

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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-ANE-20." 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 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:

95-12-19 Pratt & Whitney: Amendment 39-9270. Docket 95-ANE-20.

Applicability: Pratt & Whitney (PW) Models JT8D-209, -217, -217A, -217C, and -219 turbofan engines that have installed fan blades, Part Numbers 798821, 798821-001, 808121, 808121-001, 809221, 811821, 851121, 851121-001, 5000021-02, 5000021-022, and 5000021-032. These engines are installed on but not limited to McDonnell Douglas MD-80 series aircraft.

Note: This airworthiness directive (AD) applies to each engine 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 engines 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 engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent fan blade failure, which can result in damage to the aircraft, accomplish the following:

(a) Inspect fan blades and shrouds, unlock fan blade shrouds, and lubricate fan blade shrouds, in accordance with the intervals and procedures described in Parts 1 and 2 of PW All Operators Wire (AOW) No. JT8D/72-33/CTS: CRC-5-4-5-1, dated April 5, 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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(c) 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 aircraft to a location where the requirements of this AD can be accomplished.

(d) The requirements of this AD shall be done in accordance with the following service document:

| Document no. | Pages | Date |
|--|-------|----------------|
| PW AOW No. JT8D/72-33/CTS: CRC-5-4-5-1. Total pages: 5. | 1-5 | April 5, 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 Pratt & Whitney, 400 Main St., East Hartford, CT 06108. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(e) This amendment becomes effective on June 30, 1995.

Issued in Burlington, Massachusetts, on June 5, 1995.

Ronald L. Vavruska,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.
[FR Doc. 95-14638 Filed 6-13-95; 9:16 am]
BILLING CODE 4910-13-U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 381

[Docket No. RM95-11-000]

Annual Update of Filing Fees

June 9, 1995.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: In accordance with the Commission's regulations, the Commission issues this update of its filing fees. This document provides the yearly update using data in the Commission's Payroll Utilization Reporting System to calculate the new fees. The purpose of updating is to adjust the fees on the basis of the Commission's costs for Fiscal Year 1994.

EFFECTIVE DATE: July 17, 1995.

FOR FURTHER INFORMATION CONTACT: Maria Bondarenko, Office of the Executive Director and Chief Financial Officer, Federal Energy Regulatory Commission, 810 First Street, N.E., Room 631, Washington, D.C. 20426, (202) 219-2877.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of

this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 3308, 941 North Capitol Street, N.E., Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, set your communications

software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS for 60 days from the date of issuance in ASCII and WordPerfect 5.1 format. After 60 days the document will be archived, but still accessible. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in Room 3308, 941 North Capitol Street, N.E., Washington, D.C. 20426.

The Federal Energy Regulatory Commission (Commission), by its designee the Executive Director and Chief Financial Officer¹ is issuing this document to update filing fees the Commission assesses for specific services and benefits provided to identifiable beneficiaries. Pursuant to § 381.104 of the Commission's regulations, the Commission is establishing updated fees on the basis of the Commission's Fiscal Year 1994 costs. The adjusted fees announced in this document are effective July 17, 1995. The new fee schedule is as follows:

Fees Applicable to the Natural Gas Policy Act

| | |
|---|-------|
| 1. Review of jurisdictional agency determinations. (18 CFR 381.402) | \$100 |
| 2. Petitions for rate approval pursuant to 18 CFR 284.123(b)(2). (18 CFR 381.403) | 5,740 |
| 3. Initial or extension reports for Title III transactions. (18 CFR 381.404) | 120 |

Fees Applicable to General Activities

| | |
|--|--------|
| 1. Petition for issuance of a declaratory order (except under Part I of the Federal Power Act). (18 CFR 381.302) | 11,550 |
| 2. Review of a Department of Energy remedial order: | |

Amount in Controversy

| | |
|---|--------|
| \$0-9,999. (18 CFR 381.303(b)) | 100 |
| \$10,000-29,999. (18 CFR 381.303(b)) | 600 |
| \$30,000 or more. (18 CFR 381.303(a)) | 16,860 |
| 3. Review of a Department of Energy denial of adjustment: | |

Amount in Controversy

| | |
|--|-------|
| \$0-9,999. (18 CFR 381.304(b)) | 100 |
| \$10,000-29,999. (18 CFR 381.304(b)) | 600 |
| \$30,000 or more. (18 CFR 381.304(a)) | 8,840 |
| 4. Written legal interpretations by the Office of the General Counsel. (18 CFR 381.305(a)) | 3,310 |

Fees Applicable to Natural Gas Pipelines

| | |
|--|-------|
| 1. Pipeline certificate applications pursuant to 18 CFR 284.224. (18 CFR 381.207(b)) | 1,000 |
|--|-------|

Fees Applicable to Cogenerators and Small Power Producers

| | |
|---|--------|
| 1. Certification of qualifying status as a small power production facility. (18 CFR 381.505(a)) | 9,930 |
| 2. Certification of qualifying status as a cogeneration facility. (18 CFR 381.505(a)) | 11,240 |
| 3. Applications for exempt wholesale generator status. (18 CFR 381.801) | 1,020 |

List of Subjects in 18 CFR Part 381

Electric power plants, Electric utilities, Natural gas, Reporting and recordkeeping requirements.

Christie McGue,
Executive Director and Chief Financial Officer.

In consideration of the foregoing, the Commission amends Part 381, Chapter I, Title 18, *Code of Federal Regulations*, as set forth below.

PART 381—FEES

1. The authority citation for Part 381 continues to read as follows:

Authority: 15 U.S.C. 717-717w; 16 U.S.C. 791-828c, 2601-2645; 31 U.S.C. 9701; 42 U.S.C. 7101-7352; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

§ 381.302 [Amended]

2. In § 381.302, paragraph (a) is amended by removing "\$10,930" and inserting "\$11,550" in its place.

3. In § 381.303, paragraph (a) is amended by removing "\$15,960" and inserting "\$16,860" in its place.

§ 381.304 [Amended]

4. In § 381.304, paragraph (a) is amended by removing "\$8,370" and inserting "\$8,840" in its place.

§ 381.305 [Amended]

5. In § 381.305, paragraph (a) is amended by removing "\$3,130" and inserting "\$3,310" in its place.

¹ 18 CFR 375.313(a)

§ 381.403 [Amended]

6. Section 381.403 is amended by removing "\$5,440" and inserting "\$5,740" in its place.

§ 381.505 [Amended]

7. In § 381.505, paragraph (a) is amended by removing "\$9,400" and inserting "\$9,930" in its place and by removing "\$10,640" and inserting "\$11,240" in its place.

§ 381.801 [Amended]

8. Section 381.801 is amended by removing "\$1,350" and inserting "\$1,020" in its place.

[FR Doc. 95-14595 Filed 6-14-95; 8:45 am]

BILLING CODE 6717-01-P

**SUSQUEHANNA RIVER BASIN
COMMISSION**
18 CFR Parts 803, 804 and 805**Review and Approval of Projects;
Special Regulations and Standards;
Hearings/Enforcement Actions**

AGENCY: Susquehanna River Basin Commission (SRBC)

ACTION: Final rule.

SUMMARY: This action finalizes adoption of a reorganized and revised set of regulations and procedures for review of projects. These regulations implement the commission's general project review authority set forth in Section 3.10 of the Susquehanna River Basin Compact and its authority under other portions of the compact to set standards for the operation of projects and to enforce its regulations. Other regulations cover registration of water withdrawals and water conservation.

EFFECTIVE DATE: May 11, 1995.

ADDRESSES: 1721 N. Front Street, Harrisburg, Pa. 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo or John D. Graham, 717-238-0422.

SUPPLEMENTARY INFORMATION:**History**

These regulations were first proposed on May 12, 1994 and appeared in the **Federal Register** on June 8, 1994 at p. 29563. They replace the commission's existing project review regulations found in Part 803 of the Code of Federal Regulations. Their purpose is to improve the overall precision and clarity of the regulations; to reorganize the regulations into an integrated format that is more readily understood by the regulated community; and to address subject matter not addressed or

inadequately addressed in the existing regulations.

A series of eight public hearings were held throughout the river basin during the summer of 1994. The hearings produced a large number of comments, most of which were directed to the revised consumptive use regulation. Agriculture and public water suppliers provided most of these comments. After considering these comments and making a number of changes in the originally proposed regulation, the commission held a final hearing on March 9, 1995. Additional changes were made in response to the comments received at this hearing. A copy of a document showing all of these changes may be obtained upon request to the commission at the above address or phone.

Due to the many comments and questions raised on the consumptive use portion of the regulations, and because of the complexity and potential regulatory impacts of that particular regulation, the Commission determined that further consultations and discussions with the regulated community will be needed before final action. At the same time, the Commission feels that the remaining portion of the regulations will greatly improve the Commission's regulations and procedures for review of projects and should be adopted as soon as possible. Therefore, the Commission is proceeding with final rulemaking on these regulations, except for the proposed revisions to the regulation on the consumptive use of water which are deferred. The current consumptive use regulation found at 18 CFR 803.61 is substantially retained and renumbered as § 803.42. The Commission will continue the consultation process with the regulated community in an effort to develop a future strategy for the management of agricultural and public water supply uses. The current suspension of the consumptive use regulation with respect to agricultural consumptive uses under Commission Resolution 94-05 also remains in effect.

The comments relating to the non-consumptive use portion of the regulations are summarized below and responses provided.

Comments/Responses

1. Public water suppliers do not have the legal authority to enforce water conservation requirements.

Response: The water conservation standards which are set forth in the omnibus package have been in effect since 1979 without burdening public water suppliers on the issue of enforcement of conservation measures.

The regulation says that such measures shall be implemented "as circumstances warrant." We see no real difficulty for water suppliers to distribute literature to customers describing water conservation techniques and implementing a water pricing structure that encourages conservation. As for requiring installation of conservation devices, at least this could be implemented as a requirement for hookups to the system if not directly mandated.

2. The duration of approvals should be the same as that of accompanying permits issued by the state. If no state permit duration is specified, the SRBC approval should be perpetual. Making the approval duration retroactive to projects already approved by SRBC is unfair and perhaps an unconstitutional taking of a vested right. Twenty-five years may not enough time to amortize investments some in big, complex plants where large sums of money were invested.

Response: The proposed regulation does tie permit duration to any accompanying permit issued by a signatory party. We feel that 25 years is a reasonable duration to otherwise give to a project sponsor so that the investment he has made in the project can be sufficiently amortized. To cover those situations where, for some good reason, 25 years is not appropriate, we propose to add a sentence to § 803.30(a) stating, "The Commission, upon its own motion or that of a project sponsor, may modify this duration in consideration of such factors as the time needed to amortize a project investment, the time needed to secure project financing, the potential risks of interference with an existing project, and other equitable factors." To address the concern over the retroactive application of the 25 year duration to projects already approved by the Commission, we propose to now add five years to this permit duration from the time of the Commission's initial approval. This will help to mitigate the effects of the retroactive application of the permit duration and stagger the time periods when these previously approved projects come up for renewal.

3. Three years is not enough time for a project sponsor to implement an approved project. This should be extended to four years.

Response: The proposed regulation (§ 803.3(b)) already allows the extension or renewal of an approval upon the request of the applicant. The Commission is not likely to refuse any reasonable request for an extension.

4. Hydroelectric projects should be specifically exempted from § 803.44,