

any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the orders may be procured from the Market Administrator of the aforesaid marketing areas, or from the Hearing Clerk, Room 1083, South Building, United States Department of Agriculture, Washington, DC 20250, or may be inspected there.

Copies of the transcript of testimony taken at the hearing will not be available for distribution through the Hearing Clerk's Office. If you wish to purchase a copy, arrangements may be made with the reporter at the hearing.

From the time that a hearing notice is issued and until the issuance of a final decision in a proceeding, Department employees involved in the decisional process are prohibited from discussing the merits of the hearing issues on an ex parte basis with any person having an interest in the proceeding. For this particular proceeding, the prohibition applies to employees in the following organizational units:

Office of the Secretary of Agriculture  
Office of the Administrator, Agricultural Marketing Service  
Office of the General Counsel  
Dairy Division, Agricultural Marketing Service (Washington office) and the Offices of all Market Administrators.

Procedural matters are not subject to the above prohibition and may be discussed at any time.

Dated: June 15, 1995.

**Lon Hatamiya,**  
*Administrator.*

[FR Doc. 95-15105 Filed 6-20-95; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-ANE-13]

#### **Airworthiness Directives; Royal Inventum Company DR1 and DR6 Series Galley Water Heaters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to Royal Inventum Company DR1 and DR6 series galley water heaters. This proposal would require the installation of new pressure relief valves, and 3-phase safety devices on each Royal

Inventum Company DR1 and DR6 series galley water heater. This proposal is prompted by a report of a Royal Inventum DR6 water heater explosion in the aircraft galley during an overheat test at a maintenance facility. The actions specified by the proposed AD are intended to prevent explosions of Royal Inventum Company DR1 and DR6 series galley water heaters, which could cause personal injury or galley damage to the aircraft.

**DATES:** Comments must be received by August 21, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-ANE-13, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from B/E Aerospace, Inventum Galley Products Division (Royal Inventum Company), P.O. Box 250, 3430 AG Nieuwegin, The Netherlands. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Terry Fahr, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA, 01803-5299; telephone (617) 238-7155, fax (617) 238-7199.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal 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-13." The postcard will be date stamped and returned to the commenter.

#### **Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-ANE-13, 12 New England Executive Park, Burlington, MA, 01803-5299.

#### **Discussion**

The Director-General of Civil Aviation of the Netherlands, which is the airworthiness authority for the Netherlands, notified the FAA that an unsafe condition may exist on Royal Inventum Company DR1 and DR6 series galley water heaters, and is likely to exist or develop on other water heaters of the same or similar design. A Royal Inventum Company Model DR6 water heater exploded during a simulated overheat test in a maintenance facility. The water heater was of an earlier design, which did not have a pressure relief valve installed, and did not have a 3-phase safety device installed on the water tank, resulting in a thermostat failure which caused an explosion of the aircraft galley water heater.

Inventum Bilthoven-Holland has issued Service Bulletin's (SB's) 25-330, Revision 1, dated July 8, 1976; SB 25-331, Revision 1, dated September 28, 1977; and Inventum Alert Service Bulletin (ASB) DR1/DR6-25-4, Revision A, dated December 6, 1993, that specify the installation of a pressure relief valve; and Inventum Bilthoven-Holland SB's 25-340, dated July 7, 1977; SB 25-344, dated January 18, 1978; SB 25-345, dated February 16, 1978; SB 25-346, dated February 16, 1978; and Inventum ASB DR1/DR6-25-5, Revision A, dated December 6, 1993, that specify the installation of 3-phase safety devices. The Director-General of Civil Aviation of the Netherlands has classified these service bulletins as mandatory and issued Airworthiness Directive BLA 93-168 (AB), dated December 17, 1993, in order to assure the airworthiness of these water heaters.

This water heater is manufactured in the Netherlands. The FAA has examined the findings of the Director-General of Civil Aviation of the Netherlands, reviewed all information, and determined that AD action is necessary for products of this design that are approved for use on aircraft registered in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other water heaters of the same design approved for use on aircraft registered in the United States, the proposed AD would require the installation of a pressure relief valve and two 3-phase safety devices on these water heaters. The actions would be required to be accomplished in accordance with the service bulletin's described previously.

There are approximately 250 water heaters of the affected design that are on aircraft of U.S. registry that would be affected by this proposed AD, and that it would take approximately six and one half work hours per aircraft to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$250 per aircraft. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$94,500.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

**Royal Inventum Company:** Docket No. 95-ANE-13.

**Applicability:** Royal Inventum Company DR1 and DR6 series galley water heaters, installed on but not limited to Boeing 727 and 737 series, McDonnell Douglas DC-9 series; and Fokker F.28 series (except Mk. 0100) aircraft.

**Note:** This airworthiness directive (AD) applies to each water heater 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 Royal Inventum water heaters 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 Federal Aviation Administration (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 Royal Inventum water heater from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously. To prevent possible explosion of water heaters that could cause personal injury and aircraft damage, accomplish the following:

(a) Within 90 days after the effective date of this AD install a pressure relief valve in accordance with Inventum Alert Service Bulletin (ASB) DR1/DR6-25-4, Revision A, dated December 6, 1993, or Inventum Service Bulletin (SB) 25-330, Revision 1, dated July 8, 1976; or SB 25-331, Revision 1, dated September 28, 1977; and two 3-phase safety devices in accordance with Inventum ASB DR1/DR6-25-5, Revision A, dated December 6, 1993, or SB 25-340, dated July 7, 1977; SB 25-344, dated January 18, 1978; or SB 25-345, dated February 16, 1978; or SB 25-346, dated February 16, 1978.

(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, Boston Aircraft 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, Boston Aircraft Certification Office.

**Note:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Boston Aircraft 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.

Issued in Burlington, Massachusetts, on June 11, 1995.

**James C. Jones,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 95-15150 Filed 6-20-95; 8:45 am]

BILLING CODE 4910-13-U

#### Coast Guard

#### 33 CFR Part 100

[CGD 09-95-005]

RIN 2115-AE46

#### Special Local Regulations; Great Lakes Annual Marine Events

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to revise its list of annual marine events which occur within the Ninth Coast Guard District. Publication of this list will establish permanent special local regulations for marine events within the Ninth Coast Guard District which recur on an annual basis and which have been determined by the District Commander to require the issuance of special local regulations. This action is being taken to ensure the safety of life and property during each event, while avoiding the necessity of publishing a separate temporary regulation each year for each event. The list reflects the approximate dates and locations of each annual marine event.

**DATE:** Comments must be received on or before August 7, 1995.

**ADDRESSES:** Comments should be mailed to Commander (oan), Ninth Coast Guard District, 1240 East 9th Street, Cleveland, Ohio 44199-2060. The comments will be available for inspection and copying at the Aids to Navigation and Waterways Management Branch, Room 2083, 1240 East 9th Street, Cleveland, Ohio. Normal office hours are between 8 a.m. and 4 p.m.