

Rules and Regulations

Federal Register

Vol. 60, No. 155

Friday, August 11, 1995

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 94-117-3]

Oriental Fruit Fly; Removal of Quarantined Area

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the Oriental fruit fly regulations by removing the quarantine on a portion of Los Angeles County, CA, and by removing the restrictions on the interstate movement of regulated articles from that area. The interim rule was necessary to relieve restrictions that are no longer needed to prevent the artificial spread of the Oriental fruit fly into noninfested areas of the United States. We have determined that the Oriental fruit fly has been eradicated from this portion of Los Angeles County and that the quarantine and restrictions are no longer necessary.

EFFECTIVE DATE: September 11, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Operations, PPQ, APHIS, Suite 4C03, 4700 River Road Unit 134, Riverdale, MD 20737-1236, (301) 734-8247.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective on April 7, 1995, and published in the **Federal Register** on April 13, 1995 (60 FR 18727-18728, Docket No. 94-117-2), we amended the Oriental fruit fly regulations in 7 CFR 301.93-3 by removing the quarantine on a portion of

Los Angeles County, CA, and by removing the restrictions on interstate movement of regulated articles from that area.

Comments on the interim rule were required to be received on or before June 12, 1995. We did not receive any comments. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12778, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR 301.93-3(c) and that was published at 60 FR 18727-18728 on April 13, 1995.

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.17, 2.51, and 371.2(c).

Done in Washington, DC, this 3rd day of August 1995.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-19856 Filed 8-10-95; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-104-AD; Amendment 39-9262; AD 95-12-12]

Airworthiness Directives; de Havilland Model DHC-8-102, -103, and -106, Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This document corrects a typographical error that appeared in airworthiness directive (AD) 95-12-12 that was published in the **Federal Register** on June 13, 1995 (60 FR 31063). The typographical error resulted in a reference to a part number that does not exist. This AD is applicable to certain de Havilland Models DHC-8-102, -103, and -106 series airplanes and requires repetitive operational testing of the stall warning computers.

DATES: Effective June 28, 1995.

The incorporation by reference of certain publications listed in the regulations was previously approved by the Director of the Federal Register as of June 28, 1995 (60 FR 31063, June 13, 1995).

FOR FURTHER INFORMATION CONTACT:

Peter Cuneo, Aerospace Engineer, Systems and Equipment Branch, ANE-172, FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581, telephone (516) 256-7506; fax (516) 568-2716.

SUPPLEMENTARY INFORMATION:

Airworthiness Directive (AD) 95-12-12, amendment 39-9262, applicable to certain de Havilland Model DHC-8-102, -103, and -106 series airplanes, was published in the **Federal Register** on June 13, 1995 (60 FR 31063). That AD requires repetitive operational testing of the stall warning computers and replacement of non-operational stall warning computers with new or serviceable units. That AD also provides an optional terminating action for the repetitive operational tests.

As published, that AD contained a typographical error in paragraph (b), which describes the optional terminating action. That paragraph stated that replacement of stall warning computers having part number (P/N) "3605-5, -6, or -7" with new stall warning computers having P/N 3605-8 would constitute terminating action. However, "P/N 3605-7" was inadvertently indicated in that paragraph instead of the correct part number of "P/N 3605-4." (In fact, P/N 3605-7 does not exist.) In all other parts of the published AD and its preamble, these part numbers were correctly cited as "P/N 3605-4, -5, and -6."

Since no other part of the regulatory information has been changed, the final rule is not being republished.

The effective date of the AD remains June 28, 1995.

§ 39.13 [Corrected]

On page 31065, in the first column, paragraph (b) of AD 95-12-12 is corrected to read as follows:

* * * * *

(b) Replacement of stall warning computers having part number (P/N) 3605-4, -5, or -6 with new stall warning computers having P/N 3605-8, in accordance with Bombardier Service Bulletin S.B. 8-27-76, dated October 31, 1994, constitutes terminating action for the repetitive operational test requirements of this AD.

* * * * *

Issued in Renton, Washington, on August 3, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-19655 Filed 8-10-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 73

[Airspace Docket No. 95-ACE-8]

Change Time of Designation for Restricted Areas R-3601A and R-3601B, Brookville, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action reduces the time of designation for Restricted Areas R-3601A and R-3601B, Brookville, KS. The Department of the Air Force has reviewed current requirements for these areas and determined that the current designated times may be reduced. This action increases the availability of restricted airspace for public use.

EFFECTIVE DATE: 0901 UTC, November 9, 1995.

FOR FURTHER INFORMATION CONTACT: Jim Robinson, Military Operations Program Office (ATM-420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 493-4050.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 73 of the Federal Aviation Regulations amends the time of designation for Restricted Areas R-3601A and R-3601B. The time of designation for R-3601A and R-3601B are reduced from "Monday, Wednesday, Friday and Saturday, 0800 to 1800 local time; Tuesday and Thursday, 0800 to 2230 local time; other

times by NOTAM 24 hours in advance." to "Monday through Friday, 0900 to 1700 local time; other times by NOTAM 6 hours in advance." I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor technical amendment in which the public would not be particularly interested. Section 73.36 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8B dated March 9, 1994.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The action reduces the restricted areas time of designation. In accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," this action is not subject to environmental assessments and procedures and the National Environmental Policy Act.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

73.36 [Amended]

2. Section 73.36 is amended as follows:

R-3601A Brookville, KS [Amended]

By removing the existing "Time of designation. Monday, Wednesday, Friday and Saturday, 0800 to 1800 local time; Tuesday and Thursday, 0800 to 2230 local time; other times by NOTAM 24 hours in

advance." and substituting the following: "Time of designation. Monday through Friday, 0900 to 1700 local time; other times by NOTAM 6 hours in advance."

R-3601B Brookville, KS [Amended]

By removing the existing "Time of designation. Monday, Wednesday, Friday and Saturday, 0800 to 1800 local time; Tuesday and Thursday, 0800 to 2230 local time; other times by NOTAM 24 hours in advance." and substituting the following: "Time of designation. Monday through Friday, 0900 to 1700 local time; other times by NOTAM 6 hours in advance."

Issued in Washington, DC, on August 2, 1995.

Nancy B. Kalinowski,

Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 95-19904 Filed 8-10-95; 8:45 am]

BILLING CODE 4910-13-P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release Nos. 34-36063; 35-26352; IC-21270]

RIN 3235-AB14

Employee Benefit Plan Exemptive Rules Under Section 16 of the Securities Exchange Act of 1934

AGENCY: Securities and Exchange Commission.

ACTION: Extension of Phase-In Period for § 240.16b-3.

SUMMARY: The Commission today is extending the phase-in period for compliance with the substantive conditions of new Rule 16b-3 regarding employee benefit plan transactions under the Securities Exchange Act of 1934 pending further notice and rulemaking under the provision.

DATES: Effective on August 11, 1995. The phase-in period for compliance with new § 240.16b-3, which previously has been extended to September 1, 1995, is extended until September 1, 1996, or such different date as set in further rulemaking under Section 16.

FOR FURTHER INFORMATION CONTACT: Anne M. Krauskopf, Office of the Chief Counsel, Division of Corporation Finance, at (202) 942-2900.

SUPPLEMENTARY INFORMATION: On February 8, 1991, the Commission adopted comprehensive revisions to the rules under Section 16¹ of the Securities Exchange Act of 1934 ("Exchange Act").² The new regulatory

¹ 15 U.S.C. 78p (1988).

² 15 U.S.C. 78a et seq. (1988).