

22936

[4910-13]

[Airspace Docket No. 78-WE-5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Restricted Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: These amendments designate a temporary restricted area identified as R-2309 in the vicinity of Bill Williams River Valley, Ariz., to contain high explosive detonations. These amendments provide for the safe and efficient use of the navigable airspace by prohibiting unauthorized flight operations of nonparticipating aircraft within the designated areas during the designated period.

EFFECTIVE DATE: July 13, 1978. Period of designation is August 27, 1978, through September 2, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Huff, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: 202-426-3715.

SUPPLEMENTARY INFORMATION:

HISTORY

On April 20, 1978, the FAA proposed to amend Parts 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) to designate a temporary restricted area identified as R-2309 in the vicinity of Bill Williams River Valley, Ariz., to contain high explosive detonations and to include this restricted area in the continental control area for the duration of its time of designation (43 FR 16741). Interested persons were invited to participate in the rule making proceeding by submitting written comments on the proposal to the FAA. We received two responses to the NPRM in which the commenters posed no objections to the proposal. Sections 71.151 and 73.23 were republished in the FEDERAL REGISTER on January 3, 1978, (43 FR 344 and 864).

THE RULE

These amendments to Parts 71 and 73 of the Federal Aviation Regulations designate a temporary restricted area in the vicinity of Bill Williams River Valley, Ariz., to protect nonparticipat-

RULES AND REGULATIONS

ing aircraft from a large scale airblast associated with a high explosive field test program called Misers Bluff which involves the detonation of high explosives. In addition, the airspace at and above 14,500 feet MSL during the designated period (continuously from 0001 August 27, 1978, through 2400 hours, local time September 2, 1978) is included in the continental control area. These amendments adopt the airspace actions proposed in the NPRM (43 FR 16741). In accordance with established FAA policies, the using agency has provided the FAA with a statement that the requirements of the National Environmental Policy Act have been met.

DRAFTING INFORMATION

The principal authors of this document are Mr. Richard Huff, Air Traffic Service, and Mr. Richard W. Danforth, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart D of Part 71 and Subpart B of Part 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) as republished (43 FR 344 and 864) are amended, effective 0901 G.m.t., July 13, 1978, as follows:

In § 71.151, the following temporary restricted area is added for the duration of its time of designation from 001 hours, August 27, 1978, through 2400 hours, local time, September 2, 1978:

R-2309 MISERS BLUFF, ARIZ.

In § 73.23, the following temporary restricted area is added:

R-2309 MISERS BLUFF, ARIZ.

Boundaries. A circular area with a 10-nautical mile radius centered at lat. 34°15.5' N., long. 113°52.5' W.

Designated altitudes. Within a 3,000-foot radius centered at lat. 34°15.5' N., long. 113°52.5' W., surface to FL 320; within the circular area that lies between the 3,000-foot radius and the 10-nautical mile radius centered at lat. 34°15.5' N., long. 113°52.5' W., 100 feet above the surface to FL 320.

Time of designation. Continuous, 0001 August 27 through 2400 hours, local time, September 2, 1978.

Controlling agency. Federal Aviation Administration, Albuquerque ARTCC.

Using agency. Defense Nuclear Agency Field Command, Kirtland Air Force Base, N. Mex.

(Secs. 307(a), 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on May 23, 1978.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 78-14896 Filed 5-26-78; 8:45 am]

[6355-01]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER C—FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS

PART 1500—HAZARDOUS SUBSTANCES AND ARTICLES; ADMINISTRATION AND ENFORCEMENT REGULATIONS

Self-Pressurized Household Substances Containing Vinyl Chloride Monomer; Classification as Banned Hazardous Substance

AGENCY: Consumer Product Safety Commission.

ACTION: Confirmation of final order.

SUMMARY: The Commission announces that no objections have been filed within the statutory period to its final order of March 24, 1978 classifying any household substance in a self-pressurized container containing vinyl chloride monomer, manufactured or imported on or after October 7, 1974, as a "banned hazardous substance." In this document the Commission, therefore, confirms the final order.

DATES: The effective date of the rule declaring any household substance in a self-pressurized container containing vinyl chloride monomer to be a banned hazardous substance is June 22, 1978. The rule is applicable to products which have been manufactured or imported on or after October 7, 1974.

FOR FURTHER INFORMATION CONTACT:

Charles Jacobson, Consumer Product Safety Commission, Directorate for Compliance and Enforcement, Division of Regulatory Management, Washington, D.C. 20207, 301-492-6400.

SUPPLEMENTARY INFORMATION: On March 24, 1978 the Commission published in the FEDERAL REGISTER, 43 FR 12308, a final regulation¹ pursuant to section 2(q)(1)(B) of the Federal Hazardous Substances Act (FHSA), 15 U.S.C. 1261(q)(1)(B), declaring any

¹Editorial note: The final regulation revised 16 CFR 1500.17(a)(10).

self-pressurized products intended or suitable for household use, manufactured or imported on or after October 7, 1974, that contain vinyl chloride monomer (VCM) as an ingredient or in the propellant to be "banned hazardous substances." The final regulation was a reissuance of an earlier fully retroactive ban (39 FR 30112) that had been set aside for failure to hold a hearing on objections to the retroactive effect of the regulation. (For a complete background discussion on the original ban, see the preamble to the March 24, 1978 notice.)

In the March 24, 1978 document the Commission affirmed its determination made in the original ban that self-pressurized household products containing vinyl chloride monomer are toxic hazardous substances within the meaning of the FHSA because of vinyl chloride monomer, which, when inhaled, has the capacity to produce substantial illness, specifically cancer. Because no safe level of human exposure to vinyl chloride monomer has been established, the Commission further affirmed its earlier finding that adequate cautionary labeling could not be written under the FHSA for self-pressurized household products containing VCM and concluded that the degree and nature of the hazard presented by the use of these products is such that the public health and safety can be adequately served only by keeping the products out of interstate commerce. In taking the banning action, the Commission noted that ample scientific evidence in the form of long-term animal bioassays and human epidemiological studies is available to demonstrate the carcinogenicity of vinyl chloride monomer by inhalation and to demonstrate that human exposure to the substance can result in angiosarcoma of the liver, a rare form of liver cancer.

The March 24, 1978 banning regulation also provided, as is required for the issuance of regulations pursuant to section 2(q)(1)(B) of the FHSA, that the procedures for rulemaking under section 701(e) of the Federal Food, Drug and Cosmetic Act would govern and that adversely affected persons could file objections and requests for a public hearing within 30 days of the publication of the Commission's final order.

The last day for the filing of objections with the Commission was April 24, 1978. Since no objections have been filed within the statutory period, the Commission in this document confirms its final order of March 24, 1978, declaring as banned hazardous substances any self-pressurized household products containing vinyl chloride monomer as an ingredient or in the propellant, manufactured or imported on or after October 7, 1974.

(Secs. 2(f)(1), (A), (B), (g), (q)(1)(B), 3(a), 74 Stat. 372, 374, as amended 80 Stat. 1304-05,

83 Stat. 187-189, 90 Stat. 503 (15 U.S.C. 1261, 1262); sec. 701 (e), (f), (g), 52 Stat. 1055-56, as amended 70 Stat. 919, 72 Stat. 948 (21 U.S.C. 371 (e), (f), (g)); sec. 30(a), 86 Stat. 1231 (15 U.S.C. 2079(a)).)

Dated: May 23, 1978.

SADYE F. DUNN,
Acting Secretary, Consumer
Product Safety Commission.

(FR Doc. 78-14883 Filed 5-26-78; 8:45 am)

[4810-22]

Title 19—Customs Duties

CHAPTER 1—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

(T.D. 78-1501)

PART 153—ANTIDUMPING

Carbon Steel Plate From Japan

AGENCY: U.S. Treasury Department.

ACTION: Finding of dumping; final rule.

SUMMARY: This notice is to inform the public that separate investigations conducted under the Antidumping Act, 1921, as amended, by the U.S. Treasury Department and the International Trade Commission, respectively, have resulted in determinations that carbon steel plate from Japan is being sold at less than fair value and that those sales are injuring an industry in the United States. On this basis, a finding of dumping is being issued and, generally, all unappraised entries of this merchandise will be liable for the possible assessment of special dumping duties.

EFFECTIVE DATE: May 30, 1978.

FOR FURTHER INFORMATION CONTACT:

Stephen Nyschot, U.S. Customs Service, Office of Operations, Duty Assessment Division, Technical Branch, 1301 Constitution Avenue NW., Washington, D.C. 20229 202-566-5492.

SUPPLEMENTARY INFORMATION: Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determining whether imported merchandise is being sold at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that carbon steel plate from Japan is being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the FEDERAL REGISTER of January 13, 1978 (43 FR 2032).) An "Amended Determination of Sales at Less Than Fair Value" was published in the FEDERAL REGISTER of March 27, 1978 (43 FR 12780).

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States International Trade Commission responsibility for determining whether by reason of such sales at less than fair value a domestic industry is being or is likely to be injured. The United States International Trade Commission has determined, and on April 18, 1978, it notified the Secretary of the Treasury that a domestic industry is being injured by reason of less than fair value imports of carbon steel plate from Japan. (Published in the FEDERAL REGISTER of April 24, 1978 (43 FR 17410)).

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to carbon steel plate from Japan.

For purposes of this notice, the term "carbon steel plate" means hot-rolled carbon steel plate, 0.1875 (3/16) inches or more in thickness, over 8 inches in width, not in coils, not pickled, not coated or plated with metal, not clad, and not cut, pressed, or stamped to non-rectangular shape.

Section 153.46 of the Customs Regulations (19 CFR 153.46) is amended by adding the following to the list of findings of dumping currently in effect:

§ 153.46 List of current findings.

Merchandise, country and T.D.

Carbon steel plate, Japan, 78-150.

(Secs. 201, 407, 42 Stat. 11, as amended, 18 (19 U.S.C. 160, 173).)

ROBERT H. MUNDHEIM,
General Counsel.

MAY 23, 1978.

(FR Doc. 78-15014 Filed 5-26-78; 8:45 am)

[4110-03]

Title 21—Food and Drugs

CHAPTER 1—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER B—FOOD FOR HUMAN CONSUMPTION

(Docket No. 77N-0177)

SODIUM THIOSULFATE; AFFIRMATION OF GRAS STATUS AS A DIRECT AND AN INDIRECT HUMAN FOOD INGREDIENT

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This rule affirms that sodium thiosulfate is generally recog-