

forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on February 4, 1997.

Jay J. Pardee,

*Manager, Engine and Propeller Directorate,  
Aircraft Certification Service.*

[FR Doc. 97-4013 Filed 2-18-97; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 71

[Airspace Docket No. 97-AGL-6]

### Modification of Class E Airspace; Spearfish, SD, Black Hills-Clyde Ice Field

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to modify Class E airspace at Spearfish, SD. A Global Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway 12 has been developed for Black Hills-Clyde Ice Field. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended affect of this proposal is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

**DATES:** Comments must be received on or before April 7, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 97-AGL-6, 2300 East Devon Avenue, Des Plaines, Illinois, 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Operations Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

#### FOR FURTHER INFORMATION CONTACT:

John A. Clayborn, Air Traffic Division, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 97-AGL-6." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRM's

Any person may obtain a copy of the Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, S.W., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to modify Class E airspace at Spearfish, SD; this proposal would provide adequate Class E airspace for operators executing the GPS Runway 12 SIAP at Black Hills-Clyde Ice Field. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore this, proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 the Federal Aviation Administration Order 7400.9D, Airspace Designation and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

AGL SD E5 Spearfish, SD [Revised]

Black Hills-Clyde Ice Field, SD  
(lat. 44°28'49"N, long. 103°46'37"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Black Hills-Clyde Ice Field Airport and within 2.1 miles each side of the 305° bearing from the airport extending from the 7-mile radius to 8.3 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at lat. 44°29'22"N, long. 103°56'48"W; to lat. 44°13'37"N, long. 104°14'00"W; to lat. 44°18'41"N, long. 104°23'24"W; to lat. 44°44'11"N, long. 103°57'49"W; to lat. 44°50'13"N, long. 103°28'11"W; to lat. 44°47'27"N, long. 102°57'40"W; to lat. 44°39'31"N, long. 102°56'34"W; to lat. 44°38'27"N, long. 103°12'26"W; to lat. 44°25'29"N, long. 103°38'30"W; then clockwise via the 7-mile radius of the airport to the point of beginning.

\* \* \* \* \*

Issued in Des Plaines, Illinois on February 5, 1997.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 97–4073 Filed 2–18–97; 8:45 am]

BILLING CODE 4910–13–M

---

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**
**Food and Drug Administration**
**21 CFR Ch. I**

[Docket No. 96N–0364]

RIN 0910–AA20

**Regulation of Medical Foods;  
Extension of Comment Period**

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

**ACTION:** Advance notice of proposed rulemaking; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to April 28, 1997, the comment period for the advance notice of proposed rulemaking for the regulation of medical foods that published in the Federal Register of November 29, 1996. This action is being taken in response to several requests from interested persons for an extension of the comment period on this document.

**DATES:** Written comments by April 28, 1997.

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

**FOR FURTHER INFORMATION CONTACT:**

Robert J. Moore, Center for Food Safety and Applied Nutrition (HFS–456), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–4605.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of November 29, 1996 (61 FR 60661), FDA published an advance notice of proposed rulemaking for the regulation of medical foods. Interested persons were given until February 27, 1997, to comment on the advance notice of proposed rulemaking.

FDA has received requests for an extension of the comment period from: Manufacturers, a trade organization representing manufacturers of medical foods, and a professional society representing health care providers and research scientists. The interested parties stated in their requests for an extension of the comment period that such an extension would help ensure that the agency receives comprehensive and carefully researched information from experts to consider in response to the notice. After careful consideration of the requests submitted to the agency, FDA has decided to grant an extension of the comment period until April 28, 1997.

Interested persons may, on or before April 28, 1997, submit to the Dockets Management Branch (address above) written comments regarding this advanced notice of proposed rulemaking. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This document is issued under sections 4, 5, and 6 of the Fair Packaging and Labeling Act (15 U.S.C. 1453, 1454, 1455); sections 201, 301, 402, 403, 404, 405, 409, 411, 412, 501, 502, 503, 505,

and 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 342, 343, 344, 345, 348, 350, 350a, 351, 352, 353, 355, 371); and 21 U.S.C. 360ee(b)(3) (section 5(b)(3) of the Orphan Drug Amendments of 1988, as amended by Pub. L. 100–290).

Dated: February 12, 1997.

William K. Hubbard,

Associate Commissioner for Policy  
Coordination.

[FR Doc. 97–4021 Filed 2–18–97; 8:45 am]

BILLING CODE 4160–01–F

---

**21 CFR Part 808**

[Docket No. 96N–0249]

RIN 0910–AB03

**Exemption From Preemption of State and Local Cigarette and Smokeless Tobacco Requirements; Applications for Exemption Submitted by Various State Governments**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Food, Drug, and Cosmetic Act (the act) preempts State and local device requirements that are different from, or in addition to, Federal requirements under the act. The act also provides that the Food and Drug Administration (FDA) may, by regulation, exempt State and local device requirements from preemption. FDA is responding to applications for exemption submitted by the States of Alabama, Alaska, Utah, and Washington. FDA is proposing to grant exemptions from Federal preemption for certain cigarette and smokeless tobacco requirements in the States of Alabama, Alaska, and Utah. The requirements in the State of Washington are not preempted, and therefore no exemption needs to be granted. Elsewhere in this issue of the Federal Register, FDA is announcing an opportunity for interested persons to request a public hearing on the proposed regulation.

**DATES:** Written comments by March 21, 1997. FDA proposes that any final rule that may be issued based on this proposal become effective 30 days after the date of its publication in the Federal Register.

**ADDRESSES:** Written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:**

Anne M. Kirchner, Office of Policy (HF–23), Food and Drug Administration,