71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies the Class E5 airspace at Youngstown-Warren Regional Airport, Youngstown, Ohio and revises the language for the Class E5 airspace designations for Alliance, OH and Salem, OH. The closing of the Youngstown Executive Airport, Youngstown, OH on August 15, 1995 and deletion of the airport's VOR Runway 11/29 Standard Instrument Approach Procedure (SIAP) require this modification to ensure that the procedures at Youngstown-Warren Regional Airport are contained within controlled airspace and that the Alliance and Salem, OH, Class E airspace designations are appropriately identified.

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. Therefore, this 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 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).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 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 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

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

* * * * *

AGL OH E5 Alliance, OH [Revised]

Alliance, Miller Airport, OH
(Lat. 40°58′54″ N, long. 81°02′31″ W)
Sebring, Tri-City Airport, OH
(Lat. 40°54′21″ N, Long. 81°00′00″ W)

That airspace extending upward from 700 feet above the surface within a 6.2-mile radius of Miller Airport and within a 6.2-mile radius of the Tri-City Airport.

* * * * *

AGL OH E5 Salem, OH [Revised]

Salem Airpark Incorporated Airport, OH
(Lat. 40°56′53″ N, long. 80°51′43″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Salem Airpark, Inc. Airport, excluding that airspace within the Alliance, OH, Youngstown Elser Metro Airport, OH, Class E Airspace areas.

* * * * *

AGL OH E5 Youngstown Warren Regional Airport, OH [Revised]

(Lat. 41°15′32″ N, long. 80°40′34″ W)
Youngstown, Landsdowne Airport, OH
(Lat. 41°07′50″ N, long. 80°37′10″ W)
Youngstown VORTAC
(Lat. 41°19′52″ N, long. 80°40′29″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Youngstown-Warren Regional Airport and within 3.1 miles each side of the Youngstown VORTAC 358° radial extending from the 6.9-mile radius to 10 mile north of the VORTAC, and within the 6.2-mile radius of the Landsdowne Airport.

* * * * *

Issued in Des Plaines, Illinois on April 1, 1996.

Maureen Woods,

Acting Manager, Air Traffic Division.

[FR Doc. 96–11025 Filed 5–2–96; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 95–AEA–14]

Establishment of Class E Airspace; Richlands, VA

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Richlands, VA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 25 at Tazewell County Airport has made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Tazewell County Airport.

EFFECTIVE DATE: 0901 UTC, June 20, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Frances T. Jordan., Airspace Specialist, System Management Branch, AEA–530, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553–4521.

SUPPLEMENTARY INFORMATION:

History

On January 8, 1996, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing a Class E airspace area at Tazewell County Airport, Richlands, VA (61 FR 551). The development of a GPS SIAP at Tazewell County Airport has made this action necessary.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes a Class E airspace area at Richlands, VA. The development of a GPS SIAP at Tazewell County Airport has made this action necessary. The intended effect of this action is to provide adequate Class E airspace for aircraft executing the GPS RWY 25 SIAP at the airport.

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. Therefore, this 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 10034; 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 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).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR 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 Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995 and effective September 16, 1995, is amended as follows:

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

* * * * *

AEA VA E5 Richlands, VA [New]

Tazewell County Airport, VA
(Lat. 37°03′49″ N, Long. 81°47′54″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Tazewell County Airport.

* * * * *

Issued in Jamaica, New York on April 10, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 96–11024 Filed 5–2–96; 8:45 am]

BILLING CODE 4910–13–M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1500

Requirements for Labeling of Retail Containers of Charcoal

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: Under the Federal Hazardous Substances Act, the Commission issues a rule to change the required labeling for retail containers of charcoal intended for cooking or heating. The labeling addresses the potentially lethal carbon monoxide hazard associated with burning charcoal in confined spaces. The amendments, which include a pictogram, make the label more noticeable and more easily read and understood and increase the label's ability to motivate consumers to avoid burning charcoal in homes, tents, or vehicles.

DATES: The amended rule becomes effective November 3, 1997.[1]

FOR FURTHER INFORMATION CONTACT: Mary Toro, Division of Regulatory Management, Office of Compliance, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301)504–0400 ext. 1378. Copies of documents relating to this rulemaking may be obtained from the Office of the Secretary, Washington, DC 20207, telephone (301)504–0800.

SUPPLEMENTARY INFORMATION:

A. Background

1. Relevant Statutes and Regulations. Since its creation in 1973, the Consumer Product Safety Commission (''Commission'' or ''CPSC'' has administered the Federal Hazardous Substances Act (''FHSA''), 15 U.S.C. 1261–1278. Prior to that time, the FHSA was administered by the Food and Drug Administration (''FDA'').

The FHSA defines ''hazardous substance'' as including any ''substance or mixture of substances which (i) is toxic * * * if [it] may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use * * *.'' Section 2(f)(1)(A) of the FHSA, 15 U.S.C. 1261(f)(1)(A). Hazardous substances are misbranded if they do not bear the labeling required by section 2(p)(1) of the FHSA, 15 U.S.C. 1261(p)(1).

Section 3(b) of the FHSA, 15 U.S.C. 1262(b), authorizes the Commission to issue regulations establishing variations from or additions to the labeling required under section 2(p)(1) if the Commission finds that the requirements of section 2(p)(1) are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance. Rulemaking under section 3(b) is conducted under the informal notice and comment procedure provided in 5 U.S.C. 553.

In addition, section 3(a) of the FHSA, 15 U.S.C. 1262(a), authorizes the Commission to issue regulations declaring products to be hazardous substances if the Commission finds they meet the definition of hazardous substance in section 2(f)(1)(A). The purpose of this authority is to avoid or resolve uncertainty as to the application of the FHSA. 15 U.S.C. 1262(a).

In 1971, the Food and Drug Administration (''FDA'') issued a rule under section 3(a) of the FHSA to declare charcoal in containers for retail sale and intended for cooking or heating to be a hazardous substance. 36 FR 14,729 (August 11, 1971); 21 CFR § 191.5. At the same time, FDA issued a rule under section 3(b) of the FHSA to require a statement on such packages of charcoal that would warn of the potentially deadly hazard of CO poisoning from charcoal when used in a confined area. *Id.* at § 191.7. These rules are currently codified at 16 CFR §§ 1500.12(a)(1) and 1500.14(b)(6), respectively. The currently required label is as follows:

BILLING CODE 6355–01–P

WARNING: Do Not Use for Indoor Heating or Cooking Unless Ventilation is Provided for Exhausting Fumes to Outside. Toxic Fumes May Accumulate and Cause Death.

[1] The Commission voted 2–1 to issue this rule. Chairman Ann Brown and Commissioner Thomas H. Moore voted in the majority. Commissioner Mary Sheila Gall voted in the minority. Each commissioner issued a separate statement concerning this vote. Copies of the statements can be obtained from the Commission's Office of the Secretary, Washington, DC 20207, telephone (301) 504–0800.