

handlers wanted all but \$3,000 of the reserve fund to be refunded to them as soon as practicable. On February 26, 1993, the Department issued refund checks totaling approximately \$25,000 to handlers based on their pro rata share of assessments paid during the 1988–89 through 1990–91 marketing seasons. The remaining \$3,000 reserve was considered sufficient to cover unforeseen expenses during the period of suspension and to cover necessary expenses of liquidation in the event the marketing order would be terminated.

Commercial production and handling of South Texas lettuce ceased in 1992; there are currently no indications that the industry will be revived. Without a sufficient number of producers and handlers, it is impossible for the Secretary to appoint the required committee or otherwise continue the operation of the order.

Therefore, based on the foregoing considerations, pursuant to section 8c(16)(A) of the Act and § 971.84 of the order, it is found that Marketing Order No. 971, covering lettuce grown in the Lower Rio Grande Valley in South Texas, does not tend to effectuate the declared policy of the Act and is hereby terminated. The trustees appointed by the Secretary shall continue in the capacity of concluding and liquidating the affairs of the former committee, until discharged by the Secretary.

Section 8c(16)(A) of the Act requires the Secretary to notify Congress 60 days in advance of the termination of a Federal marketing order. Congress was so notified on March 15, 1995.

Pursuant to 5 U.S.C. 553, it is also found and determined, upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give additional preliminary notice, or to engage in further procedure with respect to this action, because: (1) This action relieves all restrictions on handlers by terminating the provisions of part 971; (2) in 1992, the Department issued a rule suspending all provisions of the order for two years to allow sufficient time for a possible revival of the lettuce industry before termination of the order; and (3) such commercial lettuce production and handling cease in 1992 and when former industry members were polled, they did not expect a revival of the industry, and the consensus was that the order should be terminated.

List of Subjects in 7 CFR Part 971

Lettuce, Marketing agreements, Reporting and recordkeeping requirements.

PART 971—[REMOVED]

1. The authority citation for 7 CFR part 971 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Accordingly, 7 CFR part 971 is removed.

Dated: June 6, 1995.

David R. Shipman,

Acting Deputy Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 95–14473 Filed 6–12–95; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–63–AD; Amendment 39–9272; AD 95–12–20]

Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330 and A340 series airplanes. This action requires a one-time inspection to determine the torque value of all wing slat track stop pins, and correction of discrepancies. This amendment is prompted by a report of a fuel leak that was caused by an incorrectly torqued slat track stop pin that punctured the slat canister. The actions specified in this AD are intended to prevent such fuel leakage conditions, which could result in inadequate fuel for completing a flight and could pose a fire hazard.

DATES: Effective June 29, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 29, 1995.

Comments for inclusion in the Rules Docket must be received on or before August 14, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–63–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at

the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Stephen Slotte, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 227–1320.

SUPPLEMENTARY INFORMATION: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A330 and A340 series airplanes. The DGAC advises that, during preflight refueling of a Model A340–300 airplane, a fuel leak was discovered in slat canister number 11 on the left wing of the airplane. Closer inspection revealed that the two parts of the slat track stop pin assembly at the end of the slat track had become loose and had separated from each other. This caused the length of the pin to increase by more than the width of the canister, thus puncturing the side of the slat canister close to the front of the spar attachment flange. The stop pin was found to be bent and detached from the slat track.

A subsequent visual inspection of the pins at the other slat track positions on both the left and right wings of the incident airplane revealed excess lateral movement. A certain amount of lateral movement of the pins in the slat track is normal (0.2 mm to 0.3 mm, or 0.0079 inch to 0.0118 inch). However, the pins that were inspected indicated lateral movement up to 12 mm (0.472 inch). A torque check of the pins revealed zero torque. No additional damage to the slat canister was found.

The slat track stop pin assembly consists of two parts (male and female), which are installed at the end of each of the slat tracks. Their purpose is to provide a positive stop in case of over-extension of the slats. The torque loading applied during installation of this two-part assembly provides the primary locking feature; a five-point internal circlip ring provides a secondary locking feature. Incorrect installation of these items may have contributed to the pins coming loose on the incident airplane. The installation procedure was corrected on all airplanes delivered after June 15, 1994.

Excessive lateral movement of the stop pins can result in damage to the slat canister during extension or retraction of the slats. Excessive damage to the canister could lead to a running

fuel leak. Such a fuel leak could result in inadequate fuel for completing a flight and could pose a fire hazard.

Airbus Industrie has issued All Operators Telex (AOT) 57-08, Revision 1, dated June 28, 1994, which describes procedures for a one-time torque check of all wing slat track stop pins (32 positions), and retorquing, as necessary. The AOT also describes procedures for conducting a borescope inspection for signs of damage or wear in situations where more than five complete turns of the pin are needed to reach the required torque value. The AOT contains procedures for an alternative inspection procedure in which the more critically positioned pins are inspected initially, and the remainder of the pins are inspected no later than the airplane's next scheduled "C" check. The DGAC classified this service bulletin as mandatory and issued French airworthiness directives 97-146-003(B) (applicable to Model A330 series airplanes) and 94-147-009(B) (applicable to Model A340 series airplanes), both dated July 6, 1994, in order to assure the continued airworthiness of these airplanes in France.

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

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 fuel leakage caused by incorrectly torqued slat track stop pins puncturing the slat canister. This condition could result in inadequate fuel for completing a flight and could pose a fire hazard. This AD requires a one-time torque check of all wing slat track stop pins, and retorquing, as necessary. It also requires a borescope inspection for signs of damage or wear in situations where more than five complete turns of the pin are needed to reach the required torque value. The AD provides for an alternative inspection procedure in which inspection of the pins is conducted in two stages. The actions are required to be accomplished

in accordance with the service bulletin described previously.

There currently are no affected Model A330 or A340 series airplanes on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 20 work hours to accomplish the required actions, at an average labor charge of \$60 per work hour. Based on these figures, the total cost impact of this AD would be \$1,200 per airplane.

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and 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-63-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.

For the reasons discussed above, I certify that this action (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) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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:

95-12-20 Airbus Industrie: Amendment 39-9272. Docket 95-NM-63-AD.

Applicability: Model A330-301 series airplanes that were delivered prior to June

15, 1994; and Model A340-211, -311, -212, and -312 series airplanes that were delivered prior to June 15, 1994; 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 (c) 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 fuel leaks caused by an incorrectly torqued slat track stop puncturing the slat canister, which can result in inadequate fuel for completing a flight and can pose a fire hazard, accomplish the following:

(a) Except as provided by paragraph (b) of this AD: Within 10 days after the effective date of this AD, perform an inspection to determine the torque value of all wing slat track stop pins (32 positions), in accordance with Airbus All Operators Telex (AOT) 57-08, Revision 1, dated June 28, 1994.

(1) If the torque value of all wing slat track stop pins is within the acceptable range specified in the AOT, no further action is required by this AD.

(2) If any slat track stop pin is loose, or there is excessive axial movement (in excess of 0.3 mm or 0.118 inch), prior to further flight, retorque the pin in accordance with the AOT.

(3) If a slat track stop pin is loose, and requires more than five complete turns of the pin to reach the required torque value, prior to further flight, perform a borescope inspection to detect damage or wear of the internal sides of the slat canisters, in accordance with the AOT.

(i) If the borescope inspection reveals no signs of damage or wear, no further action is required by this AD.

(ii) If the borescope inspection reveals evidence of damage or wear, but the canister is not perforated, repair the canister in accordance with paragraph 4.1.3(B) of the AOT within 450 flight cycles after the borescope inspection.

(iii) If the borescope inspection reveals that the canister is perforated, prior to further flight, either repair in accordance with PMS 01-04-02 or replace the canister in accordance with the AOT.

(b) As an alternative to the requirements of paragraph (a) of this AD, operators may accomplish the following: Within 10 days after the effective date of this AD, perform an inspection to determine the torque value of the slat track stop pins at positions 4, 5, 10,

and 11 (immediately inboard and outboard of the pylons), in accordance with Airbus AOT 57-08, Revision 1, dated June 28, 1994.

(1) If the torque value of each of the slat track stop pins at positions 4, 5, 10, and 11 is found to be within the acceptable range specified in the AOT, within 450 flight cycles, perform an inspection to determine the torque value of the remainder of the slat track stop pins on both wings, in accordance with the AOT.

(2) If any of the slat track stop pins at positions 4, 5, 10, and 11 is found to be loose, prior to further flight, perform an inspection to determine the torque value of the remainder of the slat track stop pins on both wings, in accordance with the AOT.

(3) If any slat track stop pin is found to be loose during any inspection required by this paragraph, or if there is excessive axial movement (in excess of 0.3 mm or 0.118 inch), prior to further flight, retorque the pin in accordance with the AOT.

(4) If any slat track stop pin is loose during any inspection required by this paragraph, and requires more than five complete turns of the pin to reach the required torque value, prior to further flight, perform a borescope inspection to detect damage or wear of the internal sides of the slat canisters, in accordance with the AOT.

(i) If the borescope inspection reveals no signs of damage or wear, no further action is required by this AD.

(ii) If the borescope inspection reveals evidence of damage or wear, but the canister is not perforated, repair the canister in accordance with paragraph 4.1.3(B) of the AOT within 450 flight cycles after the borescope inspection.

(iii) If the borescope inspection reveals that the canister is perforated, prior to further flight, either repair in accordance with PMS 01-04-02, or replace the canister in accordance with the AOT.

(c) 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, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) 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 airplane to a location where the requirements of this AD can be accomplished.

(e) The inspections, retorquing procedures, and replacement actions shall be done in accordance with Airbus All Operators Telex 57-08, Revision 1, dated June 28, 1994. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte,

31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on June 29, 1995.

Issued in Renton, Washington, on June 6, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 95-14315 Filed 6-13-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-61-AD; Amendment 39-9274; AD 95-12-22]

Airworthiness Directives; Airbus Model A340-211, -212, -311, and -312 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A340 series airplanes. This action requires installation of a reinforcement modification on the structure of the left- and right-hand cowls of the thrust reversers. This amendment is prompted by the results of a full-scale fatigue test, conducted by the manufacturer, which indicated that fatigue cracks can occur between the 3 and 9 o'clock thrust reverser beams and the forward frame/"J"-ring. The actions specified in this AD are intended to prevent loss of the use of the thrust reversers as a result of the problems associated with fatigue cracking in their cowl structure.

DATES: Effective June 29, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 29, 1995.

Comments for inclusion in the Rules Docket must be received on or before August 14, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-61-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at