

provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For sailplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To detect and correct any oil-contaminated exhaust damper fairing caused by oil leakage in the red silicone tube of the rotor interior air cooling, which could result in an exhaust fire and/or an explosion, accomplish the following:

(a) Within the next calendar month after the effective date of this AD, inspect the red silicone tube of the rotor interior air cooling (just in front of the carburetor) for oil leaks and the heat damping layer of the lower exhaust damper fairing for oil contamination, in accordance with the Action section of Alexander Schleicher Technical Note No. 6, dated August 10, 1998. Prior to further flight, replace the applicable parts where oil leakage or contamination is found, in accordance with the applicable maintenance manual or other applicable FAA-approved document.

(b) 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 sailplane to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) Questions or technical information related to Alexander Schleicher Technical Note No. 6, dated August 10, 1998, should be directed to Alexander Schleicher GmbH & Co., Segelflugzeugbau, Postfach 60, 36163 Poppenhausen, Germany; telephone: ++49 (0) 6658-890; facsimile: ++49 (0) 6658-8923. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Note 3: The subject of this AD is addressed in German AD 98-347, dated September 10, 1998.

Issued in Kansas City, Missouri, on December 29, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-42 Filed 1-4-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AGL-64]

Proposed Modification of Class D Airspace and Class E Airspace and Establishment of Class E Airspace; Rapid City, SD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to modify Class D airspace and Class E airspace and establish Class E airspace at Rapid City, SD. This action would amend the effective hours of the Class D surface area and the associated Class E airspace to coincide with the airport traffic control tower (ATCT). This action would also establish a Class E surface area when the ATCT is closed. The purpose of these actions is to clarify when two-way radio communication with the ATCT is required and to provide adequate controlled airspace for instrument approach procedures when the tower is closed.

DATES: Comments must be received on or before February 16, 1999.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 98-AGL-64, 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, Airspace Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

FOR FURTHER INFORMATION CONTACT: Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, 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. 98-AGL-64." 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 of 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 this 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 14 CFR part 71 to modify Class D and associated Class E airspace at Rapid City, SD, by amending the effective hours to coincide with the ATCT hours of operation, and to

establish a Class E surface area during those times the ATCT is closed. Controlled airspace extending upward from the surface is needed to contain aircraft executing instrument approach procedures. The area would be depicted on appropriate aeronautical charts. Class D airspace designations are published in paragraph 5000, Class E airspace areas designated as an extension to a Class D surface area are published in paragraph 6004, and Class E airspace areas designated as a surface area for an airport are published in paragraph 6002 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an establishment 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 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

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.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation

Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 5000 Class D airspace.

* * * * *

AGL SD D Rapid City, SD [Revised]

Rapid City Regional Airport, SD
(Lat. 44°02'43"N., long. 103°03'27"W.)
Ellsworth AFB, SD
(Lat. 44°08'42"N., long. 103°06'13"W.)

That airspace extending upward from the surface to and including 5,700 feet MSL within a 4.3-mile radius of the Rapid City Regional Airport, SD, excluding the portion north of a line between the intersection of the Rapid City Regional Airport 4.3-mile radius and the Ellsworth AFB, SD, 4.7-mile radius. This Class D airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6004 Class E airspace areas designated as an extension to a Class D surface area.

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AGL SD E4 Rapid City, SD [Revised]

Rapid City Regional Airport, SD
(Lat. 44° 02' 43"N., long. 103° 03' 27"W.)
Ellsworth AFB, SD
(Lat. 44° 08' 42"N., long. 103° 06' 13"W.)
Rapid City VORTAC
(Lat. 43° 58' 34"N., long. 103° 00' 44"W.)
Ellsworth AFB TACAN
(Lat. 44° 08' 20"N., long. 103° 06' 06"W.)

That airspace extending upward from the surface within 2.6 miles each side of the Rapid City VORTAC 155°/335° radials extending from the 4.3-mile radius of the Rapid City Regional Airport to 7.0 miles southeast of the VORTAC and within 2.6 miles each side of the Ellsworth AFB TACAN 129° radial, extending from the Ellsworth AFB 4.7-mile radius of the airport to 7.0 miles southeast of the TACAN, excluding that airspace within the Rapid City, SD, Class D airspace area. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

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AGL SD E2 Rapid City, SD [New]

Rapid City Regional Airport, SD
(Lat. 44° 02' 43"N., long. 103° 03' 27"W.)
Ellsworth AFB, SD
(Lat. 44° 08' 42"N., long. 103° 06' 13"W.)
Rapid City VORTAC
(Lat. 43° 58' 34"N., long. 103° 00' 44"W.)
Ellsworth AFB TACAN
(Lat. 44° 08' 20"N., long. 103° 06' 06"W.)

Within an 4.3-mile radius of the Rapid City Regional Airport, SD, excluding the portion

north of a line between the intersection of the Rapid City Regional Airport 4.3-mile radius and the Ellsworth AFB, SD, 4.7-mile radius, and that airspace extending upward from the surface within 2.6 miles each side of the Rapid City VORTAC 155°/335° radials extending from the 4.3-mile radius of the Rapid City Regional Airport to 7.0 miles southeast of the VORTAC and within 2.6 miles each side of the Ellsworth AFB TACAN 129° radial, extending from the Ellsworth AFB 4.7-mile radius of the airport to 7.0 miles southeast of the TACAN, excluding that airspace within the Rapid City, SD, Class D airspace area. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Des Plaines, Illinois on December 14, 1998.

Marueen Woods,

Manager, Air Traffic Division.

[FR Doc. 99–83 Filed 1–4–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 2, 3, 5, 10, 12, 16, 20, 25, 50, 54, 56, 58, 60, 70, 71, 200, 201, 202, 206, 207, 210, 211, 299, 300, 310, 312, 314, 316, 320, 333, 369, 510, 514, 520, 522, 524, 529, 800, 801, 807, 809, 812, and 860

[Docket No. 98N–0720]

Conforming Regulations Regarding Removal of Section 507 of the Federal Food, Drug, and Cosmetic Act; Companion Document to Direct Final Rule

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to amend its regulations to remove references to the repealed statutory provision of the Federal Food, Drug, and Cosmetic Act (the act), under which the agency certified antibiotic drugs. The agency is also proposing to remove references to the repealed antibiotic monograph regulations and to those regulations dealing with antibiotic applications. The agency is taking this action in accordance with provisions of the Food and Drug Administration Modernization Act of 1997 (FDAMA). This proposed rule is a companion document to the direct final rule published elsewhere in this issue of the **Federal Register**.