

an initial budget of \$72,000. Expense items include \$12,000 for a manager or management services, \$15,000 for management support services, \$1,000 for a financial audit, \$1,000 for staff travel, \$2,500 for Committee travel, \$10,000 for research projects, \$12,000 for promotion projects, \$3,000 for compliance, \$6,000 for Perishable Agricultural Commodities Act expenses, and \$9,500 for a miscellaneous fund for contingency and reserve.

The Committee also unanimously recommended an assessment rate of \$0.12 per 50 pound bag or equivalent. This rate when applied to anticipated onion shipments of 600,000 bags will yield \$72,000 in assessment income, which will be adequate to cover budgeted expenses.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including the information and recommendations submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

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 preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because: (1) The Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; (2) the fiscal period began on June 1, 1995, and the marketing order requires that the rate of assessment for the fiscal period apply to all assessable onions handled during the fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting; and (4) this interim final rule provides a 30-day comment period, and all comments timely received will be considered prior to finalization of this action.

List of Subjects in 7 CFR Part 956

Marketing agreements, Onions, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 956 is amended as follows:

PART 956—SWEET ONIONS GROWN IN THE WALLA WALLA VALLEY OF SOUTHEAST WASHINGTON AND NORTHEAST OREGON

1. The authority citation for 7 CFR part 956 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. A new § 956.201 is added to read as follows:

Note: This section will not appear in the Code of Federal Regulations.

§ 956.201 Expenses and assessment rate.

Expenses of \$72,000 by the Walla Walla Sweet Onion Committee are authorized, and an assessment rate of \$0.12 per 50 pound bag or equivalent of assessable onions is established for the fiscal period ending May 31, 1996. Unexpended funds may be carried over as a reserve.

Dated: June 28, 1995.

Sharon Bomer Lauritsen,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 95–16409 Filed 7–3–95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94–SW–12–AD; Amendment 39–9290; AD 95–13–10]

Airworthiness Directives; Costruzioni Aeronautiche Giovanni Agusta S.p.A. Model A109A, A109AII, and A109C Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Costruzioni Aeronautiche Giovanni Agusta S.p.A. (Agusta) Model A109A, A109AII, and A109C helicopters, that requires a modification of the tail boom vertical fin to create inspection openings that permit initial and repetitive visual inspections for cracks in the vertical fin rear spar attachment area. This amendment is prompted by four reports of cracks in the tail boom vertical fin rear spar attachment area. The actions

specified by this AD are intended to prevent failure of the vertical fin attachment caused by cracks in the tail boom vertical fin rear spar attachment area, and subsequent loss of control of the helicopter.

DATES: Effective August 9, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 9, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from Agusta, Direzione Supporto Prodotto E Servizi, 21019 Somma Lombardo (VA), Via per Tornavento, 15. This information may be examined at the FAA, Office of the Assistant Chief Counsel, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Monschke, Aerospace Engineer, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5116, fax (817) 222–5961.

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 Agusta Model A109A, A109AII, and A109C helicopters was published in the **Federal Register** on December 8, 1994 (59 FR 63281). That action proposed to require a modification of the tail boom vertical fin to create inspection openings that permit initial and repetitive visual inspections for cracks in the vertical fin rear span attachment area.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 73 helicopters of U.S. registry will be affected by this AD, 14 helicopters with tail boom, part number (P/N) 109–0370–01 installed, and 59 helicopters with tail boom, P/N 109–0370–17 installed, that it will take (1) approximately 4 work hours per helicopter to initially modify and inspect those helicopters with tail boom, P/N 109–0370–01; (2) approximately 6 work hours per helicopter to initially modify and inspect those helicopters with tail boom, P/N 109–0370–17; and (3)

approximately 1 work hour per helicopter to conduct the repetitive inspection regardless of which tail boom is installed, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$140 for helicopters with tail boom, P/N 109-0370-01 and \$280 for helicopters with tail boom, P/N 109-0370-17. Based on these figures, the total cost impact of the proposed AD on U.S. operators during the first year is estimated to be \$5,320 for helicopters with tail boom, P/N 109-0370-01, and \$37,760 for helicopters with tail boom, P/N 109-0370-17, and for each subsequent year, regardless of the type tail boom installed, \$180, assuming that three helicopters are subject to the repetitive inspection each year.

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 a new airworthiness directive to read as follows:

95-13-10 Costruzioni Aeronautiche

Giovanni Agusta S.P.A.: Amendment 39-9290. Docket No. 94-SW-12-AD.

Applicability: Model A109A, A109All, and A109C helicopters, serial number (S/N) 7670 and lower, excluding S/N 7630, 7633, 7645, 7651, 7654, 7663, 7665, 7666, 7667, 7668, and 7669, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters 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 helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously. To prevent failure of the vertical fin attachment caused by cracks in the tail boom vertical fin rear spar attachment area, and subsequent loss of control of the helicopter, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS), modify the tail boom vertical fin and perform a visual inspection for cracks in the vertical fin rear spar attachment area in accordance with Part I of the Accomplishment Instructions of Agusta Bollettino Tecnico No. 109-96, dated March 30, 1994.

(1) For helicopters with tail boom, part number (P/N) 109-0370-01, perform the modification using modification kit, P/N 109-0822-38-101, in accordance with steps 5 through 8 of Part I of the Accomplishment Instructions of Agusta Bollettino Tecnico No. 109-96, dated March 30, 1994.

(2) For helicopters with tail boom, P/N 109-0370-17, perform the modification using modification kit, P/N 109-0822-38-103, in accordance with steps 9 through 12 of Part I of the Accomplishment Instructions of Agusta Bollettino Tecnico No. 109-96, dated March 30, 1994.

(b) Thereafter, at intervals not to exceed 300 hours TIS from the last inspection, remove the vertical fin leading edge fairing assembly and visually inspect the vertical fin rear spar attachment area for cracks in accordance with Part II of the Accomplishment Instructions of Agusta Bollettino Tecnico No. 109-96, dated March 30, 1994.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used when approved by the Manager, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

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

(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 helicopter to a location where the requirements of this AD can be accomplished.

(e) The inspection and modifications shall be done in accordance with Agusta Bollettino Tecnico No. 109-96, dated March 30, 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 Agusta, Direzione Supporto Prodotto E Servizi, 21019 Somma Lombardo (VA), Via per Tornavento, 15. Copies may be inspected at the FAA, Office of the Assistant Chief Counsel, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on August 9, 1995.

Issued in Fort Worth, Texas, on June 20, 1995.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 95-15516 Filed 7-3-95; 8:45 am]

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14 CFR Part 71

[Airspace Docket No. 95-AWP-5]

Amendment to Class D and E Airspace Areas; Camp Pendleton Marine Corps Air Station (MCAS), CA

AGENCY: Federal Aviation Administration [FAA], DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies the Class D and E airspace areas at Camp Pendleton MCAS, CA. This action will provide adequate airspace for instrument flight rules (IFR) operations at Camp Pendleton MCAS, CA.

EFFECTIVE DATE: 0901 UTC, September 14, 1995.

FOR FURTHER INFORMATION CONTACT: Scott Speer, System Management Specialist, System Management Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale,