

PART 959—ONIONS GROWN IN SOUTH TEXAS

1. The authority citation for 7 CFR part 959 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 959.236 is revised to read as follows:

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

§ 959.236 Expenses and assessment rate.

Expenses of \$585,250 by the South Texas Onion Committee are authorized and an assessment rate of \$0.10 per 50-pound container or equivalent of onions is established for the fiscal period ending July 31, 1996. Unexpended funds may be carried over as a reserve.

Dated: December 6, 1995.

Sharon Bomer Lauritsen,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 95–30232 Filed 12–11–95; 8:45 am]

BILLING CODE 3410–02–P

7 CFR Part 1004

[Docket No. AO–160–A71; DA–93–30]

Milk in the Middle Atlantic Marketing Area; Correction

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This document removes the suspension action (DA–95–24) issued on August 17, 1995, and published in the Federal Register on August 24, 1995 (60 FR 43953) in effect under the Middle Atlantic order through February 1996. The suspension is no longer needed because an amended order for that market became effective on December 1, 1995 (60 FR 55309).

EFFECTIVE DATE: December 12, 1995.

FOR FURTHER INFORMATION CONTACT: Gino M. Tosi, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, room 2971, South Building, P.O. Box 96456, Washington, DC 20090–6456 (202) 690–1366.

SUPPLEMENTARY INFORMATION:**Background**

This correction ensures that a suspension scheduled to continue through February 1996 will be removed. The suspension was issued August 17, 1995, and published in the August 24, 1995, Federal Register (60 FR 43953). The provisions affected by the suspension (sections 1004.7 and 1004.12) have been amended, making the suspension unnecessary.

This document removes the suspension action (60 FR 43953) and

ensures that the Code of Federal Regulations will reflect only the amended language (and not the suspended language in the two aforementioned sections of the Middle Atlantic order).

Therefore, under the authority of 7 U.S.C. 601–674, the suspension of provisions of 7 CFR part 1004, published in the Federal Register on August 24, 1995 (60 FR 43953), is lifted effective December 12, 1995.

Dated: December 6, 1995.

Shirley R. Watkins,

Acting Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 95–30231 Filed 12–11–95; 8:45 am]

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7 CFR Part 1099

[DA–95–27]

Milk in the Paducah, KY, Marketing Area; Termination of Certain Provisions of the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This document terminates the remaining administrative provisions of the Paducah, Kentucky, Federal milk marketing order (Order 99), effective upon publication in the Federal Register. All of the monthly operating provisions were terminated as of November 1, 1995, since the terms and provisions of the order no longer effectuated the declared policy of the Act.

EFFECTIVE DATE: December 22, 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 documents in this proceeding: Termination Order: Issued October 23, 1995; published October 31, 1995 (60 FR 55179).

The Regulatory Flexibility Act (5 U.S.C. 601–612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this rule will not have a significant economic impact on a substantial number of small entities. This rule terminates the remaining administrative provisions of the Paducah, Kentucky, order.

The Department is issuing this rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with the rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provisions of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of an order or to be exempted from the order. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

A comment period was not provided since there were no interested parties affected by the termination order.

It is hereby found and determined that § 1099.1 of the Paducah, Kentucky, order does not effectuate the declared policy of the Act.

Statement of Consideration

This rule terminates the remaining administrative provisions of the Paducah, Kentucky, Federal milk order. There currently are no handlers regulated under the Paducah, Kentucky, order. Turner Dairies, the one handler that was regulated under Order 99, became regulated under the Southeast order on September 1, 1995, because of its greater sales into that marketing area. Producers who ship their milk to Turner's Fulton, Kentucky, plant now have their milk pooled under the adjacent Southeast Federal milk order.

Since there were no plants regulated under the Paducah, Kentucky, order, all of the monthly operating provisions were terminated as of November 1, 1995. However, the termination order left intact certain administrative provisions that were embodied, by reference, in § 1099.1 of the order.

The market administrator, in his capacity as the order's liquidating agent, has completed the disbursement of all of the money remaining in the administrative, producer-settlement, and marketing service funds established under the order. Hence, the remaining provisions of the order should be terminated.

Therefore, the aforesaid provisions of § 1099.1 of the order are hereby terminated.

For good cause shown, this rule shall be effective December 22, 1995. Neither a comment period nor a 30-day effective date is provided in that all other provisions of the order were terminated effective November 1, 1995, and no parties are affected by this action.

List of Subjects in 7 CFR Part 1099

Milk marketing orders.

PART 1099—MILK IN THE PADUCAH, KENTUCKY MARKETING AREA [REMOVED]

For the reasons set forth in the preamble and under the authority 7 U.S.C. 601-674, 7 CFR part 1099 is removed

Dated: December 4, 1995.

Shirley R. Watkins,

Acting Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 95-30095 Filed 12-11-95; 8:45 am]

BILLING CODE 3410-02-P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Technical Amendments; Organization and Operation of Federal Credit Unions; Correction

AGENCY: National Credit Union Administration (NCUA).

ACTION: Correction to final regulation.

SUMMARY: This document corrects an inadvertent error in an amendatory instruction to the final regulations which were published Tuesday, November 28, 1995 (60 FR 58502). The regulations consolidated all current regulations and requirements that apply to federally insured state-chartered credit unions in one place, the regulations on requirements for insurance. The error occurred in one of the conforming technical amendments.

EFFECTIVE DATE: January 29, 1996.

FOR FURTHER INFORMATION CONTACT: Hattie M. Ulan, Special Counsel to the General Counsel, 1775 Duke Street, Alexandria, VA 22314, or telephone (703) 518-6544.

SUPPLEMENTARY INFORMATION: In the Federal Register published on November 28, 1995, there was an inadvertent error in an amendatory instruction to the final regulation. The final regulations concern requirements for insurance. However, the error was contained in the instruction for a technical amendment to § 701.21—Loans to members and lines of credit to members. This correction is being made in order to ensure that the final regulation is published correctly in the Code of Federal Regulations.

Correction of Publication

Accordingly, the publication on November 28, 1995 of the final regulations which were the subject of FR Doc. 95-28703, is corrected as follows:

§ 701.21 [Corrected]

On page 58504, column one, the second line of amendatory instruction 3., the word "fourth" is corrected to read "fifth".

Becky Baker,

Secretary, NCUA Board.

[FR Doc. 95-30178 Filed 12-11-95; 8:45 am]

BILLING CODE 7535-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-236-AD; Amendment 39-9457; AD 95-25-11]

Airworthiness Directives; Empresa Brasileira de Aeronautica, S.A. (EMBRAER) Model EMB-120 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; Request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to all EMBRAER Model EMB-120 series airplanes. This action requires revising the FAA-approved Airplane Flight Manual (AFM) to limit the revolutions per minute (RPM) of the propeller during ground operation, and removing and installing a new placard. This AD also requires revising the FAA-approved maintenance program to limit the maximum RPM of the propeller during ground operations. This amendment is prompted by reports of failures of in-service propellers and subsequent testing, which revealed that operating the propeller at or near certain nominal propeller RPM produces high

vibration stress. The actions specified in this AD are intended to limit exposure to high vibration stresses during ground operations under certain weather conditions; this situation could accelerate fatigue cracking if corrosion is present in the propeller, which could lead to the failure of the propeller and subsequent reduced controllability of the airplane.

DATES: Effective December 27, 1995.

Comments for inclusion in the Rules Docket must be received on or before February 12, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-236-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Information concerning this amendment may be obtained from or examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia.

FOR FURTHER INFORMATION CONTACT:

Carla J.W. Worthey, Aerospace Engineer, Flight Test Branch, ACE-116A, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7364; fax (404) 305-7348.

SUPPLEMENTARY INFORMATION: The FAA has received reports of failures of in-service Hamilton Standard 14RF, 14SF, and 6/5500/F series propellers. Result of inspections have revealed internal corrosion in the taper bore and external damage to the shank section on these propellers. Such internal corrosion or external damage reduces the design allowable stress levels of the propeller material. Further inspections revealed that the corrosion and damage is evenly distributed amongst the subject propellers. However, fracturing has occurred predominately on the Hamilton Standard 14RF series propellers installed on EMBRAER Model EMB-120 series airplanes. This disparity has prompted an investigation into operational differences between the airplanes utilizing these propellers.

A vibration/loads survey and analysis was conducted by Hamilton Standard on the Hamilton Standard 14RF series propellers installed on EMBRAER Model EMB-120 series airplanes. The survey and analysis results verified that high vibration stresses could occur on