

decreased up to 10 percentage points by the market administrator if he or she finds that revision is necessary to obtain needed shipments or to prevent uneconomic shipments. Before making such a finding, the market administrator shall investigate the need for revision either at his or her own initiative or at the request of interested persons. If the investigation shows that a revision may be appropriate, the market administrator shall issue a notice stating that the revision is being considered and invite data, views, and arguments.

(c) * * *

(d) A plant located within the marketing area (other than a producer-handler plant or a governmental agency plant) that meets the qualifications described in paragraph (a) of this section regardless of its quantity of route disposition in any other Federal order marketing area.

(e) The term "pool plant" shall not apply to the following plants:

(1) A producer-handler plant;
 (2) A governmental agency plant;
 (3) A plant with route disposition in this marketing area that is located within the marketing area of another Federal order and that is fully regulated under such order;

(4) A plant qualified pursuant to paragraph (a) of this section which is not located within any Federal order marketing area but which also meets the pooling requirements of another Federal order and from which there is a greater quantity of route disposition, except filled milk, during the month in such other Federal order marketing area than in this marketing area; and

(5) A plant qualified pursuant to paragraph (b) of this section if the plant has automatic pooling status under another Federal order or if the plant meets the pooling requirements of another Federal order during the month and makes greater qualifying shipments to plants regulated under such other order than to plants regulated under this order.

§ 10011.13 [Amended]

11. In § 1011.13 paragraph (e)(3), the words "Director of the Dairy Division" and "Director" are revised to read "market administrator" wherever they appear.

PART 1046—MILK IN THE LOUISVILLE-LEXINGTON-EVANSVILLE MARKETING AREA

§ 1046.2 [Amended]

12. In § 1046.2, under "Kentucky Counties" the word "Pulaski" is removed.

Dated: August 17, 1995.

Lon Hatamiya,

Administrator.

[FR Doc. 95-20968 Filed 8-23-95; 8:45 am]

BILLING CODE 3410-02-P

7 CFR Part 1046

[DA-95-18]

Milk in the Louisville-Lexington-Evansville Marketing Area; Termination of Proceeding on Proposed Suspension/Termination of Base-Excess Plan

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Termination of proceeding of proposed suspension/termination of rule.

SUMMARY: This document terminates the proceeding that was initiated to consider a proposal to suspend or terminate the base-excess plan of the Louisville-Lexington-Evansville Federal milk marketing order effective September 1, 1995.

FOR FURTHER INFORMATION CONTACT: Nicholas Memoli, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 690-1932.

SUPPLEMENTARY INFORMATION: Prior document in this proceeding: Proposed Suspension/Termination: Issued June 9, 1995; published June 15, 1995 (60 FR 31418).

This termination of proceeding is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This proceeding was initiated by a notice of rulemaking published in the **Federal Register** on June 15, 1995 (60 FR 31418), concerning a proposed suspension/termination of certain provisions of the order regulating the handling of milk in the Louisville-Lexington-Evansville marketing area. The proposal would have suspended or terminated the base-excess plan provisions of Order 46. Interested parties were invited to comment on the proposal in writing by July 17, 1995. Four comments supporting and two comments opposing the proposed suspension/termination were received.

Statement of Consideration

This document terminates the proceeding initiated to suspend/terminate the base-excess plan under

the Louisville-Lexington-Evansville Federal milk marketing order (Order 46). Holland Dairies, Inc. (Holland), a fully regulated distributing plant under Order 46, proposed the suspension/termination of the plan effective September 1, 1995.

Holland stated that the Order's base-excess plan had created significant milk procurement problems in the area in recent years and claimed that the plan limited its ability to obtain milk from new producers because these producers had no base. As a result, the handler concluded that it was forced to purchase supplemental milk during the summer months from producers located outside the region at an additional cost.

According to Holland, the cooperatives in the southern Indiana area which compete with it for producers do not pay their member-producers base and excess prices. Additionally, Holland stated that the Indiana and Ohio Valley Federal milk orders, which border Order 46 to the north, do not contain a producer base-excess plan. Holland contends that both of these factors place it at a competitive disadvantage in procuring milk and are unreasonable and detrimental to its long-term ability to retain nonmember producers.

Armour Food Ingredients Company (Armour) and three dairy farmers filed comment letters in support of the proposed suspension/termination of the Order 46 base-excess plan. Armour states that Order 46 no longer exhibits the highly seasonal changes in supply and demand which a base-excess plan is intended to curtail and, therefore, concludes that the suspension or termination of the plan would not have a detrimental impact on the market's seasonal supply-demand balance. Armour also contends the plan discourages new producers from starting a dairy operation. Three Indiana dairy farmers who filed comments stated that they favor the suspension or termination of the base-excess plan because the plan lowers the price they receive for their milk.

Milk Marketing Inc. (MMI), and Mid-America Dairymen, Inc. (Mid-Am), filed comments in opposition to the proposed suspension/termination of the Order 46 base-excess plan. MMI, a regional cooperative representing approximately 400 dairy farmers and 23 million pounds of milk per month pooled by handlers regulated under Order 46, states that a base-excess plan is designed to balance monthly production with consumption. MMI contends that producers have invested time and money and have adopted management

techniques to meet the needs of the marketplace. It argues that the suspension/termination would discourage producers from adopting production patterns that are needed to improve marketing efficiencies.

Mid-Am, a cooperative representing 451 producers who deliver milk to plants regulated under Order 46, contends Holland's claim that "the base-excess plan limits its ability to obtain milk from new producers because these producers have no base," is no basis to suspend or terminate the base-excess plan under Order 46. Mid-Am states that the volume of milk that would become available during the base-paying months would be an insignificant amount and that there is no need for Holland to procure supplemental milk from producers located outside the region during the base-paying months because there is more than an adequate supply of local milk available.

Mid-Am also points out that many cooperative member-producers in the southern Indiana area are being paid on the basis of a base-excess plan. During March through June 1995, Mid-Am indicated, over one-third of its member-producers with milk pooled on Order 46 were paid base and excess prices. The cooperative states that all of its member-producers will be paid on the basis of a base-excess plan during 1996. Finally, it argues that the plan helps to limit a handler's ability to shift milk between orders during the base-paying months of March through June when additional milk is not needed by handlers regulated under Order 46.

The comments submitted in response to the proposed suspension/termination reveal that there is overwhelming support for the continuation of the Order 46 base-excess plan by producers whose milk is pooled under the order. The comments indicate that there is an adequate supply of local milk available to Holland which should prevent Holland from having to purchase supplemental supplies of milk from producers located outside the region. In this regard, market data indicate that for the past two years Class I utilization under Order 46 has generally been between 65 and 75 percent during the base-paying months of March through June. The comments also reveal that the base-excess plan under Order 46 is currently used to pay many cooperative association member-producers now and will be used to pay many more next year. Therefore, the proceeding to suspend or terminate the plan is terminated.

List of Subjects in 7 CFR Part 1046

Milk marketing orders.

The authority citation for 7 CFR part 1046 continues to read as follows:

Authority: 7 U.S.C. 601-674.

Dated: August 17, 1995.

Patricia Jensen,

Acting Assistant, Secretary Marketing and Regulatory Programs.

[FR Doc. 95-20969 Filed 8-23-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 93-ANE-08]

Airworthiness Directives; Teledyne Continental Motors IO-360, TSIO-360, LTSIO-360, IO-520, and TSIO-520 Series Reciprocating Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

SUMMARY: This notice revises a proposal to issue an airworthiness directive (AD), applicable to certain Teledyne Continental Motors (TCM) IO-360, TSIO-360, LTSIO-360, IO-520, and TSIO-520 series engines. Airworthiness directive 87-23-08 currently requires ultrasonic inspections for sub-surface fatigue cracks in crankshafts installed in TCM IO-520 and TSIO-520 series engines, and replacement of the crankshaft if a crack is found. The proposed AD would have superseded AD 87-23-08 by expanding the applicability of the AD to include IO-360, TSIO-360, LTSIO-360, and LTSIO-520 series engines, requiring the removal of all crankshafts manufactured using the airmelt process on all of the affected engine models, and replacement with crankshafts manufactured using the vacuum arc remelt (VAR) process. The proposed AD would have eliminated the ultrasonic inspections for the TCM IO-520 and TSIO-520 series engines. That proposed rule was prompted by reports of crankshaft failures due to sub-surface fatigue cracking on engines that had been inspected in accordance with the current AD. This action revises the proposed rule by superseding AD 87-23-08 and incorporating the ultrasonic inspection requirements in the proposed AD. The proposed action would still require removal of crankshafts manufactured using the airmelt process and replacement with crankshafts manufactured using the VAR process.

The actions specified by this proposed AD are intended to prevent crankshaft failure and subsequent engine failure.

DATES: Comments must be received by October 23, 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. 93-ANE-08, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may be inspected at this location between 8 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 Teledyne Continental Motors, P.O. Box 90, Mobile, AL 36601; telephone (334) 438-3411. 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: Jerry Robinette, Aerospace Engineer, Atlanta Aircraft Certification Office, FAA, Small Airplane Directorate, Campus Building, 1701 Columbia Ave., Suite 2-160, College Park, GA 30337-2748; telephone (404) 305-7371, fax (404) 305-7348.

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