

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1405

RIN 0560-AD97

#### Crop Insurance Requirement

**AGENCY:** Commodity Credit Corporation (CCC), USDA.

**ACTION:** Final rule.

**SUMMARY:** This rule implements the requirement of the Federal Crop Insurance Reform Act of 1994 that producers obtain at least the catastrophic level of crop insurance for each crop of economic significance in order to be eligible for any price support, production adjustment benefit or payment for CRP acreage under contracts entered into after October 12, 1994.

**EFFECTIVE DATE:** October 13, 1994.

**FOR FURTHER INFORMATION CONTACT:** David M. Nix, CFSA, USDA, P.O. Box 2415, Washington, DC 20013-2415, (202) 720-9883.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

This final rule is issued in conformance with Executive Order 12866 and has been determined to be a "significant regulatory action" and has been reviewed by the Office of Management and Budget.

##### Federal Assistance Programs

The titles and numbers of the Federal Assistance Programs, as found in the Catalog of Federal Domestic Assistance, to which this final rule applies are: Commodity Loans and Purchases-10.051; Cotton Production Stabilization-10.052; Feed Grain Production Stabilization-10.055; Wheat Production Stabilization-10.058; Rice Production Program-10.065; Grain Reserve Program-

10.067; and Conservation Reserve Program-10.069.

##### Regulatory Flexibility Act

It has been determined that this rule will not have a significant impact on a substantial number of small entities. In any event the rule simply codifies the eligibility requirement of the Federal Crop Insurance Reform Act of 1994. Therefore, the Regulatory Flexibility Act is not applicable to this final rule.

##### Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

##### Executive Order 12778

This final rule has been reviewed in accordance with Executive Order 12778. To the extent State and local laws are in conflict with this rule, this rule will prevail. The provisions of this rule are retroactive to conform to the Federal Crop Insurance Reform Act of 1994. Before any judicial action may be brought concerning the provisions of this rule, administrative review under 7 CFR Part 780 or regulations of the Department of Agriculture National Appeals Division must be exhausted.

##### Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR Part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

##### Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by OMB under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520) and assigned OMB control numbers 0563-0001, 0563-0003 and 0563-0029.

##### Discussion

The Federal Crop Insurance Reform Act of 1994 amended the Federal Crop Insurance Act to require that producers obtain at least the catastrophic level of crop insurance in order to be eligible for any price support or production

adjustment program or the Conservation Reserve Program.

It has been determined that publication of this rule for notice and comment is impractical, unnecessary and contrary to legislative intent. This rule simply implements the specific mandate of the Federal Crop Insurance Reform Act of 1994 and the agency does not have discretion with respect to its implementation.

##### List of Subjects in 7 CFR Part 1405

Crop insurance.

Accordingly, 7 CFR Part 1405 is amended as follows:

#### PART 1405—LOANS, PURCHASES AND OTHER OPERATIONS

1. The authority citation for part 1405 is revised to read as follows:

**Authority:** 7 U.S.C. 1506(l), 15 U.S.C. 714b and 714c.

2. Section 1405.6 is added to read as follows:

##### § 1405.6 Crop insurance requirement.

(a) To be eligible for any benefits or payments under 7 CFR parts 723, 729, 1413, 1421, 1427, 1435, 1443, 1446, 1464 and payments under 7 CFR parts 704 and 1410 for CRP acreage under contracts entered into after October 12, 1994, the producer must obtain at least the catastrophic level of insurance for each crop of economic significance grown on each farm in the county in which the producer has an interest, if insurance is available in the county for the crop.

(b) Crop of economic significance. The term "crop of economic significance" means a crop that has contributed in the previous year, or is expected to contribute in the current crop year, 10 percent or more of the total expected value of all crops grown by the producer. However, notwithstanding the preceding sentence, if the total expected liability under the catastrophic risk protection endorsement is equal to or less than the administrative fee required for the crop, such crop will not be considered a crop of economic significance.

(c) In addition to the terms defined in this subsection, terms defined in part 719 of this title shall be applicable to this section.

Signed at Washington, DC, on June 19, 1995.

**Bruce R. Weber,**

*Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 95-15508 Filed 6-23-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-NM-168-AD; Amendment 39-9263; AD 95-12-13]

#### Airworthiness Directives; Jetstream Model ATP Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Jetstream Model ATP airplanes, that requires installation of modified engine de-ice timers, modification of the electrical wiring for the duct heat of the engine air intake, and installation of a time delay for the de-ice system in the air intake duct of the right engine. This amendment also requires associated revisions to the Airplane Flight Manual. This amendment is prompted by reports of ice that accreted in the engine air intake ducts and was ingested into the engine; this resulted in engine power rollback (loss of engine power). The actions specified by this AD are intended to prevent loss of multiple engine power during flight in icing conditions.

**DATES:** Effective July 26, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 26, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Jetstream Model ATP airplanes was published in the **Federal Register** on December 20, 1994 (59 FR 65516). That action proposed to require installation of new de-ice timers and an associated revision to the AFM; installation of a system that automates a 20-second delay between turning on the left engine intake de-ice system and turning on the right engine intake de-ice system; and installation of modified electrical wiring for the flexible ducts and lips of the engine air intake.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 10 airplanes of U.S. registry will be affected by this AD, that it will take approximately 72 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$43,200, or \$4,320 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 or 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:

#### 95-12-13 Jetstream Aircraft Limited (Formerly British Aerospace Commercial Aircraft, Limited):

Amendment 39-9263. Docket 94-NM-168-AD.

**Applicability:** Model ATP airplanes having constructor numbers 2002 through 2063 inclusive, 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 engine power rollback during flight in icing conditions, due to ingestion of accreted ice, accomplish the following:

(a) For airplanes having constructor numbers 2002 through 2056 inclusive: