

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

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#### **ANM ID E5 Grangeville, ID [New]**

Idaho County Airport, Grangeville, ID  
(Lat. 45°56'33" N, long. 116°07'27" W)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Idaho County Airport.

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#### **ANM ID E5 Lewiston, ID [Revised]**

Lewiston-Nez Perce County Airport,  
Lewiston, ID  
(Lat. 46°22'28" N, long. 117°00'55" W)

Nez Perce VOR/DME  
(Lat. 46°22'54" N, long. 116°52'10" W)

Walla Walla VOR/DME  
(Lat. 46°05'13" N, long. 118°17'33" W)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 46°29'25" N, long. 117°34'09" W; to lat. 46°30'45" N, long. 117°00'49" W; to lat. 46°34'25" N, long. 117°04'44" W; thence via the 14.4-mile arc centered on the Nez Perce VOR/DME to lat. 46°27'00" N, long. 116°32'09" W; to lat. 46°25'30" N, long. 116°26'03" W; to lat. 46°13'20" N, long. 116°30'04" W; to lat. 46°14'33" N, long. 116°35'15" W; thence via the Nez Perce VOR/DME 14.4-mile arc to lat. 46°09'00" N, long. 116°46'54" W; to lat. 46°17'00" N, long. 116°49'14" W; to lat. 46°18'05" N, long. 117°00'15" W; to lat. 46°17'42" N, long. 117°22'04" W; to lat. 46°10'30" N, long. 117°26'24" W; to lat. 46°12'00" N, long. 117°35'44" W; north to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 46°00'00" N, long. 116°00'04" W; to lat. 46°00'00" N, long. 116°19'00" W; to lat. 45°39'00" N, long. 116°10'03" W; to lat. 45°30'00" N, long. 116°14'03" W; to lat. 45°23'00" N, long. 116°21'03" W; to lat. 45°25'00" N, long. 116°34'04" W; to lat. 45°30'00" N, long. 116°46'04" W; to lat. 46°00'00" N, 116°56'04" W; thence west along lat. 46°00'00" N to the Walla Walla VOR/DME 16.6-mile radius, thence north along the Walla Walla VOR/DME 16.6-mile radius until intercepting V-536, thence northeast along V-536 and southeast along V-2 until intercepting long. 115°15'04" W, thence south along long. 115°15'04" W, until intercepting V-187, thence southeast along V-187 until intercepting long. 116°00'00" W, thence south along long. 116°00'00" W, to lat. 46°15'00" N, to lat. 46°00'00" N, long. 115°50'00" W, thence to the point of beginning; excluding all Federal airways.

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Issued in Seattle, Washington, on  
November 5, 1999.

**Daniel A. Boyle,**

*Assistant Manager, Air Traffic Division,  
Northwest Mountain Region.*

[FR Doc. 99-30503 Filed 11-22-99; 8:45 am]

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## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 178**

[Docket No. 98F-0825]

#### **Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers**

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

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to expand the safe use of 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane, which may contain not more than 2 percent by weight of triisopropanolamine, as an antioxidant and/or stabilizer for polymers intended for use in contact with food. This action responds to a petition filed by Dover Chemical Corp.

**DATES:** This regulation is effective November 23, 1999. Submit written objections and requests for a hearing by December 23, 1999.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

#### **FOR FURTHER INFORMATION CONTACT:**

Andrew J. Zajac, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3095.

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of October 6, 1998 (63 FR 53679), FDA announced that a food additive petition (FAP 8B4627) had been filed by Dover Chemical Corp., 3676 Davis Rd. NW., Dover, OH 44622. The petition proposed to amend the food additive regulations in § 178.2010 *Antioxidants and/or stabilizer for polymers* (21 CFR 178.2010) to expand the safe use of 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane, which may contain not more than 2 percent by weight of triisopropanolamine, as an antioxidant and/or stabilizer for polymers intended for use in contact with food.

FDA has evaluated the data in the petition and other relevant material. Based on this information, the agency concludes that: (1) The proposed use of the additive is safe, (2) the additive will achieve its intended technical effect, and therefore, (3) the regulations in

§ 178.2010 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 previously considered the environmental effects of this rule as announced in the notice of filing for FAP 8B4627 (63 FR 53679). 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.

This final rule contains no collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time on or before December 23, 1999, 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 178**

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 178 is amended as follows:

**PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS**

1. The authority citation for 21 CFR part 178 continues to read as follows:

**Authority:** 21 U.S.C. 321, 342, 348, 379e.

2. Section 178.2010 is amended in the table in paragraph (b) by revising the

entry for “3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane” under the headings “Substances” and “Limitations” to read as follows:

**§ 178.2010 Antioxidants and/or stabilizers for polymers.**

\* \* \* \* \*

(b) \* \* \*

Substances	Limitations
* * * *	* * * *
3,9-Bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane (CAS Reg. No. 154862-43-8), which may contain not more than 2 percent by weight of triisopropanolamine (CAS Reg. No. 122-20-3).	For use only: 1. At levels not to exceed 0.15 percent by weight of all polymers, except as specified below. 2. At levels not to exceed 0.2 percent by weight of polycarbonate resins complying with § 177.1580 of this chapter. 3. At levels not to exceed 0.3 percent by weight of polyetherimide resins complying with § 177.1595 of this chapter.
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Dated: October 28, 1999.

**L. Robert Lake,**

*Director, Office of Policy, Planning and Strategic Initiatives, Center for Food Safety and Applied Nutrition.*

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**PENSION BENEFIT GUARANTY CORPORATION**

**29 CFR Parts 4003, 4007, 4011, 4041, 4041A, 4043, and 4050**

**Disaster Relief in Response to Hurricanes Floyd and Irene**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of disaster relief.

**SUMMARY:** The Pension Benefit Guaranty Corporation is waiving certain penalties and extending certain deadlines in response to the major disasters declared by the President of the United States on account of Hurricanes Floyd and Irene.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4024 (202-326-4179 for TTY and TDD). (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** The Pension Benefit Guaranty Corporation administers the pension plan termination insurance program under title IV of the Employee Retirement Income Security Act of 1974, as amended (29 U.S.C. 1001 *et seq.*). Under

ERISA and the PBGC's regulations, a number of deadlines must be met in order to avoid the imposition of penalties or other consequences.

The President of the United States issued declarations, under the Disaster Relief Act of 1974, as amended (42 U.S.C. 5121 *et seq.*), that major disasters exist in the States of Connecticut, Delaware, Florida, Maryland, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Vermont, and Virginia because of Hurricane Floyd, Hurricane Irene, or both.

**Relief From Certain Deadlines and Penalties**

The PBGC is providing relief from certain deadlines and penalties. In general, this relief is applicable with respect to plans for which the administrator's or sponsor's principal place of business, or the office of a service provider, bank, insurance company, or other person maintaining information necessary to meet the applicable deadlines, is located in an area that has been (or will be) designated a major disaster area on account of Hurricanes Floyd or Irene (a “designated disaster area”). However, the extension (discussed below) for filing requests for reconsideration or appeals is applicable to any aggrieved person who is residing in, or whose principal place of business is within, a designated disaster area, or with respect to whom the office of the service provider, bank, insurance company, or other person maintaining the information necessary to file the request

for reconsideration or appeal, is within such an area.

**Premiums**

The PBGC will waive the late payment penalty charge with respect to any premium payment required to be made on or after September 15, 1999, and before November 30, 1999, if the payment is made by November 30, 1999. The PBGC is not permitted by law to waive late payment interest charges. (ERISA section 4007(b); 29 CFR 4007.7 and 4007.8(b)(3).)

**Section 4071 Penalties**

For any of the following notices that is required to be filed with the PBGC on or after September 15, 1999, and before November 30, 1999, in order to avoid the assessment of section 4071 penalties, the PBGC will not assess a section 4071 penalty if the notice is filed by November 30, 1999:

(1) Post-distribution certification for single-employer plans (PBGC Form 501 or 602; ERISA section 4041(b)(3)(B) or (c)(3)(B); 29 CFR 4041.29 or 4041.50)),

(2) Notice of termination for multiemployer plans (ERISA section 4041A; 29 CFR 4041A.11),

(3) Notice of plan amendments increasing benefits by more than \$10 million (ERISA section 307(e)),

(4) Missing participants information for single-employer plans (Schedule MP (including Attachments A and B) to PBGC Forms 501 and 602; ERISA section 4050; 29 CFR 4050.6), and