

*Paragraph 6605 Class E airspace areas extending upward from 700 feet or more above the surface of the Earth.*

\* \* \* \* \*

AEA NY E5 Penn Yan, NY [Revised]

Penn Yan Airport, NY  
(Lat. 42°38'20" N, long. 77°03'14" W)

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Penn Yan Airport, excluding that portion within the Romulus, NY, Class E airspace area.

\* \* \* \* \*

Issued in Jamaica, New York, on October 3, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region

[FR Doc. 96-27183 Filed 10-23-96; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 101

[Docket Nos. 96N-0244 and 94P-0444]

#### Food Labeling; Declaration of Free Glutamate in Food; Correction

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

**ACTION:** Advance notice of proposed rulemaking; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting an advance notice of proposed rulemaking that appeared in the Federal Register of September 12, 1996 (61 FR 48102). The document announced FDA's consideration of establishing requirements for label information about the free glutamate content of foods. The document was published with some errors. This document corrects those errors.

**FOR FURTHER INFORMATION CONTACT:** Felicia B. Satchell, Center for Food Safety and Applied Nutrition (HFS-158), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5099.

In FR Doc. 96-23159, appearing on page 48102 in the Federal Register of Thursday, September 12, 1996, the following corrections are made:

1. On page 48102, in the third column, "[Docket No. 96N-0244]" is corrected to read "[Docket Nos. 96N-0244 and 94P-0444]".

2. On page 48109, in the first column, in the 20th line from the bottom, "(.032g)" is corrected to read "(.032g/100g)" and "(.047g)" is corrected to read "(.047g/100g)".

Dated: October 17, 1996.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 96-27201 Filed 10-23-96; 8:45 am]

BILLING CODE 4160-01-F

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 206

RIN 3067-AC56

#### Disaster Assistance; Appeals Procedures

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) is changing the procedures for the review and disposition of appeals related to Public Assistance grants. The rule is intended to simplify the administrative process and reduce delays in reaching a final resolution of an appeal.

**DATES:** We invite comments on this proposed rule and will accept comments until December 23, 1996.

**ADDRESSES:** Please send written comments to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, room 840, 500 C Street SW., Washington, DC 20472, (facsimile) (202) 646-4536.

**FOR FURTHER INFORMATION CONTACT:** Mira Kuic, Program Specialist, Engineering Branch, Infrastructure Support Division, Federal Emergency Management Agency, room 713, 500 C Street SW., Washington, DC 20472, (202) 646-4687.

**SUPPLEMENTARY INFORMATION:** Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (Stafford Act), any decision regarding eligibility or amount of assistance may be appealed. Before this proposed rule, FEMA allowed three appeal levels. The following Federal officials were designated to receive and consider first, second, and third level appeals, respectively: Regional Director, Associate Director, and Director.

This proposed rule reduces, from three to two, the number of appeal requests allowed to be submitted by an applicant. If a first appeal request is denied by the Regional Director, in lieu of submitting a second appeal to the Associate Director, an applicant may submit a second appeal to the Director. The Director's decision is considered final. No changes are being made in the time frames for submittal, notification and disposition of appeals.

The intent of this change is to reduce the significant amount of time (and associated costs) dedicated to the review and disposition of repetitive appeal issues. FEMA has found that very little, if any, new information is submitted with third appeals. A third appeal response typically confirms an existing FEMA policy or clarifies the regulations as applied to specific projects. Therefore, reducing the number of submittals at the Headquarters level would avoid repetitive reviews of the same decisions and issues. This change will eliminate approximately one third of the total time required for the entire appeals process and will provide applicants with a final resolution sooner than previously. All provisions for fair and impartial consideration as required by the Stafford Act are maintained.

*National Environmental Policy Act.*

This proposed rule is categorically excluded from the preparation of environmental impact statements and environmental assessments as an administrative action in support of normal day-to-day grant activities. No environmental impact statement or environmental assessment has been prepared.

*Regulatory Flexibility Act.* The Director certifies that this rule is not a major rule under Executive Order 12291, and will not have significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, and is not expected (1) to adversely affect the availability of disaster assistance funding to small entities, (2) to have significant secondary or incidental effects on a substantial number of small entities, nor (3) to create any additional burden on small entities. Hence no regulatory impact analysis has been prepared.

*Paperwork Reduction Act.* This proposed rule does not involve any collection of information for the purposes of the Paperwork Reduction Act.

*Executive Order 12612, Federalism.* In publishing this proposed rule, FEMA has considered the President's Executive Order 12612 on Federalism. This proposed rule makes no changes in the division of governmental responsibilities between the Federal government and the States. Grant administration procedures in accordance with 44 CFR part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, remain the same. No Federalism assessment has been prepared.

*Executive Order 12778, Civil Justice Reform.* The rule meets the applicable

standards of section 2(b)(2) of Executive Order 12778, Civil Justice Reform, dated October 25, 1991, 3 CFR, 1991 Comp., p. 359

#### List of Subjects in 44 CFR Part 206

Disaster assistance, Public assistance.

Accordingly, 44 CFR part 206 is proposed to be amended as follows:

1. The authority citation for part 206 continues to read as follows:

Authority: The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329, 5 U.S.C. App. I; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; and E.O. 12673, 54 CFR 12571, 3 CFR, 1989 Comp., p. 214.

2. Section 206.206(d) is revised to read as follows:

#### § 206.206 Appeals.

\* \* \* \* \*

(d) *Director.* (1) If the RD denies the appeal, the subgrantee may submit a second appeal to the Director. Such appeals shall be made in writing, through the grantee and the RD, and shall be submitted not later than 60 days after receipt of the notice of the RD's denial of the first appeal. The Director shall render a determination on the subgrantee's appeal within 90 days following the receipt of the appeal or shall make a request for additional information. Within 90 days following the receipt of such additional information the Director shall notify the grantee, in writing of the disposition of the appeal. If the decision is to grant the appeal, the RD will be instructed to take appropriate implementing action. Action by the Director is final.

(2) In appeals involving highly technical issues, the Director may, at his/her discretion, submit the appeal to an independent scientific or technical person or group having expertise in the subject matter of the appeal for advice and recommendation. Before making the selection of this person or group, the Director may consult with the grantee, subgrantee, or both.

(3) The Director may also submit appeals which he/she receives to persons who are not associated with FEMA's Response and Recovery Directorate office for recommendations on the resolutions of appeals.

(4) Within 60 days after the submission of a recommendation made pursuant to paragraphs (d) (2) and (3) of this section, the Director shall render a determination and notify the grantee of the disposition of the appeal.

\* \* \* \* \*

Dated: October 16, 1996.

James L. Witt,

*Director.*

[FR Doc. 96-27176 Filed 10-23-96; 8:45 am]

BILLING CODE 6718-02-P

#### 44 CFR Part 206

RIN 3067-AC58

#### Disaster Assistance; Snow Removal Assistance

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule describes the facilities that are eligible for snow removal assistance as a result of an Emergency or Major Disaster declaration based on snow or blizzard conditions. Removal of snow from one lane in each direction along designated snow emergency routes, or similar types of roads in communities without designated snow emergency routes, and along streets that provide access from the designated routes to critical facilities is eligible for assistance. No other facilities are eligible for snow removal assistance.

**DATES:** We invite comments on this proposed rule and will accept comments until November 25, 1996.

**ADDRESSES:** Please send written comments to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (facsimile) (202) 646-4536.

**FOR FURTHER INFORMATION CONTACT:** Gregory Ormsby, Engineer, Infrastructure Support Division, room 713, 500 C Street SW., Washington, DC 20472, (202) 646-2726.

**SUPPLEMENTARY INFORMATION:** Prior to the winter of 1976/1977, declarations by the Federal government for winter storm assistance under earlier disaster relief acts were rare. Only seven winter storm incidents were declared between 1953 and 1977, and most were the result of ice storms that caused enough damage to justify the declaration of major disasters. However, definitive policies and procedures were never developed by FEMA's predecessor agencies to describe the circumstances under which Federal disaster assistance for snow removal could be provided in the aftermath of winter storms.

Beginning in January 1977, and continuing through the winter of 1978/1979, the north central and northeastern states experienced an extraordinary series of winter storms that resulted in below normal temperatures, heavy

snowfall, and blizzards that threatened lives and public health and safety due to the disruption of emergency transportation facilities. During that period, 14 emergencies and one major disaster were declared by the President pursuant to the Disaster Relief Act of 1974, as amended. Although other types of emergency assistance were made available to save lives and protect public health and safety, the primary type of assistance provided from 1977 through 1979 was snow removal assistance to provide emergency access.

The Federal government's first official winter storm policy was developed in October 1978. The policy addressed emergency snow removal assistance required to provide emergency access to save lives and protect public health and safety. Eligibility for emergency measures other than snow removal was to be evaluated in accordance with other applicable rules and regulations. The policies established for eligibility included a requirement for the State to submit information on the nature and extent of the storm; threats to public health and safety; actions taken by the State and local governments; and the specific types of assistance required. Federal assistance was limited to 67 percent of total eligible costs.

The October 1978 policy was applied to two snow events that occurred during the winter of 1978/1979. Based on those two events, it was determined that the policy was not adequate to ensure that emergency snow removal assistance was supplemental, i.e., beyond State and local capabilities, and was provided in a uniform and consistent manner. As a result, the winter storm policy was changed in September 1979 to indicate that routine snow removal is a maintenance responsibility of State and local governments; that budgetary shortfalls were not to be used as justification for declaration; that State agencies were not eligible applicants; and to identify specific eligibility criteria and reimbursement levels. Federal assistance was reduced to 50 percent of total eligible costs.

Between 1979 and 1993, no emergencies or major disasters were declared for snowstorms or blizzards. A total of 14 major disasters were declared for other types of winter events. Except for changes in eligible applicants and the eligibility criteria for snow removal contained in 44 CFR 206.227, previous policies and procedures were not revised.

In 1993, 18 emergencies were declared by the President pursuant to the Stafford Act resulting from a severe winter storm that was categorized by the National Weather Service as a blizzard.