

Action is taken herein to clarify AD 95-04-07 and to correctly add the AD as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The final rule is being reprinted in its entirety for the convenience of affected operators. The effective date of the rule remains March 17, 1995.

Since this action only clarifies the procedures for accomplishing an optional action contained in a final rule, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary.

#### 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 removing amendment 39-9159 (60 FR 11617, March 2, 1995), and by adding a new airworthiness directive (AD), amendment 39-9317, to read as follows:

##### 95-04-07 R1 McDonnell Douglas:

Amendment 39-9317. Docket 94-NM-253-AD. Revises AD 95-04-07, Amendment 39-9159.

**Applicability:** Model DC-10-30 airplanes on which bolt retainers have not been installed on the engine mount in accordance with McDonnell Douglas DC-10 Service Bulletin 71-133, Revision 6, dated June 30, 1992; Model DC-10-10 and -15 airplanes; and KC-10A (military) airplanes; 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 (d) of this AD 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 broken lockwires, which could result in loosening of the engine mount bolts and subsequent separation of the engine from the airplane, accomplish the following:

(a) Within 120 days after the effective date of this AD, unless accomplished previously within the last 750 flight hours prior to the effective date of this AD, perform a visual inspection to detect broken lockwires on the forward engine mount bolts on engines 1, 2, and 3, in accordance with McDonnell Douglas Alert Service Bulletin DC10-71A159, Revision 1, dated January 31, 1995.

(1) If no lockwire is found broken, repeat the inspection thereafter at intervals not to exceed 750 flight hours.

(2) If any lockwire is found broken, prior to further flight, check the torque of the bolt, install a new lockwire, and install a torque stripe on the bolt, in accordance with the alert service bulletin. Thereafter at intervals not to exceed 750 flight hours, perform a visual inspection to detect misalignment of the torque stripes, and repeat the inspection to detect broken lockwires, in accordance with the alert service bulletin.

(b) Submit a report of findings of broken lockwires and/or misaligned torque stripes found during the inspections required by paragraph (a) of this AD to the Manager, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California 90712; or fax to (310) 627-5210, at the times specified in either paragraph (b)(1) or (b)(2) of this AD, as applicable. The report must include the manufacturer's fuselage number of the airplane, number of cycles on the airplane, torque value of the bolt, and condition of the lockwire (i.e., broken or intact). Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(1) For airplanes on which the inspections are accomplished after the effective date of this AD: Submit reports within 30 days after finding any discrepancy.

(2) For airplanes on which the inspections have been accomplished prior to the effective date of this AD: Submit the initial report within 30 days after the effective date of this AD, and subsequent reports within 30 days after finding any discrepancy.

(c) For Model DC-10-30 airplanes and KC-10A (military) airplanes only: Installation of retainers on the engine mount bolts of engines 1, 2, or 3 in accordance with the procedures depicted in Figure 6 of Revision 6 of McDonnell Douglas DC-10 Service Bulletin 71-133, dated June 30, 1992, constitutes terminating action for the requirements of this AD for that engine.

(d) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(e) 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.

(f) The inspections shall be done in accordance with McDonnell Douglas Alert Service Bulletin DC10-71A159, Revision 1, dated January 31, 1995. The installation shall be done in accordance with McDonnell Douglas DC-10 Service Bulletin 71-133, Revision 6, dated June 30, 1992. The incorporation by reference of these documents was approved by the Director of the Federal Register, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, as of March 17, 1995 (60 FR 11617, March 2, 1995). Copies may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment is effective on March 17, 1995.

Issued in Renton, Washington, on July 18, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 95-18087 Filed 7-26-95; 8:45 am]

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## TENNESSEE VALLEY AUTHORITY

### 18 CFR Part 1301

#### Freedom of Information Act

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Final rule.

**SUMMARY:** The Tennessee Valley Authority is amending its Freedom of Information Act (FOIA) regulations to reflect organizational and administrative changes within TVA.

**EFFECTIVE DATE:** July 27, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Mark R. Winter, Tennessee Valley Authority, 1101 Market Street (CST 13B), Chattanooga, TN 37402-2801, telephone number: (615) 751-2523.

**SUPPLEMENTARY INFORMATION:** This rule was not published in proposed form since it relates to internal agency organization and administration. Since this rule is nonsubstantive, it is being made effective immediately, July 27, 1995.

**List of Subjects in 18 CFR Part 1301**

Administrative practice and procedure, Freedom of information, Privacy Act, Sunshine Act.

For the reasons set forth in the preamble, title 18, chapter XIII, part 1301 of the Code of Federal Regulations is amended as follows:

**PART 1301—PROCEDURES**

1. The authority citation for part 1301 continues to read as follows:

**Authority:** 16 U.S.C. 831-831dd, 5 U.S.C. 552.

2. Section 1301.1 is amended by revising the introductory text of paragraph (b) to read as follows:

**§ 1301.1 Records.**

\* \* \* \* \*

(b) *Requests.* Requests to inspect and copy TVA records shall be directed to the Tennessee Valley Authority, TVA FOIA Officer, Records and Information Management (RIM), 1101 Market Street, Chattanooga, TN 37402-2801. A request shall:

\* \* \* \* \*

3. Section 1301.1 is amended by revising the text of paragraph (c)(1)(i) to read as follows:

**§ 1301.1 Records.**

\* \* \* \* \*

(c) *Processing of requests—*(1) *Initial determination.* (i) Within 10 days (excluding Saturdays, Sundays, and legal public holidays) after a request is received by TVA, and subject to paragraph (c)(3) of this section, TVA shall make an initial determination as to whether to comply with the request, and shall immediately give written notice of the determination to the person making the request. Initial determinations shall be made by the TVA FOIA Officer or the TVA FOIA Officer's designee. If the initial determination is not to comply with the request, the notice to the person making the request shall include a statement of the reasons for the denial of the request; a notice of the right of the person making the request to appeal the denial to the TVA FOIA Appeal Official designated in paragraph (c)(2)(iii) of this

section, and the time limits therefor; and the name and job title of the person responsible for the initial determination.

\* \* \* \* \*

4. Section 1301.1 is amended by revising the text of paragraph (c)(2)(i) to read as follows:

**§ 1301.1 Records.**

\* \* \* \* \*

(c) *Processing of requests—*\* \* \*

(2) *Appeal.* (i) If the initial determination is to deny the request, the person making the request may appeal such action to the TVA FOIA Appeal Official. Such an appeal must be taken within 30 days after the person's receipt of the initial determination and is taken by delivering a written notice of appeal to the TVA FOIA Appeal Official designated in paragraph (c)(2)(iii) of this section. Such notice shall include a statement that it is an appeal from a denial of a request under the Freedom of Information Act and shall indicate:

(A) The date on which the denial was issued; and

(B) The date on which the denial was received by the person making the request.

\* \* \* \* \*

5. Section 1301.1 is amended by revising the text of paragraph (c)(2)(ii) to read as follows:

**§ 1301.1 Records.**

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(ii) Within 20 days (excluding Saturdays, Sundays, and legal public holidays) after an appeal is received, and subject to paragraph (c)(3) of this section, TVA shall make a final determination on the appeal. In making such a determination, TVA will consider whether or not to waive the provisions of any exemption contained in paragraph (a) of this section, except that without the written permission of the person involved, TVA will not waive the exemptions contained in paragraphs (a) (4), (6) and (7) of this section. Determinations of appeals under this section shall be made by the TVA FOIA Appeal Official or the FOIA Appeal Official's designee. If the determination on the appeal is to deny the request for records, TVA shall notify the person making the request of such determination, including the reason for the denial; a notice of the person's right to judicial review of the denial; and the name and job title of the TVA official responsible for the determination of the appeal.

\* \* \* \* \*

6. Section 1301.1 is amended by adding a new paragraph (c)(2)(iii) to read as follows:

**§ 1301.1 Records.**

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(iii) TVA has designated its Senior Manager, Administrative Services, TVA, 400 Summit Hill Drive, Knoxville, TN 37902-1499 as the TVA FOIA Appeal Official and appeals should be directed accordingly.

\* \* \* \* \*

7. Section 1301.1 is amended by revising the text of paragraph (c)(3)(ii) to read as follows:

**§ 1301.1 Records.**

\* \* \* \* \*

(c) \* \* \*

(3) \* \* \*

(ii) The 20-day time limit provided in paragraph (c)(2) of this section may be extended by TVA for unusual circumstances as set forth in this paragraph upon written notice to the person appealing a denial of a request for records. The notice shall specify the reasons for the extension and the date on which a determination of the appeal is expected to be dispatched. The aggregate length of an extension under this paragraph when combined with any extension provided under paragraph (c)(3)(i) of this section shall not exceed 10 working days. A decision to make an extension under this paragraph shall be made by the TVA FOIA Appeal Official or the FOIA Appeal Official's designee.

\* \* \* \* \*

**William S. Moore,**  
*Senior Manager, Administrative Services.*  
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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Parts 202, 500, 501, and 510**

**Animal Drugs, Feeds, and Related Products; Technical Amendments**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** The Food and Drug Administration is amending the animal drug regulations to reflect a change in several cross-references to the Federal Food, Drug, and Cosmetic Act (the act). These changes resulted from enactment