

(ii) Such peaches when packed in a No. 12B standard fruit (peach) box are of a size that will pack, in accordance with the requirements of a standard pack, not more than 65 peaches in the box; or

(iii) Such peaches in any container when packed other than as specified in paragraph (a)(4) (i) and (ii) of this section are of a size that a 16-pound sample, representative of the peaches in the package or container, contains not more than 83 peaches.

(5) Any package or container of Babcock, Crimson Lady, Crown Princess, David Sun, Early May Crest, First Lady, Flavorcrest, Golden Crest, Honey Red, June Lady, June Sun, Kern Sun, Kingscrest, Kings Red, May Crest, Merrill Gem, Merrill Gemfree, Queencrest, Ray Crest, Redtop, Regina, Rich May, Royal May, Sierra Crest, Snow Brite, Snow Flame, Springcrest, Spring Lady, Sugar May, Summer Crest, or 50-178 variety of peaches unless:

* * * * *

(6) Any package or container of Amber Crest, Angelus, August Delight, August Sun, Autumn Crest, Autumn Gem, Autumn Lady, Autumn Rose, Belmont, Berenda Sun, Blum's Beauty, Cal Red, Carnival, Cassie, Champagne, Diamond Princess, Early Elegant Lady, Early O'Henry, Elegant Lady, Fairmont, Fairtime, Fay Elberta, Fire Red, Flamecrest, John Henry, July Lady, June Pride, Kings Lady, Lacey, Late Ito Red, Mary Ann, O'Henry, Parade, Prima Gattie, Prima Lady, Red Boy, Red Cal, Redglobe, Rich Lady, Royal Lady, Ryan's Sun, Scarlet Lady, September Snow, September Sun, Sierra Lady, Sparkle, Sprague Last Chance, Summer Lady, Summer Sweet, Suncrest, Tra Zee, White Lady, or Zee Lady variety of peaches unless:

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Dated: March 15, 1995.

Sharon Bomer Lauritsen,

Deputy Director, Fruit and Vegetable Division.
[FR Doc. 95-6908 Filed 3-20-95; 8:45 am]

BILLING CODE 3410-02-W

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-23-AD; Amendment 39-9175; AD 95-06-05]

Airworthiness Directives; Boeing Model 737-200 and -300 Series Airplanes Equipped With Cargo Doors Installed in Accordance With Supplemental Type Certification (STC) SA2969SO

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 737-200 and -300 series airplanes. This action requires inspections to detect cracking of the fuselage frames at certain locations below the lower jamb of the upper deck main cargo door, and repair, if necessary. This amendment is prompted by reports of fatigue cracking in the fuselage frames at these locations. The actions specified in this AD are intended to prevent rapid decompression of the airplane due to fatigue cracking in the fuselage frames of the main deck cargo door.

DATES: Effective April 5, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of April 5, 1995.

Comments for inclusion in the Rules Docket must be received on or before May 22, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-23-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Pemco Aeroplex, Incorporated, P.O. Box 2287, Birmingham, Alabama 35201-2287. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Curtis Jackson, Aerospace Engineer,

Airframe Branch, ACE-120A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7348; fax (404) 305-7348; or Della Swartz, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2785; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION: Recently, two operators reported finding fatigue cracks in the fuselage frames below the lower jamb of the main deck cargo door between stringers 20L and 21L at water line 180 on Boeing Model 737-300 series airplanes. The cracking was randomly located in various areas of the fuselage frames and may have initiated at frame stations 380, 400, 420, 440, 460, and/or 480 at the radius of the frame webs that were modified in accordance with supplemental type certificate (STC) SA2969SO.

Such cracking, if not detected and corrected in a timely manner, could result in rapid decompression of the airplane.

Pemco Aeroplex installed main deck cargo doors on Boeing Model 737-200 and -300 series airplanes in accordance with STC SA2969SO. Therefore, the FAA has determined that Boeing Model 737-200 series airplanes are also subject to the same unsafe condition.

The FAA has reviewed and approved Pemco Alert Service Letter 737-53-0004, dated January 10, 1995, which describes procedures for detailed close visual inspections to detect cracking of the fuselage frames below the lower jamb of the upper deck main cargo door between stringers 20L and 21L at water line 180 at frame stations 380, 400, 420, 440, 460, and 480, and repair of any cracking found.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to prevent rapid decompression of the airplane due to cracking of the fuselage frames below the lower jamb of the upper deck main cargo door. This AD requires detailed close visual inspections to detect cracking of the fuselage frames below the lower jamb of the upper deck main cargo door, and repair, if necessary. The actions are required to be accomplished in accordance with the alert service letter described previously.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Note: The FAA previously issued AD 95-01-06, amendment 39-9117 (60 FR 2323, January 9, 1995), which is applicable to the same airplanes affected by this new AD action. AD 95-01-06 requires inspections to detect cracking in the radii on the support angles on the lower jamb (latch lug fittings) of the main cargo door, and replacement of cracked parts. The requirements of AD 95-01-06 are different and separate from the requirements of this new AD.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this rule to clarify this long-standing requirement.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of

the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-23-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95-06-05 Boeing: Amendment 39-9175. Docket 95-NM-23-AD.

Applicability: Model 737-200 and -300 series airplanes equipped with main deck cargo doors installed in accordance with supplemental type certificate (STC) SA2969SO, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent rapid decompression due to cracking of the fuselage frames below the lower jamb of the upper deck main cargo door, accomplish the following:

(a) Within 50 flight cycles after the effective date of this AD or within 50 flight cycles after the installation of STC SA2969SO, whichever occurs later, perform a detailed close visual inspection to detect cracking of the fuselage frames below the lower jamb of the upper deck main cargo door between stringers 20L and 21L at water line 180 at frame stations 380, 400, 420, 440, 460, and 480, in accordance with Pemco Alert Service Letter 737-53-0004, dated January 10, 1995.

(1) If no cracking is detected, repeat the visual inspection thereafter at intervals not to exceed 450 flight cycles until the repair described in Pemco Alert Service Letter 737-53-0004, dated January 10, 1995, has been accomplished.

(2) If any cracking is detected, prior to further flight, repair in accordance with Pemco Alert Service Letter 737-53-0004, dated January 10, 1995.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office (ACO). Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

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

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The inspections and repair shall be done in accordance with Pemco Alert Service Letter 737-53-0004, including Appendices I and II dated January 10, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Pemco Aeroplex, Incorporated, P.O. Box 2287, Birmingham, Alabama 35201-2287. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on April 5, 1995.

Issued in Renton, Washington, on March 9, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-6319 Filed 3-20-95; 8:45 am]

BILLING CODE 4910-13-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL79-1-6616A; FRL-5167-4]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: The United States Environmental Protection Agency (USEPA) approves requested revisions to Chicago ozone Federal Implementation Plan (FIP) as it pertains to the following sources: General Motors Corporation, Electro-Motive Division Plant (GMC Electro-Motive), LaGrange, Illinois; Minnesota Mining and Manufacturing Corporation (3M), Bedford Park, Illinois; Replogle Globes, Inc. (Replogle); Broadview, Illinois; Candle Corporation of America (CCA), Chicago, Illinois; Nalco Chemical

Company (Nalco) Bedford Park, Illinois Clearing Plant; Parisian Novelty Company (Parisian), Chicago, Illinois; Meyercord Corporation (Meyercord), Carol Stream, Illinois; Wallace Computer Services, Inc. (Wallace) Printing and Binding Plant, Hillside, Illinois; and the General Packaging Products, Inc. (GPP) Chicago, Illinois. This action lists the FIP revisions USEPA is approving and incorporates the relevant material into the Code of Federal Regulations. The rationale for the approval is set forth in this final rule; additional information is available at the address indicated below. Elsewhere in this **Federal Register**, USEPA is proposing approval, soliciting public comment, and offering an opportunity for a public hearing on these requested FIP revisions. If adverse comments are received or a public hearing is requested on this direct final rule, USEPA will withdraw this final rule and address the comments received in response to this final rule in the final rule on the proposed rule published in the proposed rules section of this **Federal Register**. Unless this final rule is withdrawn, no further rulemaking will occur on this requested FIP revision.

EFFECTIVE DATE: This action will be effective May 22, 1995 unless notice is received by April 20, 1995 that someone wishes to submit adverse comments. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Written comments can be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section (AR-18J), Regulation Development Branch, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Docket: Pursuant to sections 307(d)(1) (B) and (N) of the Clean Air Act (Act), 42 U.S.C. 7607(d)(1) (B) and (N), this action is subject to the procedural requirements of section 307(d). Therefore, USEPA has established a public docket for this action, A-94-39, which is available for public inspection and copying between 8 a.m. and 4 p.m., Monday through Friday, at the following addresses. We recommend that you contact Fayette Bright before visiting the Chicago location and Rachel Romine before visiting the Washington, D.C. location. A reasonable fee may be charged for copying.

The United States Environmental Protection Agency, Region 5, Regulation Development Branch, Eighteenth Floor, Southeast, 77 West Jackson Boulevard, Chicago, Illinois, 60604, (312) 886-6069.

United States Environmental Protection Agency, Docket No. A-94-39, Air Docket (LE-131), Room M1500, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460, (202) 245-3639.

FOR FURTHER INFORMATION CONTACT: Steven Rosenthal, Environmental Engineer (312) 886-6052.

SUPPLEMENTARY INFORMATION: On June 29, 1990, USEPA promulgated a FIP requiring Reasonably Available Control Technology (RACT) to control the emission of Volatile Organic Compounds (VOCs) in six counties in the Chicago metropolitan area. 55 FR 26818, codified at 40 CFR 52.741. In determining the applicability of some of these regulations to particular sources, USEPA used the concept of "maximum theoretical emissions" (MTE), which is defined as "the quantity of volatile organic material emissions that theoretically could be emitted by a stationary source before add-on controls based on the design capacity or maximum production capacity of the source and 8760 hours per year * * * at "55 FR 26860, 40 CFR 52.741(a). Relief for otherwise subject sources is available through a site-specific State Implementation Plan (SIP) or FIP revision that limits emissions to below the applicable cutoff by operational or production limitations.

The sources identified in Table 1 have requested that USEPA approve production or operational limitations that will keep their emissions below the applicability cutoff of the rule to which they would otherwise be subject. Production limits are restrictions on the amount of final product which can be manufactured or otherwise produced at a source. Operational limits are all other restrictions on the manner in which a source is run, including hours of operation and amount and type of raw material consumed. Production and operational limits must be stated as conditions that can be enforced independently of one another.

FIP revisions which limit VOC emissions to less than 100 tons VOC per year have been requested by the following nine companies.