

of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

### The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (NFDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

### Conclusion

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 97

Air traffic control, Airports, Navigation (air).

Issued in Washington, DC on July 9, 1999.

**L. Nicholas Lacey,**

*Director, Flight Standards Service.*

### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 is revised to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 41113, 40120, 44701; and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

#### §§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

By amending § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

. . . *Effective August 12, 1999*

Provo, UT, Provo Muni, GPS RWY 13, Orig

. . . *Effective September 9, 1999*

Mobile, AL, Mobile Regional, VOR OR TACAN OR GPS-A, Amdt 1

Akron, CO, Akron-Washington County, GPS RWY 11, Orig

Akron, CO, Akron-Washington County, GPS RWY 29, Orig

Leadville, Co, Lake County, GPS RWY 16, Orig

Fort Myers, FL, Southwest Florida Intl, GPS RWY 6, Orig

Fort Myers, FL, Southwest Florida Intl, GPS RWY 24, Orig

Key West, FL, Key West Intl, VOR/DME OR GPS RWY 27, Amdt 2,

CANCELLED

Key West, FL, Key West Intl, VOR OR GPS-B, Amdt 10, CANCELLED

Key West, FL, Key West Intl, GPS RWY 9, Orig

Key West, FL, Key West Intl, NDB OR GPS-A, Amdt 15

Key West, FL, Key West Intl, GPS RWY 27, Orig

St. Petersburg-Clearwater, FL, St. Petersburg-Clearwater Intl, GPS RWY 17L, Orig

St. Petersburg-Clearwater, FL, St. Petersburg-Clearwater Intl, GPS RWY 35R, Orig

Bainbridge, GA, Decatur County Industrial Air Park, NDB OR GPS RWY 27, Amdt 1

Bloomington/Normal, IL, Central IL Regl Arpt at Bloomington-Normal, GPS RWY 11, Orig

Mount Sterling, KY, Mount Sterling-Montgomery County, GPS RWY 21, Amdt 1

Paducah, KY, West Kentucky Airpark, GPS RWY 4, Orig

Paducah, KY, West Kentucky Airpark, GPS RWY 22, Orig

Baltimore, MD, Martin State, VOR/DME OR TACAN RWY 15, Amdt 5

Bigfork, MN, Bigfork Muni, GPS RWY 15, Orig

Charlotte, NC, Charlotte/Douglas, Intl, ILS RWY 23, Amdt 1

Rockingham, NC, Rockingham-Hamlet, GPS RWY 31, Orig

Wadesboro, NC, Anson County, NDB RWY 17, Amdt 2

Van Wert, OH, Van Wert County, NDB RWY 9, Amdt 2

Van Wert, OH, Van Wert County, GPS RWY 9, Orig

Van Wert, OH, Van Wert County, GPS RWY 27, Orig

Austin, TX, Austin Executive Airpark, GPS RWY 18, Orig, CANCELLED

Neillsville, WI, Neillsville Muni, NDB RWY 27, Amdt 6

Neillsville, WI, Neillsville Muni, GPS RWY 27, Orig

[FR Doc. 99-18354 Filed 7-16-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 173

[Docket No. 98F-0894]

### Secondary Direct Food Additives Permitted in Food for Human Consumption

**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 a mixture of peroxyacetic acid, hydrogen peroxide, and 1-hydroxyethylidene-1,1-diphosphonic acid as an antimicrobial agent on fruits and vegetables that are not raw agricultural commodities without the requirement of a potable water rinse following treatment. This action is in response to a petition filed by Ecolab, Inc.

**DATES:** This regulation is effective July 19, 1999; submit written objections and requests for a hearing by August 18, 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:** Mary E. LaVecchia, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204-0001, 202-418-3072.

**SUPPLEMENTARY INFORMATION:** In a notice published in the **Federal Register** of October 20, 1998 (63 FR 56035), FDA announced that a food additive petition (FAP 8A4622) had been filed by Ecolab, Inc., 370 North Wabasha St., St. Paul, MN 55102. The petition proposed to amend the food additive regulation in § 173.315 *Chemicals used in washing or to assist in the peeling of fruits and vegetables* (21 CFR 173.315) to provide for the safe use of a mixture of peroxyacetic acid, hydrogen peroxide, and 1-hydroxyethylidene-1,1-diphosphonic acid as an antimicrobial agent to wash or assist in the lye peeling of fruits and vegetables that are not raw agricultural commodities without the requirement of a potable water rinse following treatment. The use of peroxyacetic acid, hydrogen peroxide, and 1-hydroxyethylidene-1,1-diphosphonic acid is currently approved under § 173.315 provided its use is followed by a potable water rinse (§ 173.315(c)).

The current approval under § 173.315 for the use of peroxyacetic acid, hydrogen peroxide, and 1-hydroxyethylidene-1,1-diphosphonic acid is to control the microbial growth in water that contacts fruits and vegetables that are not raw agricultural commodities (61 FR 46374, September 3, 1996). This intended technical effect is unchanged by this regulation. Under the Antimicrobial Regulation Technical Corrections Act (Pub. L. 105-324), such use in water that comes into contact with the food in the preparing, packing, or holding of the food for commercial purposes is subject to regulation by FDA as a food additive under section 409 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 348) and is not subject to regulation by the Environmental Protection Agency (EPA)

as a pesticide chemical under section 408 of the act (21 U.S.C. 346a). However, this intended use of peroxyacetic acid, hydrogen peroxide, and 1-hydroxyethylidene-1,1-diphosphonic acid may nevertheless be subject to regulation as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Therefore, manufacturers intending to use this food additive for this intended use should contact EPA to determine whether this use requires a pesticide registration under FIFRA.

FDA has evaluated data in the petition and other relevant material. Based on this information, the agency concludes that the proposed use of the additive is safe, that the additive will achieve its intended technical effect, and therefore, that the regulation in § 173.315 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 potential environmental effects of this rule as announced in the notice of filing for the petition. 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 August 18, 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 the 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 173**

Food additives.

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 173 is amended as follows:

**PART 173—SECONDARY DIRECT FOOD ADDITIVES PERMITTED IN FOOD FOR HUMAN CONSUMPTION**

1. The authority citation for 21 CFR part 173 continues to read as follows:

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

2. Section 173.315 is amended in the table in paragraph (a)(2) by removing the entries for "1-Hydroxyethylidene-1,1-diphosphonic acid," "Hydrogen Peroxide," and "Peroxyacetic acid", and by adding paragraph (a)(5) to read as follows:

**§ 173.315 Chemicals used in washing or to assist in the peeling of fruits and vegetables.**

\* \* \* \* \*

(a) \* \* \*

(5) Substances identified in this paragraph (a)(5) for use on fruits and vegetables that are not raw agricultural commodities and subject to the limitations provided:

| Substances              | Limitations   |
|-------------------------|---|
| Hydrogen peroxide ..... | Used in combination with acetic acid to form peroxyacetic acid. Not to exceed 59 ppm in wash water. |

| Substances                                      | Limitations  |
|---|--|
| 1-Hydroxyethylidene-1,1-diphosphonic acid ..... | May be used only with peroxyacetic acid. Not to exceed 4.8 ppm in wash water.                |
| Peroxyacetic acid .....                         | Prepared by reacting acetic acid with hydrogen peroxide. Not to exceed 80 ppm in wash water. |

\* \* \* \* \*

Dated: July 7, 1999.

**Janice F. Oliver,**

*Deputy Director, Center for Food Safety and Applied Nutrition.*

[FR Doc. 99-18300 Filed 7-16-99; 8:45 am]

BILLING CODE 4160-01-F

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**23 CFR Part 661**

[FHWA Docket No. FHWA-98-4743]

RIN 2125-AE57

**Indian Reservation Road Bridge Program**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Interim final rule.

**SUMMARY:** Section 1115 of the Transportation Equity Act for the 21st Century establishes a nationwide priority program for improving deficient Indian reservation road (IRR) bridges and reserves \$13 million of IRR funds per year to replace and rehabilitate bridges that are in poor condition. The FHWA, Federal Lands Highway (FLH), and the Bureau of Indian Affairs, Division of Transportation (BIADOT), intend to implement the IRR bridge program (IRRBP) to promptly address the deficient IRR bridges. Toward that end, the FLH and the BIADOT, in consultation with Indian tribal governments (ITG)s and other public commenters, have developed interim project selection/fund allocation procedures for uniform application of the legislation. In this document, the FHWA is announcing interim project selection/fund allocation procedures for the IRRBP.

**DATES:** This rule is effective on July 19, 1999.

**ADDRESSES:** Your signed, written comments must refer to the docket number appearing at the top of this document and you must submit your comments to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments will be

available for examination at the above address between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wade F. Casey, Federal Lands Highway, HFPD-9, (202) 366-9486; or Ms. Grace Reidy, Office of Chief Counsel, HCC-32, (202) 366-6226; Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

Internet users can access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may be downloaded by using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

**Background**

Section 1115 of TEA-21, amended title 23, U.S.C., to require the Secretary to establish a nationwide priority program for improving deficient IRR bridges. Of the amounts authorized to be appropriated for IRRs for each fiscal year beginning with FY1998 and continuing through FY2003, section 1115 requires the Secretary, in cooperation with the Secretary of the Interior, to reserve not less than \$13 million for projects to replace, rehabilitate, seismically retrofit, paint, apply calcium magnesium acetate to, apply sodium acetate/formate or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions, or install scour countermeasures for deficient IRR

bridges, including multiple-pipe culverts.

The statute provides that, to be eligible to receive funding under the Nationwide Priority Bridge Program, a bridge must: (i) Have an opening of 20 feet or more; (ii) be on an IRR; (iii) be unsafe because of structural deficiencies, physical deterioration, or functional obsolescence; and (iv) be recorded in the national bridge inventory (NBI) administered by the Secretary under 23 U.S.C. 144(b). The statute further provides that the funds to carry out IRR bridge projects shall be made available only on approval of plans, specifications, and estimates (PS&E) by the Secretary.

In order to implement the IRRBP established in section 1115 of the Transportation Equity Act for the 21st Century (TEA-21), Pub. L. 105-178, 112 Stat. 107, codified at 23 U.S.C. 202(d)(4)(A), and in order to promptly address the deficient IRR bridges, the FHWA and the BIADOT, in consultation with Indian tribal governments (ITG)s and other interested parties, have developed project selection/fund allocation procedures which will be incorporated in the Code of Federal Regulations (CFR) as an interim final rule.

**Comments Received on the IRRBP**

The FHWA solicited comments through informal meetings with tribal representatives in early December, 1998. A two page summary requesting comment on interim guidance was provided to the tribal representatives and also sent out to tribes not in attendance at those meetings. The two page summary was forwarded via the tribal local technical assistance program centers and the BIA area offices to Indian tribal governments (ITG)s. Following this, the FHWA published a notice in the **Federal Register** on February 12, 1999, requesting comments on the project selection/fund allocation procedures being considered for the IRRBP. The notice provided for a 30-day public comment period ending March 15, 1999. Comments were received from five ITGs, seven Bureau of Indian Affairs (BIA) offices, one county, and one State Department of Transportation. The FHWA considered all comments