100	
<b>§ 95.6268 VOR Federal Airway 268 is Amended by Adding</b>			
Tonni, MA FIX *5000—MRA .....	*Meshl, ME FIX .....	5000	
Meshl, ME FIX .....	Sappe, ME FIX .....	3000	
Sappe, ME FIX *1800—MOCA .....	Augusta, ME VOR/DME .....	*3000	
<b>Is Amended to Read in Part</b>			
Inndy, RI FIX *6000—MRA .....	*Tonni, MA FIX .....	6000	
<b>§ 95.6451 VOR Federal Airway 451 is Amended to Delete</b>			
Groton, CT VOR .....	Avonn, RI FIX .....	6000	
Avonn, RI FIX .....	Inndy, RI FIX .....	2000	
Inndy, RI FIX *6000—MRA .....	*Tonni, MA FIX .....	6000	
Tonni, MA FIX .....	Seedy, NH FIX .....	5000	
From	To	MEA	MAA
<b>§ 95.7062 Jet Route No. 62 is amended to Delete</b>			
Nantucket, MA VORTAC .....	Saile, MA W/P .....	18000	45000
<b>§ 95.7086 Jet Route No. 86 is amended by Adding</b>			
Beatty, NV VORTAC .....	Fuzzy, NV FIX .....	18000	45000
Fuzzy, NV FIX .....	Boulder City, NV VORTAC .....	29000	45000
<b>§ 95.7092 Jet Route No. 92 is Amended to Read in Part</b>			
Beatty, NV VORTAC .....	Boulder City, NV VORTAC .....	24000	45000

§ 95.7092 VOR FEDERAL AIRWAYS CHANGEOVER POINTS

Airway Segment		Changeover Points	
From	To	Distance	From
J-92			
Beatty, NV VORTAC .....	Boulder City, NV VORTAC .....	12	Boulder City.

[FR Doc. 96-18059 Filed 7-16-96; 8:45 am]  
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 175

[Docket No. 94F-0398]

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 1,4-cyclohexanedicarboxylic acid as a polybasic acid for use in polyester resins intended for food-contact coatings. This action is in response to a petition filed by Eastman Chemical Co. DATES: Effective July 17, 1996; written objections and requests for a hearing August 16, 1996.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Parklawn Dr., rm. 1-23, 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, 202-418-3081.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of November 23, 1994 (59 FR 60364), FDA announced that a food additive petition (FAP 4B4431) had been filed by Eastman Chemical Co., P.O. Box 1994, Kingsport, TN 37662. The petition proposed to amend the food additive regulations in § 175.300 *Resinous and polymeric coatings* (21 CFR 175.300) to provide for the safe use of 1,4-cyclohexanedicarboxylic acid as a polybasic acid for use in polyester resins intended for food-contact coatings.

FDA has evaluated the data in the petition and other relevant material. The

agency concludes that the proposed use of the additive in polyester resins intended for food-contact coatings is safe, that the additive will have its intended technical effect, and therefore, that § 175.300 should be amended as set forth below.

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

The agency has 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 August 16, 1996, 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)(vii)(a) by alphabetically adding a new item to read as follows:

§ 175.300 Resinous and polymeric coatings.

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(vii) \* \* \*

(a) \* \* \*

\* \* \* \* \*

1,4-cyclohexanedicarboxylic (CAS Reg. No. 1076-97-7).

\* \* \* \* \*

Dated: June 28, 1996.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 96-18069 Filed 7-16-96; 8:45 am]

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