

# Corrections

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This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 558

#### New Animal Drugs for Use in Animal Feeds; Lincomycin; Correction

##### Correction

In rule document 90-19627 appearing on page 34011 in the issue of Tuesday August 21, 1990, make the following correction:

On page 34011, in the second column, in the first paragraph, in the second line from the end, "charge" should read "change".

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 11, 21, 23, 25, 33, 34, 43, 45, and 91

[Docket No. 25613; Amdt Nos. 11-34, 21-68, 23-40, 25-70, 33-14, 43-33, 45-20, 91-218]

RIN 2120-AC62

#### Fuel Venting and Exhaust Emission Requirements for Turbine Engine Powered Airplanes

##### Correction

In rule document 90-18788 beginning on page 32856 in the issue of Friday, August 10, 1990, make the following corrections:

1. On page 32856, in the second column, in the second paragraph, on the third line, "1970" should read "1970".
2. On page 32857, in the first column, in the first full paragraph, on the 20th line, "SFAN" should read "SFAR".
3. On the same page, in the same column, in the same paragraph, on the next to last line, insert "the" before "underlying".

4. On page 32858, in the third column, in the fifth paragraph, on the first line, insert "of" after "232".

##### § 21.29 [Corrected]

5. On page 32860, in § 21.29(a)(1)(i), in the second column, on the fifth line, "provide" was misspelled.

##### PART 33--[AMENDED]

6. On page 32861, at the top of the second column, in the authority citation for part 33, on the third line, "January 22, 1983" should read "January 12, 1983".

##### PART 43--[AMENDED]

7. On the same page, in the same column, in the authority citation for part 43, on the third line, "January 22, 1983" should read "January 12, 1983".

##### § 45.13 [Corrected]

8. On the same page, in the same column, in § 45.13(a)(7)(i), "Comply" should appear "COMPLY".

##### § 34.1 [Corrected]

9. On page 32862, in § 34.1, in the third column, in the fourth paragraph, in the sixth line "specify" should read "specific".

##### § 34.3 [Corrected]

10. On page 32863, in the first column, in § 34.3 in the next to last line of paragraph (a), "231" should read "231".

##### § 34.21 [Corrected]

11. On page 32865, in the first column, at the end of § 34.21(b), in the formula, after "r0" the power should read "-0.274".

##### § 34.61 [Corrected]

12. On the same page, in the third column, in § 34.61, in the table, the word "values" should be deleted from the first column heading and added to the end of the second column heading.

##### § 34.62 [Corrected]

13. On page 32866, in the first column, in § 34.62(a)(2), on the 10th line "manufacturers," should have appeared "manufacturers".

##### § 34.62 [Corrected]

14. On the same page, in the same column, in § 34.62(a)(3), in the table, the heading "Class" should be added above the second, third and fourth columns.

##### § 34.64 [Corrected]

15. On the same page, in § 34.64, in the second column, add a comma after "Avenues" and "Street" in the 12th and 17th lines, respectively.

##### § 34.82 [Corrected]

16. On the same page, in the third column, in § 34.82, on the 10th line, the CFR citation should read "1 CFR part 51."

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 77

[Docket No. 26305; Notice 90-18]

RIN 2120-AA09

#### Objects Affecting Navigable Airspace

##### Correction

In proposed rule document 90-18050 beginning on page 31722 in the issue of Friday, August 3, 1990, make the following corrections:

1. On pages 31729 and 31730, under Regulatory Evaluation Summary, the text was printed out of order and should appear as follows:

##### Introduction

Executive Order 12291 dated February 17, 1981, directs Federal agencies to promulgate new regulations or modify existing regulations only if the potential benefits to society for the regulatory change outweigh the potential costs. The order also requires the preparation of a draft Regulatory Analysis of all "major" proposals except those responding to emergency situations or other narrowly defined exigencies. A "major" proposal is one that is likely to result in an annual effect on the economy of \$100 million or more, a major increase in consumer costs, a significant adverse effect on competition or is highly controversial.

This proposed regulatory action is determined not to be "major" as defined in the executive order, so a full draft Regulatory Analysis identifying and evaluating alternative proposals has not been prepared. A more concise draft Regulatory Evaluation has been prepared, however, which is limited to only this proposal and does not identify



any alternatives. This draft evaluation is included in the docket, and quantifies, to the extent practicable, estimated costs to the private sector, consumers, Federal, State, and local governments, as well as anticipated benefits and impacts.

A summary of the draft Regulatory Evaluation is contained in this section. For a more detailed analysis, the reader is referred to the full draft evaluation contained in the docket. This section also contains an initial Regulatory Flexibility Determination required by the Regulatory Flexibility Act of 1980 and an International Trade Impact Analysis.

The primary objective of these proposed amendments to part 77 is to substantially revise and reorganize the regulation to enable the public to better understand its requirements. A secondary objective is to eliminate loopholes identified by aviation users and the FAA which allow disruption of air navigation operations. Finally, the rule defines the standards for the electromagnetic effects of construction or alteration that would require notice under this part and proposes the revocation of the rules of practice for hearings of subpart E and the antenna farm provisions of subpart F. This NPRM is a result of the recommendations of task group 2-3.2 of the NAR Program, the FAA's experience in the administration of the rule since its adoption on December 12, 1962, and the mandates of Public Law 100-223. In developing its recommendations, task group 2-3.2 reviewed part 77 in its entirety, taking into account a 1978 regulatory review of the rule along with the comments received on a 1980 draft document. The task group formulated 20 major recommendations which proposed multiple changes to subparts A through F of part 77.

These amendments would potentially affect the private and public sectors in the vicinity of the 5,920 public-use airports currently subject to this part. The FAA has determined that, with the exception of the new construction or alteration requirements defined in § 77.15(a)(4) (i) through (iv), the EMI notice criteria cited in § 77.15 (b)(1) through (b)(4) and the new notice requirements of the "20-foot antenna" provision specified in § 77.17(e), the balance of the proposals contained in this NPRM will have a negligible or no-cost impact.

The costs and benefits associated with this proposal are summarized below. Total costs associated with the amendments determined to have a cost impact are estimated to be between \$239,000 and \$402,000 over a ten-year

period. Total benefits are estimated to be about \$4 million over the same period. Those elements of the rule determined to have a negligible or no cost impact are identified and explained in appendix A of the full regulatory evaluation. The amendments contained in appendix A essentially restructure and clarify this part and are likely to produce cost savings as a result of improved understanding on the part of proponents, local officials, and the FAA. The savings associated with these improvements, however, are considered unquantifiable.

A copy of the Regulatory Evaluation prepared for this action is available for review in Docket No. 26305, and a copy may be obtained by contacting the person identified under the caption, "FOR FURTHER INFORMATION CONTACT."

#### Cost and Benefit Summary

*Section 77.15(a)(4) (i) through (iv)—Construction or alteration requiring notice.* The proposal adds new notice surfaces whose areas follow ground contours that are longitudinally centered on the runway centerline and which extend beyond the runway end no more than 3,000 feet and with widths no greater than 3,000 feet. Thus, any sponsor of a construction or alteration project located in the newly defined area that is of greater height than the elevation of the terrain at the proposed construction or alteration site must notify the FAA.

*Costs:* The proposal is likely to impose on proponents minimal discounted total costs ranging from \$2,625 to \$4,594 over the 10-year period following its enactment.

*Benefits:* The FAA has not been able to quantify the savings in time and resources to proponents, local officials, and to the FAA that would result from this proposal. However, if during the same 10-year period the proposal prevents the forced relocation of one navigational aid with a present value exceeding \$4,577, the rule would be cost effective.

*Section 77.15(b) (1), (2), (3), and (4)—Construction or alteration requiring notice.* New § 77.15 (b)(1) through (b)(4) add electromagnetic construction or alteration notice criteria to part 77.

Thus, sponsors of construction or alteration would be required to file notice with the FAA if their projects meet or exceed the following criteria—

(1) Any construction or alteration of a radio frequency transmitting station with an operating frequency above 30 Megahertz (Mhz) and an effective radiated power (ERP) above 10,000 watts that has its antenna physically located below the airport imaginary

surfaces of § 77.25, § 77.28, or § 77.29 applicable to the airport concerned.

(2) Any initial or modified operation of a transmitting station, including a change in authorized frequency or effective radiated power, within 3,000 feet of an air navigation or communications aid.

(3) Any construction of a new FM or VHF-TV station utilizing an existing antenna tower.

(4) Any alteration, including changes in authorized frequency, effective radiated power, antenna height, and antenna type of existing FM and VHF-TV stations.

*Costs:* Compliance with proposed § 77.15 (b)(1) through (b)(4) is estimated to impose present value costs on proponents ranging from \$237,000 to \$397,000 over the 10-year period following enactment of the rule. These costs are based on the assumption that approximately 1500 proponents will be required to file notice annually under § 77.15 (b)(1) and (b)(3), and between 3000 and 6000 notifications will be required to be filed annually under § 77.15 (b)(2) and (b)(4).

*Benefits:* The prevention of disruptions of vital communications and navigational aids estimated to have a 10-year discounted value of approximately \$4 million.

*Section 77.17(e)—Construction or alteration requiring notice.* Section 77.17(e) is amended to include notice requirements for antennae less than 20 feet in height that would increase the height of a structure for which a previous notice was required under this part.

*Cost:* The cost associated with compliance has not been quantified. The FAA believes however, that enactment of the proposal will result in relatively few new notices and, therefore, minimal costs.

*Benefit:* Benefits are not quantifiable. Undetermined benefits are expected to accrue to the aviation public from the prevention of disruption of the navigable airspace caused by low-height antennae in the vicinity of public-use airports. The FAA believes that the benefits of this proposal, although unquantifiable, will be greater than the minimal cost of compliance.

2. On page 31731, in the first column, in the first paragraph, in the eighth line, the Executive order number should read "12612".

#### § 77.2 [Corrected]

3. On the same page, in the second column, in § 77.2, the first definition, "A seaplane base" should be deleted.

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