

# Federal Register

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### WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** Sponsored by the Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
  2. The relationship between the Federal Register and Code of Federal Regulations.
  3. The important elements of typical Federal Register documents.
  4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

### WASHINGTON, DC

- WHEN:** January 23, 1996 at 9:00 am
- WHERE:** Office of the Federal Register Conference Room, 800 North Capitol Street, NW., Washington, DC (3 blocks north of Union Station Metro)
- RESERVATIONS:** 202-523-4538



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# Contents

Federal Register

Vol. 60, No. 8

Thursday, January 11, 1996

**Agriculture Department**

See Grain Inspection, Packers and Stockyards Administration

**NOTICES**

Agency information collection activities:  
Proposed collection; comment request, 1025

**Coast Guard****RULES**

Offshore supply vessels:  
Certification and inspection; conventional OSV's and lifeboats  
Correction, 1035

**Energy Department**

See Federal Energy Regulatory Commission

**NOTICES**

Meetings:  
Environmental Management Site-Specific Advisory Board—  
Kirtland Area Office (Sandia), 1025

**Federal Aviation Administration****PROPOSED RULES**

Airworthiness directives:  
Aerospatiale, 1015–1017  
Airbus, 1017–1024

**Federal Energy Regulatory Commission****NOTICES**

*Applications, hearings, determinations, etc.:*  
Carnegie Interstate Pipeline Co., 1026  
Columbia Gas Transmission Corp., 1026  
Eastern Shore Natural Gas Co., 1026–1027  
Energy Resource Management Corp., 1027  
Global Petroleum Corp., 1027–1028  
Heath Petra Resources, Inc., 1028  
Paragon Gas Marketing, 1028  
Trunkline Gas Co., 1028–1029

**Federal Reserve System****NOTICES**

Meetings; Sunshine Act, 1034  
*Applications, hearings, determinations, etc.:*  
Bauman, Douglas R., et al., 1029  
Butte Bank Shares, Inc., 1029  
Corporacion Bancaria de Espana, 1029–1030  
James River Bankshares, Inc., 1030  
Traxshares, Inc., et al., 1030

**Food and Drug Administration****NOTICES**

Federal regulatory review:  
Grassroots regulatory partnership meetings, 1031  
Human drugs:  
Applications and supplements, environmental assessment; guidance availability, 1031–1032  
Meetings:  
Investigational new biological product trials clinical holds monitoring; review committee, 1032–1033

**General Accounting Office****NOTICES**

Meetings:  
Federal Accounting Standards Advisory Board, 1030–1031

**Grain Inspection, Packers and Stockyards Administration****PROPOSED RULES**

Grain standards:  
Rice; fees, 1013–1015

**Health and Human Services Department**

See Food and Drug Administration

**Internal Revenue Service****RULES**

Practice and administration:  
Retail food stores and wholesale food concerns; employer identification numbersharing  
Correction, 1035

**Public Health Service**

See Food and Drug Administration

**Transportation Department**

See Coast Guard

See Federal Aviation Administration

**Treasury Department**

See Internal Revenue Service

**Reader Aids**

Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

**New Feature in the Reader Aids!**

Beginning with the issue of December 4, 1995, a new listing will appear each day in the Reader Aids section of the Federal Register called "Reminders". The Reminders will have two sections: "Rules Going Into Effect Today" and "Comments Due Next Week". Rules Going Into Effect Today will remind readers about Rules documents published in the past which go into effect "today". Comments Due Next Week will remind readers about impending closing dates for comments on Proposed Rules documents published in past issues. Only those documents published in the Rules and Proposed Rules sections of the Federal Register will be eligible for inclusion in the Reminders.

The Reminders feature is intended as a reader aid only. Neither inclusion nor exclusion in the listing has any legal significance.

The Office of the Federal Register has been compiling data for the Reminders since the issue of November 1, 1995. No documents published prior to November 1, 1995 will be listed in Reminders.

**Electronic Bulletin Board**

Free Electronic Bulletin Board service for Public Law numbers, Federal Register finding aids, and a list of documents on public inspection is available on 202–275–1538 or 275–0920.

**CFR PARTS AFFECTED IN THIS ISSUE**

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A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

**7 CFR**

**Proposed Rules:**

868 .....1013

**14 CFR**

**Proposed Rules:**

39 (2 documents) ....1015, 1017

**26 CFR**

301 .....1035

**46 CFR**

126 .....1035

128 .....1035

131 .....1035

132 .....1035

174 .....1035

175 .....1035

# Proposed Rules

Federal Register

Vol. 61, No. 8

Thursday, January 11, 1996

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### 7 CFR Part 868

#### Fees for Rice Inspection

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Grain Inspection Service (FGIS), of the Grain Inspection, Packers and Stockyards Administration (GIPSA), is proposing to increase the fees for Federal Rice Inspection Services, as performed under the Agricultural Marketing Act (AMA) of 1946. This fee increase is intended to cover, as nearly as practicable, the projected operating costs, including related supervisory and administrative costs, for Federal Rice Inspection Services rendered, and to generate sufficient revenues to cover costs and maintain an appropriate operating reserve.

**DATES:** Written comments must be submitted on or before February 12, 1996.

**ADDRESSES:** Written comments must be submitted to George Wollam, GIPSA-FGIS, USDA, Room 0623-South Building, P.O. Box 96454, Washington, DC, 20090-6454, FAX (202) 720-4628.

All comments received will be made available for public inspection in Room 0623-South Building, 1400 Independence Avenue, SW., Washington, DC, during regular business hours. (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:** George Wollam, address as above, telephone (202) 720-0292.

#### SUPPLEMENTARY INFORMATION:

Executive Order 12866 and Regulatory Flexibility Act

This rule has been determined to be significant for the purposes of Executive Order 12866 and therefore has been reviewed by the Office of Management

and Budget. This proposed increase in the service fees is necessary to recover operating losses in the Federal Rice Inspection Services. These fees were last increased on January 1, 1995, (56 FR 15483) but due to significant increases in expenses, revenue is not covering operating costs. The overall cost of operating the Federal Rice Inspection Service program increased between FY 93 and 94 by more than 9 percent. The cost increase occurred simultaneously with a more than 9 percent downturn in revenue due to fewer service requests. In fiscal year 1994, the program generated revenue of \$3,500,597 with operating costs of \$4,022,194, resulting in a 1-year operating loss of \$521,597. Currently, as of July 31, 1995, the rice program's retained earnings are a negative \$1,046,376.

The Administrator of the Grain Inspection, Packers and Stockyards Administration has determined that this proposed action will not have a significant economic impact on a substantial number of small entities.

#### Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. This action is not intended to have a retroactive effect. This proposed rule will not preempt any State or local laws, regulations, or policies unless they present irreconcilable conflict with this rule. There are no administrative procedures which must be exhausted prior to any judicial challenge to provisions of this rule.

#### Regulatory Flexibility Act Certification

James R. Baker, Administrator, GIPSA, has determined that this proposed rule will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because most users of the rice inspection services do not meet the requirements for small entities. In addition, FGIS is required by statute to recover the costs of providing rice inspection services.

#### Information Collection and Record Keeping Requirements

In compliance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the previously approved information collection and recordkeeping requirements concerning

applications for official inspection services including rice inspections, have been approved by the Office of Management and Budget under control number 0580-0013.

#### Background

The rice inspection fees were last amended on January 1, 1995, (56 FR 15483). These fees were to cover, as nearly as practicable, the level of operating costs as projected for fiscal year 1995. They presently appear in § 868.91 on tables 1 and 2 of the regulations (7 CFR 868.91 (Tables 1 and 2)).

FGIS continually monitors its cost, revenue, and operating reserve levels to ensure that there are sufficient resources for operations. During fiscal years 1992, 1993, and 1994 respectively, FGIS implemented cost-saving measures in an effort to provide more cost effective services. However, while the quantity of rice inspections may fluctuate, certain FGIS costs remain constant, consequently, revenues (\$2,869,010; \$3,758,893; and \$3,500,597) did not cover operating costs (\$3,346,899; \$3,847,762; and \$4,022,194) for fiscal years 1992, 1993, and 1994 respectively. This reflects a reduction to operating reserves for all three fiscal years.

Fiscal year 1994 offers the most current one-year figures available to compare FGIS' rice inspection operating costs with revenue. The figures for this year were used to project the budgeted fiscal year 1995 rice inspection operating costs and establish revenue levels necessary to cover projected operating costs. During the period of October 1, 1994, to July 31, 1995, the actual operating cost was \$3,760,305 and revenue was \$3,438,683, resulting in a reduction in operating reserves of \$321,667. This trend, which is expected to continue, necessitates an increase in fees and an increase to the per hundred weight volume charge for services performed at export port locations on lots at rest in order to recover the projected operating costs and maintain a 3 month operating reserve currently, as of July 31, 1995, at a negative \$1,046,376.

#### Proposed Action

Section 203(h) of the AMA (7 U.S.C. 1622(h)) provides for the establishment and collection of fees that are reasonable and, as nearly as practicable, cover the costs of the services rendered. These

fees cover the FGIS administrative and supervisory costs for the performance of official services, including personnel compensation, personnel benefits, travel, rent, communications, utilities, contractual services, supplies, and equipment.

Section 868.91, Tables 1 and 2 (as currently shown in section 868.91, Tables 1 and 2 of the regulations) are proposed to be revised to provide for the increase in rice inspection fees. A 3-stage increase plan is proposed to raise hourly rates and unit fees by approximately 6 percent for calendar years 1996, 1997, and 1998. These incremental increases will lessen the impact of the amount of increase required to replenish retained earnings

to appropriate levels by spreading it over 3 years.

FGIS will review its cost, revenue, and operating reserve levels to ensure that the fee increases for calendar years 1996, 1997, and 1998, are required at the levels specified and sufficient to maintain official rice inspection services, upon request. In the event a change in the fees is necessary, FGIS will engage in notice and comment rulemaking before making any changes.

List of Subjects in 7 CFR Part 868

Administrative practice and procedure, Agricultural commodities.

For reasons set out in the preamble, 7 CFR Part 868 is proposed to be amended as follows:

**PART 868—GENERAL REGULATIONS AND STANDARDS FOR CERTAIN AGRICULTURAL COMMODITIES**

1. The authority citation for part 868 continues to read as follows:

Authority: Secs. 202–208, 60 Stat. 1087, as amended (7 U.S.C. 1621 *et seq.*)

2. Section 868.91 is revised to read as follows:

**§ 868.91 Fees for certain Federal Rice Inspection Services.**

The fees shown in Tables 1 and 2 apply to Federal Rice Inspection Services.

TABLE 1.—HOURLY RATES/UNIT RATE PER CWT

[Fees for Federal Rice Inspection Services]

Service <sup>1</sup>	Regular workday (Monday-Saturday)	Nonregular workday (Sunday-Holiday)
<b>EFFECTIVE APRIL 1, 1996</b>		
Contract (per hour per Service representative) .....	\$35.80	\$49.80
Noncontract (per hour per Service representative) .....	43.50	60.50
Export Port Services <sup>2</sup> .....	.042/CWT	.042/CWT
<b>EFFECTIVE JANUARY 1, 1997</b>		
Contract (per hour per Service representative) .....	\$37.90	\$52.80
Noncontract (per hour per Service representative) .....	46.10	64.10
Export Port Services <sup>2</sup> .....	.045/CWT	.045/CWT
<b>EFFECTIVE JANUARY 1, 1998</b>		
Contract (per hour per Service representative) .....	\$40.20	\$56.00
Noncontract (per hour per Service representative) .....	48.90	67.90
Export Port Services <sup>2</sup> .....	.048/CWT	.048/CWT

<sup>1</sup> Original and appeal inspection services include: Sampling, grading, weighing, and other services requested by the applicant when performed at the applicant's facility.

<sup>2</sup> Services performed at export port locations on lots at rest.

TABLE 2.—UNIT RATES

Service <sup>1,3</sup>	Rough rice	Brown rice for processing	Milled rice
<b>EFFECTIVE APRIL 1, 1996</b>			
Inspection for quality (per lot, subplot, or sample inspection) .....	\$29.20	\$25.30	\$18.00
Factor analysis for any single factor (per factor):			
(a) Milling yield (per sample) .....	22.70	22.70	.....
(b) All other factors (per factor) .....	10.80	10.80	10.80
Total oil and free fatty acid .....		35.40	35.40
Interpretive line samples: <sup>2</sup>			
(a) Milling degree (per set) .....			75.80
(b) Parboiled light (per sample) .....			19.00
Extra copies of certificates (per copy) .....	3.00	3.00	3.00
<b>EFFECTIVE JANUARY 1, 1997</b>			
Inspection for quality (per lot, subplot, or sample inspection) .....	\$31.00	\$26.80	\$19.10
Factor analysis for any single factor (per factor):			
(a) Milling yield (per sample) .....	24.10	24.10	.....
(b) All other factors (per factor) .....	11.40	11.40	11.40
Total oil and free fatty acid .....		37.50	37.50

TABLE 2.—UNIT RATES—Continued

Service <sup>1, 3</sup>	Rough rice	Brown rice for processing	Milled rice
Interpretive line samples: <sup>2</sup>			
(a) Milling degree (per set) .....	.....	.....	80.30
(b) Parboiled light (per sample) .....	.....	.....	20.10
Extra copies of certificates (per copy) .....	3.00	3.00	3.00
<b>EFFECTIVE JANUARY 1, 1998</b>			
Inspection for quality (per lot, subplot, or sample inspection) .....	\$32.90	\$28.40	\$20.20
Factor analysis for any single factor (per factor):			
(a) Milling yield (per sample) .....	25.50	25.50	.....
(b) All other factors (per factor) .....	12.10	12.10	12.10
Total oil and free fatty acid .....	.....	39.80	39.80
Interpretive line samples: <sup>2</sup>			
(a) Milling degree (per set) .....	.....	.....	85.10
(b) Parboiled light (per sample) .....	.....	.....	21.30
Extra copies of certificates (per copy) .....	3.00	3.00	3.00

<sup>1</sup> Fees apply to determinations (original or appeals) for kind, class, grade, factor analysis, equal to type, milling yield, or any other quality designation as defined in the U.S. Standards for Rice or applicable instructions, whether performed singly or combined at other than at the applicant's facility.

<sup>2</sup> Interpretive line samples may be purchased from the U.S. Department of Agriculture, Federal Grain Inspection Service, Field Management Division, Board of Appeals and Review, USDA, FGIS Technical Center, 10383 North Executive Hills Boulevard, Kansas City, MO 68030. Interpretive line samples also are available for examination at selected FGIS field offices. A list of field offices may be obtained from the Deputy Director, Field Management Division, USDA, GIPSA, FGIS, P.O. Box 96454, Washington, DC 20090-6454. The interpretive line samples illustrate the lower limit for milling degrees only and the color limit for the factor "Parboiled Light" rice.

<sup>3</sup> Fees for other services not referenced in Table 2 will be based on the noncontract hourly rate listed in Section 868.90, Table 1.

Dated: January 3, 1996.

Michael V. Dunn,

*Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 96-325 Filed 1-10-96; 8:45 am]

BILLING CODE 3410-EN-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-NM-84-AD]

#### **Airworthiness Directives; Aerospatiale Model ATR42 Series Airplanes and Model ATR72 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Aerospatiale Model ATR42 series airplanes and Model ATR72 series airplanes. This proposal would require replacement of the attachment clips on the wing-to-fuselage fairings and on the upper cowlings of the engine nacelle with new improved attachment clips. This proposal also would require adding cup washers on the wing-to-fuselage fairing panels on certain airplanes. This proposal is prompted by a report of

deformed attachment clips found on the wing-to-fuselage fairings and on the upper cowlings of the engine nacelle. The actions specified by the proposed AD are intended to prevent deformation of the attachment clips due to insufficient strength of the attachment clip material. Such deformation of the attachment clips could result in the fairings and cowlings detaching from the airplane during flight and subsequently causing damage to the empennage or posing a hazard to persons or property on the ground.

**DATES:** Comments must be received by February 20, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-84-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Gary Lium, Aerospace Engineer,

Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1112; fax (206) 227-1320.

#### **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 shall 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 statement is made: "Comments to Docket Number 95-NM-84-AD." The postcard will be date stamped and returned to the commenter.

#### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-84-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Aerospatiale Model ATR42 series airplanes and Model ATR72 series airplanes. The DGAC advises that it has received a report of deformed attachment clips found on the wing-to-fuselage fairings and on the upper cowlings of the engine nacelle. Investigation has revealed that the attachment clips were deformed due to insufficient strength of the attachment clip material. This condition, if not corrected, could result in the fairings and cowlings detaching from the airplane in flight, and subsequently causing damage to the empennage. Such items departing the airplane could also pose a hazard to persons and property on the ground.

Aerospatiale has issued Service Bulletins ATR42-53-0081, Revision 1, dated December 9, 1994 (for Model ATR42 series airplanes) and ATR72-53-1043, Revision 1, dated December 9, 1994 (for Model ATR72 series airplanes). These service bulletins describe procedures for replacing the existing attachment clips on the wing-to-fuselage fairings and on the upper cowlings of the engine nacelle with new clips that are manufactured with an improved material; this will prevent deformation of the clips. The DGAC classified these service bulletins as mandatory and issued French airworthiness directives 94-162-056(B), dated July 6, 1994 (for Model ATR42 series airplanes); and 94-161-021(B), dated July 6, 1994 (for Model ATR72 series airplanes), in order to assure the continued airworthiness of these airplanes in France.

Aerospatiale also issued Service Bulletins ATR42-53-0082, dated June 6, 1994 (for Model ATR42 series airplanes); and ATR72-53-1044, dated June 6, 1994 (for Model ATR72 series airplanes). These service bulletins describe procedures for adding cup washers under the fastener countersunk

holes, which improve the panel bonding. These service bulletins also describe replacing the clip system with a system equipped with a spring which causes screw head misalignment when the screws are not tightened, which will enable checking to ensure correct installation of these parts. The DGAC has approved these service bulletins, but has not classified them as mandatory.

Those airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of those type designs that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type designs registered in the United States, the proposed AD would require replacement of the existing attachment clips on the wing-to-fuselage fairings and on the engine nacelle upper cowlings with new and improved attachment clips for certain airplanes. The proposed AD would also require adding cup washers under the fastener countersunk holes, as well as, replacement of the existing attachment clips on the wing-to-fuselage fairings and on the engine nacelle upper cowlings with new and improved attachment clips for certain other airplanes. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Operators should note that the applicability of this proposed action would include certain additional airplanes that are not addressed in the corresponding French airworthiness directives, described previously. The FAA has included these additional airplanes since it has determined that the unsafe condition described in this proposed rulemaking action is likely to exist or develop on these airplanes.

The FAA estimates that 145 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 20 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. The manufacturer would provide required parts at no cost

to the operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$174,000, or \$1,200 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. 106(g), 40101, 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

Aerospatiale: Docket 95-NM-84-AD.

*Applicability:* All Model ATR42 series airplanes and Model ATR72 series 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 otherwise 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 (f) 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 deformation of the attachment clips on the wing-to-fuselage fairings and on the upper cowlings of the engine nacelle, which could result in the fairings and cowlings detaching from the airplane during flight and subsequently causing damage to the empennage or posing a hazard to persons or property on the ground, accomplish the following:

(a) For Model ATR42 series airplanes on which Modification 2601 (Aerospatiale Service Bulletin ATR42-53-0063) has been installed: Within 9 months after the effective date of this AD, replace the existing attachment clips at the wing-to-fuselage fairings and the engine nacelle upper cowlings with new attachment clips, in accordance with Aerospatiale Service Bulletin ATR42-53-0081, Revision 1, dated December 9, 1994.

(b) For Model ATR42 series airplanes on which Modification 2601 (Aerospatiale Service Bulletin ATR42-53-0063) has not been installed: Within 9 months after the effective date of this AD, install cup washers (NAS1169C10) on the wing-to-fuselage fairing panels and replace the existing attachment clips at the wing-to-fuselage fairings and the engine nacelle upper cowlings with new attachment clips, in accordance with Aerospatiale Service Bulletin ATR42-53-0082, dated June 6, 1994.

(c) For Model ATR72 series airplanes on which Modification 2601 (Aerospatiale Service Bulletin ATR72-53-1008) has been installed: Within 9 months after the effective date of this AD, replace the existing attachment clips at the wing-to-fuselage fairings and the engine nacelle upper cowlings with new attachment clips, in accordance with Aerospatiale Service Bulletin ATR72-53-1043, Revision 1, dated December 9, 1994.

(d) For Model 72 series airplanes on which Modification 2601 (Aerospatiale Service Bulletin ATR72-53-1008) has not been installed: Within 9 months after the effective date of this AD, install cup washers (NAS1169C10) on the wing-to-fuselage fairing panels and replace the existing attachment clips at the wing-to-fuselage fairings and the engine nacelle upper

cowlings with new attachment clips, in accordance with Aerospatiale Service Bulletin ATR72-53-1044, dated June 6, 1994.

(e) As of the effective date of this AD, no person shall install an attachment clip, part number S539101000000 or part number S5391009400000, on any airplane.

(f) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(g) 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.

Issued in Renton, Washington, on January 4, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-394 Filed 1-10-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 95-NM-275-AD]

#### Airworthiness Directives; Airbus Model A310 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Airbus Model A310 series airplanes. This proposal would require various inspections to detect fatigue cracks at certain locations on the fuselage, horizontal stabilizer, and wings and tail, and repair or modification, if necessary; and installation of doublers. This proposal is prompted by results of full-scale fatigue testing of a Model A310 series airplane, which revealed fatigue cracks at those locations. The actions specified by the proposed AD are intended to prevent reduced structural integrity of the fuselage, horizontal stabilizer, and wings.

**DATES:** Comments must be received by February 20, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation

Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-275-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Philip Forde, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2146; fax (206) 227-1149.

#### 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 shall 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 statement is made: "Comments to Docket Number 95-NM-275-AD." The postcard will be date stamped and returned to the commenter.

##### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No.

95-NM-275-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has notified the FAA that an unsafe condition may exist on all Airbus Model A310 series airplanes. The DGAC advises that results of full-scale fatigue testing of an Airbus Model A310 series airplane have revealed fatigue cracks in various locations on the fuselage, horizontal stabilizer, and wings. Fatigue cracks in those locations, if not detected and corrected in a timely manner, could result in reduced structural integrity of the fuselage, horizontal stabilizer, and wings.

#### Explanation of Service Information

Airbus has issued 16 service bulletins that describe procedures for various inspections to detect fatigue cracks at certain locations on the fuselage, horizontal stabilizer, and wings, and repair or modification, if necessary; and installation of doublers. Five of these service bulletins address fatigue cracking of the fuselage, and are described as follows:

1. Airbus Service Bulletin A310-53-2014, Revision 5, dated June 9, 1992, that describes procedures for an eddy current inspection to detect cracks in certain holes on the doublers at frame 40, and repair, reinspection, or installation of new doublers to reinforce the bottom joint angle fitting at frame 40.

2. Airbus Service Bulletin A310-53-2016, Revision 5, dated December 7, 1992, that describes procedures for defectoscope or rototest inspection to detect cracks in the holes aft of frame 47 at the level of stringer 43; repair, if necessary; and installation of new doublers for local reinforcement. The service bulletin also describes procedures for reducing the thickness of the outer lateral skin panel and the height of the vertical stiffeners. In addition, the service bulletin describes procedures for a defectoscope or rototest inspection to detect cracks in the holes and fillets forward of frame 54 between stringers 33 and 37; repair, if necessary; and installation of new structural doublers. The service bulletin also describes procedures for an X-ray inspection to detect cracks in the holes forward of frame 54, and installation of new doublers, spacers, and stringer splice, if necessary. Accomplishment of certain procedures described in this service bulletin will improve the distribution of stresses due to deformations that cause structural

damage by reinforcing the areas described and by reducing certain thicknesses and lengths of lower skin lateral panel vertical stiffeners.

3. Airbus Service Bulletin A310-53-2054, Revision 2, dated May 22, 1990, that describes procedures for repetitive visual inspections to detect cracks on frame 46 between the left- and right-hand sides of stringers 21 and 22 on the forward and aft faces, and repair, if necessary. The actions described in this service bulletin are required currently by AD 91-13-01, amendment 39-7032 (56 FR 26602, June 10, 1991). The FAA plans to rescind that AD once this proposed rule becomes effective.

4. Airbus Service Bulletin A310-53-2057, Revision 1, dated April 30, 1992, that describes procedures for repetitive visual inspections to detect cracks on stringer 25 at the T-section connecting frame 50A to the beam between the left- and right-hand sides of frames 50 and 51. For airplanes on which any crack is found during the inspection, the service bulletin specifies that Airbus Modification numbers 4853 and 5273 (reference Airbus Service Bulletin A310-53-2011) must be accomplished. Accomplishment of these modifications terminates the repetitive inspections described previously.

5. Airbus Service Bulletin A310-53-2059, dated October 4, 1991, that describes procedures for repetitive visual inspections to detect cracks in the lower milled side panel at the lap joint with the upper side panel on the left- and right-hand sides of stringer 22 at frame 47, and repair, if necessary. Accomplishment of the repair described in this service bulletin or accomplishment of Airbus Modification number 5997 (reference Airbus Service Bulletin A310-53-2058) constitutes terminating action for the repetitive inspections.

Two of the Airbus service bulletins relate to fatigue cracking of the horizontal stabilizer, and are described as follows:

6. Airbus Service Bulletin A310-55-2002, Revision 4, dated April 28, 1989, that describes procedures for an eddy current inspection to detect cracks on the upper integral part adjacent to the rear attach fittings on the horizontal stabilizer, and modification of the horizontal stabilizer, if necessary. The modification involves reinforcing the horizontal stabilizer upper skin with a steel plate and installing modified joining parts.

7. Airbus Service Bulletin A310-55-2004, Revision 2, dated February 7, 1991, that describes procedures for repetitive high frequency eddy current rototest inspections to detect cracks in

specified fastener holes in the top skin chordwise splice along the contour of the steel doubler between ribs 3 and 4 on the left- and right-hand center and side boxes on the horizontal stabilizer.

Nine of the Airbus service bulletins deal with fatigue cracking in the wings and tail, and are described as follows:

8. Airbus Service Bulletin A310-57-2002, Revision 1, dated July 2, 1992, that describes procedures for repetitive detailed visual inspections to detect cracks in the external surface of the wing lower skin around the leading edge landing access panel holes. For certain airplanes, the service bulletin also describes procedures for an eddy current inspection around the affected bolt position to determine crack length and direction.

9. Airbus Service Bulletin A310-57-2006, Revision 2, dated March 28, 1995, that describes procedures for repetitive eddy current inspections to detect cracks in the holes around the overwing refueling aperture at ribs 13 and 14, and repair, if necessary.

10. Airbus Service Bulletin A310-57-2032, Revision 2, dated April 23, 1993, that describes procedures for repetitive detailed visual inspections to detect cracks around the bolts in the upper surface of the wing top skin of the front spar between ribs 7 and 28; and repetitive high frequency eddy current inspections, if necessary.

11. Airbus Service Bulletin A310-57-2037, Revision 2, dated April 23, 1993, that describes procedures for repetitive high frequency eddy current inspections to detect cracks around the attachment bolt heads for the shroud panel landing on the bottom skin aft of the rear spar forward of access door 575CB/675CB.

12. Airbus Service Bulletin A310-57-2039, dated September 24, 1990, that describes procedures for repetitive visual or eddy current inspections to detect cracks on the left and right vertical posts, numbers 1 through 5, in the wing center box at frame 40/41; and accomplishment of the modification specified in Airbus Service Bulletin A310-57-2041, dated September 24, 1990, and subsequent reinspection, if necessary.

13. Airbus Service Bulletin A310-57-2046, Revision 3, dated October 17, 1995, including Appendix 1, that describes procedures for repetitive high frequency eddy current rototest inspections to detect cracks in certain bolt holes where the main landing gear forward pick-up fittings are attached to the rear spar, and repair, if necessary. The actions described in this service bulletin are required currently by AD 91-06-18, amendment 39-6940 (56 FR 10796, March 14, 1991). The FAA plans

to rescind AD 91-06-18 once the final rule for this proposed rule becomes effective.

14. Airbus Service Bulletin A310-57-2047, dated February 26, 1991, that describes procedures for repetitive rotating probe inspections to detect cracks in the fastener holes on the left- and right-hand sides of the rear spar internal angle and tee fitting, and repair, if necessary.

15. Airbus Service Bulletin A310-57-2050, dated April 23, 1990, that describes procedures for a visual or rototest inspection to detect cracks in the drain holes on the lower skin panel in the center wing box between frames 42 and 46, and repetitive inspections or repair, if necessary. (The service bulletin specifies that cold expansion of the holes, as described in Airbus Service Bulletin A310-57-2048, may be accomplished as terminating action for the repetitive inspections.)

16. Airbus Service Bulletin A310-53-2074, Revision 1, dated February 20, 1995, which describes procedures for various types of repetitive inspections to detect cracks, corrosion, and other damage in three main areas of the airplane: the flange of the lower corner fitting and the edge of the outer skin (Area 1); the edges of the longeron, the skin strap, and the outer skin at the runout of the corner fitting above the last eight fasteners (Area 2); and the assembly of the lower corner fitting, the longeron, the skin strap and the skin (Area 3). The service bulletin also specifies procedures for accomplishing certain repairs, if necessary.

The DGAC classified these service bulletins as mandatory and issued Airworthiness Directive 92-106-132(B)R3, dated June 7, 1995, in order to assure the continued airworthiness of these airplanes in France.

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of Section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require various inspections to detect fatigue cracks at certain locations on the fuselage, horizontal stabilizer, and wings and tail, and repair or modification, if necessary; and installation of doublers. Certain actions would be required to be accomplished in accordance with the service bulletins described previously.

Operators should note that although the French AD specifies that the airplane may be operated for 500 landings prior to repair of any crack that extends rearward, paragraph (h)(2)(iii) of this proposed AD would require that such cracking be repaired prior to further flight. The FAA finds that a crack of any length that extends rearward is more critical than a crack that extends forward. (The French AD specifies that a crack that extends forward to the panel edge must be repaired prior to further flight.) The FAA bases its finding on the fact that

cracks extending forward approach an access panel cutout, while cracks that extend rearward approach the front spar of the wing, where the fuel cell is located.

Additionally, operators should note that paragraphs (l)(1) and (l)(2) of this proposed AD would require an eddy current inspection to detect cracking as small as 0.078 inch in the left and right vertical posts in the wing center box at frame 40/41, while the French AD allows a choice of inspection method (visual or eddy current). The FAA finds that there is little likelihood of detecting a crack of that size using a visual inspection technique. The FAA finds that accomplishment of the inspection using an eddy current inspection technique is more likely to ensure that cracking of this size is detected.

Operators also should note that paragraph (p) of this proposed AD would require a rototest inspection to detect cracks as small as 0.0275 inch in the drain holes on the lower skin panel in the center wing box between frames 42 and 46. However, the French AD allows operators to perform the inspection using either a visual or rototest inspection method. In this case, the FAA has determined that there is little probability of detecting a crack of that size using a visual inspection technique. The FAA finds that accomplishment of the inspection using a rototest inspection method is more likely to ensure that cracking of this size is detected.

Cost Estimate

The FAA estimates that 29 airplanes of U.S. registry would be affected by this proposed AD. Approximate work hours to accomplish the proposed actions and costs for required parts are listed in the following table. The average labor rate is \$60 per work hour.

A310 service bulletin No.	Work hours	Parts cost/airplane	Cost/airplane	No. of U.S. airplanes	No. modified
53-2014 .....	78	\$12,121	\$16,801	7	5
53-2016 .....	317	14,282	33,302	12	5
53-2054 .....	11	N/A	660	8	0
53-2057 .....	12	N/A	720	13	0
53-2059 .....	13	N/A	780	17	0
53-2074 .....	268	N/A	16,080	17	0
55-2002 .....	715	34,100	77,000	7	6
55-2004 .....	16	N/A	960	11	0
57-2002 .....	8	N/A	480	6	0
57-2006 .....	52	N/A	3,120	2	0
57-2032 .....	5	N/A	300	6	0
57-2037 .....	2	N/A	120	6	0
57-2039 .....	3	N/A	180	15	0
57-2046 .....	180	N/A	10,800	33	0
57-2047 .....	82	N/A	4,920	24	0
57-2050 .....	24	N/A	1,440	20	0

Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,885,671. However, the FAA has been advised that a certain number of U.S.-registered airplanes already have been modified in accordance with the proposed requirements of this AD. (The numbers of U.S.-registered airplanes that have already been modified are listed under the heading, "Number Modified," in the table above.) Therefore, the future economic cost impact of this rule on U.S. operators is now only \$1,173,156.

The FAA recognizes that the obligation to maintain aircraft in an airworthy condition is vital, but sometimes expensive. Because AD's require specific actions to address specific unsafe conditions, they appear to impose costs that would not otherwise be borne by operators. However, because of the general obligation of operators to maintain aircraft in an airworthy condition, this appearance is deceptive. Attributing those costs solely to the issuance of this AD is unrealistic because, in the interest of maintaining safe aircraft, prudent operators would accomplish the required actions even if they were not required to do so by the AD.

A full cost-benefit analysis has not been accomplished for this proposed AD. As a matter of law, in order to be airworthy, an aircraft must conform to its type design and be in a condition for safe operation. The type design is approved only after the FAA makes a determination that it complies with all applicable airworthiness requirements. In adopting and maintaining those requirements, the FAA has already made the determination that they establish a level of safety that is cost-beneficial. When the FAA, as in this proposed AD, makes a finding of an unsafe condition, this means that the original cost-beneficial level of safety is no longer being achieved and that the proposed actions are necessary to restore that level of safety. Because this level of safety has already been determined to be cost-beneficial, a full cost-benefit analysis for this proposed AD would be redundant and unnecessary.

#### Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient

federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption

#### ADDRESSES.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Airbus Industrie: Docket 95-NM-275-AD.

*Applicability:* All Model A310 series 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 otherwise 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 (r) 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 reduced structural integrity of the fuselage, horizontal stabilizer, and wings, accomplish the following:

(a) For airplanes listed in Airbus Service Bulletin A310-53-2014, Revision 5, dated June 9, 1992: Within 36 months after the effective date of this AD, perform an eddy current inspection to detect cracks in holes K, M, N, O, P, Q, and R on the doublers at frame 40 in accordance with Airbus Service Bulletin A310-53-2014, Revision 5, dated June 9, 1992.

(1) If no crack is found in any doubler, prior to further flight, install new doublers in accordance with the service bulletin.

(2) If any crack is found in any doubler, prior to further flight, inspect to detect cracks in holes M, N, O, P, Q, R, and K in the fuselage or wing lower surface panel using a rotative probe, in accordance with the service bulletin.

(i) If no crack is found in a hole or on the lower surface panel of the wing, prior to further flight, install new doublers in accordance with the service bulletin.

(ii) If any crack is found in a hole or on the lower surface panel of the wing, prior to further flight, repair and reinspect using a rototest or defectoscope rotative probe in accordance with the service bulletin.

(A) If any crack is found during the reinspection, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(B) If no crack is found during the reinspection, prior to further flight, install new doublers in accordance with the service bulletin.

(b) For airplanes listed in Airbus Service Bulletin A310-53-2016, Revision 5, dated December 7, 1992: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, accomplish the requirements of paragraphs (b)(1), (b)(2), (b)(3), and (b)(4) of this AD in accordance with Airbus Service Bulletin A310-53-2016, Revision 5, dated December 7, 1992.

(1) Perform a defectoscope or rototest inspection to detect cracks in the holes aft of frame 47 at the level of stringer 43, in accordance with paragraph 2.B.(1) of the Accomplishment Instructions of Airbus Service Bulletin A310-53-2016, Revision 5, dated December 7, 1992.

(i) If no crack is found, prior to further flight, install new doublers for local reinforcement, in accordance with the service bulletin.

(ii) If any crack is found that is less than or equal to 0.2 mm (0.007 inch), prior to further flight, repair the cracked hole and install new doublers for local reinforcement, in accordance with the service bulletin.

(iii) If any crack is found that is greater than 0.2 mm (0.007 inch), but less than 0.4 mm (0.015 inch), prior to further flight, repair the cracked hole and install new doublers for local reinforcement, in accordance with the service bulletin.

(iv) If any crack is found that is equal to or greater than 0.4 mm (0.015 inch), prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(2) Reduce the thickness of the outer lateral skin panel and the height of the vertical stiffeners in accordance with paragraph 2.B.(3) of the Accomplishment Instructions of the service bulletin.

(3) Perform a defectoscope or rototest inspection to detect cracks in the holes and fillets forward of frame 54 between stringers 33 and 37, in accordance with paragraph 2.B.(4) of the service bulletin.

(i) If no crack is found, prior to further flight, install new doublers for local reinforcement, in accordance with the service bulletin.

(ii) If any crack is found that is less than or equal to 0.2 mm (0.007 inch), prior to further flight, repair the cracked hole and install new doublers for local reinforcement, in accordance with the service bulletin.

(iii) If any crack is found that is greater than 0.2 mm (0.007 inch), but less than 0.4 mm (0.015 inch), prior to further flight, repair the cracked hole and install new doublers for local reinforcement, in accordance with the service bulletin.

(iv) If any crack is found that is equal to or greater than 0.4 mm (0.015 inch), prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(4) Perform an X-ray inspection to detect cracks in the holes forward of frame 54, in accordance with paragraph 2.B.(4) of the service bulletin.

(i) If no crack is found, prior to further flight, install new doublers, spacers, and stringer splice in accordance with the service bulletin.

(ii) If any crack is found, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(c) For airplanes listed in Airbus Service Bulletin A310-53-2054, Revision 2, dated May 22, 1990: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a visual inspection to detect cracks on frame 46 between the left- and right-hand sides of stringers 21 and 22 on the forward and aft faces in accordance with Airbus Service Bulletin A310-53-2054, Revision 2, dated May 22, 1990.

(1) If any crack is found, prior to further flight, repair in accordance with the service bulletin. Accomplishment of the repair terminates the inspection requirements of paragraph (c) of this AD.

(2) If no crack is found, repeat the inspection required by paragraph (c) of this AD thereafter at intervals not to exceed 3,000 landings.

(3) Modification of the reinforcement angle runoff in accordance with Airbus Service Bulletin A310-53-2019, Revision 2, dated May 22, 1990, constitutes terminating action for the repetitive inspections required by paragraph (c)(2) of this AD.

(4) Accomplishment of paragraph (c) of this AD terminates the requirements of AD 91-13-01, amendment 39-7032.

(d) For airplanes listed in Airbus Service Bulletin A310-53-2057, Revision 1, dated April 30, 1992: Perform a visual inspection to detect cracks at the T-section connecting

frame 50A to the beam between the left- and right-hand sides of frames 50 and 51, in accordance with Airbus Service Bulletin A310-53-2057, Revision 1, dated April 30, 1992. Perform the inspection at the time specified in paragraph (d)(1) or (d)(2) of this AD, as applicable. If any crack is found, prior to further flight, accomplish Airbus Modification No. 4853 and No. 5273 in accordance with Airbus Service Bulletin A310-53-2057, Revision 1, dated April 30, 1992. Accomplishment of these modifications terminates the requirements of this paragraph.

(1) For airplane having manufacturer's serial number (MSN) 191: Prior to the accumulation of 24,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later; and thereafter at intervals not to exceed 6,000 landings.

(2) For airplanes other than the airplane identified in paragraph (d)(1) of this AD: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later; and thereafter at intervals not to exceed 6,000 landings.

(e) For airplanes listed in Airbus Service Bulletin A310-53-2059, dated October 4, 1991: Prior to the accumulation of 18,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a visual inspection to detect cracks in the lower milled side panel at the lap joint with the upper side panel on the left- and right-hand sides of stringer 22 at frame 47 in accordance with Airbus Service Bulletin A310-53-2059, dated October 4, 1991.

(1) If no crack is found, repeat the inspection required by paragraph (d) of this AD thereafter at intervals not to exceed 9,000 landings.

(2) If any crack is found that is less than or equal to 15 mm (0.591 inch), accomplish either paragraph (e)(2)(i) or (e)(2)(ii) of this AD.

(i) Perform the repetitive inspections required by paragraph (e)(1) of this AD at intervals not to exceed 4,000 landings. Or

(ii) Prior to further flight, repair in accordance with the service bulletin. No further action is required by paragraph (e) of this AD.

(3) If any crack is found that is greater than 15 mm (0.591 inch), but less than or equal to 20 mm (0.790 inch), accomplish either paragraph (e)(3)(i) or (e)(3)(ii) of this AD.

(i) Perform the repetitive inspections required by paragraph (e)(1) of this AD at intervals not to exceed 2,000 landings. Or

(ii) Prior to further flight, repair in accordance with the service bulletin. No further action is required by paragraph (e) of this AD.

(4) If any crack is found that is greater than 20 mm (0.790 inch), but less than or equal to 50 mm (1.968 inch), prior to further flight, repair in accordance with the service bulletin. No further action is required by paragraph (e) of this AD.

(5) If any crack is found that is greater than 50 mm (1.968 inch), prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch,

ANM-113. No further action is required by paragraph (e) of this AD.

(6) Accomplishment of Modification 5997 in accordance with Airbus Service Bulletin A310-53-2058, Revision 1, dated December 6, 1990, constitutes terminating action for the repetitive inspections required by paragraph (e)(1) of this AD.

(f) For airplanes listed in Airbus Service Bulletin A310-55-2002, Revision 4, dated April 28, 1989: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform an eddy current inspection to detect cracks on the upper integral part adjacent to the rear attach fittings on the horizontal stabilizer, in accordance with Airbus Service Bulletin A310-55-2002, Revision 4, dated April 28, 1989.

(1) If no crack is found, prior to further flight, modify the horizontal stabilizer in accordance with the service bulletin.

(2) If any crack is found, prior to further flight, accomplish paragraph (f)(2)(i) or (f)(2)(ii) of this AD, as applicable.

(i) If the total length of the crack is less than 30 mm (1.181 inch), and if the length of the part of the crack from the center of the fastener hole toward the rear edge of the skin plate is less than 10 mm (0.394 inch): Modify the horizontal stabilizer in accordance with the service bulletin.

(ii) If the total length of the crack is greater than or equal to 30 mm (1.181 inch), and if the length of the part of the crack from the center of the fastener hole toward the rear edge of the skin plate is greater than or equal to 10 mm (0.394 inch): Repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(g) For airplanes listed in Airbus Service Bulletin A310-55-2004, Revision 2, dated February 7, 1991: Perform a high frequency eddy current rototest inspection to detect cracks in specified fastener holes in the top skin chordwise splice along the contour of the steel doubler between ribs 3 and 4 on the left- and right-hand center and side boxes on the horizontal stabilizer in accordance with Airbus Service Bulletin A310-55-2004, Revision 2, dated February 7, 1991, in accordance with the times specified in paragraphs (g)(1), (g)(2), or (g)(3) of this AD, as applicable. If any crack is found during any inspection required by this paragraph, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(1) For airplanes on which Airbus Modification A310-4933 (Airbus Service Bulletin A310-55-2002) was accomplished prior to the accumulation of 6,000 total landings on the airplane: Prior to the accumulation of 18,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later; and thereafter at intervals not to exceed 12,000 landings.

(2) For airplanes on which Airbus Modification A310-4933 (Airbus Service Bulletin A310-55-2002) was accomplished after the accumulation of 6,000 total landings, but prior to the accumulation of 12,000 total landings on the airplane: Prior to the accumulation of 12,000 total landings, or

within 1,000 landings after the effective date of this AD, whichever occurs later; and thereafter at intervals not to exceed 12,000 landings.

(3) For airplanes having manufacturer's serial numbers (MSN) 311 through 414 inclusive on which Airbus Modification A310-4933 was accomplished during production: Prior to the accumulation of 18,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later; and thereafter at intervals not to exceed 12,000 landings.

(h) For airplanes listed in Airbus Service Bulletin A310-57-2002, Revision 1, dated July 2, 1992: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracks in the external surface of the wing lower skin around the leading edge landing access panel holes, in accordance with Airbus Service Bulletin A310-57-2002, Revision 1, dated July 2, 1992.

(1) If no crack is found, repeat this inspection thereafter at intervals not to exceed 3,000 landings.

(2) If any crack is found, accomplish paragraphs (h)(2)(i), (h)(2)(ii), and (h)(2)(iii) of this AD at the times specified in those paragraphs.

(i) If the crack extends from a bolt hole toward the skin edge in a forward direction: Repeat the inspection required by paragraph (h) of this AD thereafter at intervals not to exceed 500 landings.

(ii) If the crack extends in a forward direction and reaches the skin edge: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(iii) If the crack extends in a rearward direction: Prior to further flight, accomplish paragraphs (h)(2)(iii)(A) and (h)(2)(iii)(B) of this AD.

(A) Perform a high frequency eddy current inspection around the affected bolt position to determine crack length and direction, in accordance with the service bulletin. And

(B) Repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(iv) Accomplishment of Airbus Modification 5101 (Airbus Service Bulletin A310-57-2003) terminates the requirements of paragraph (h) of this AD.

(i) For airplanes listed in Airbus Service Bulletin A310-57-2006, Revision 2, dated March 28, 1995: Prior to the accumulation of 6,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later; and thereafter at intervals not to exceed 3,000 landings; perform an eddy current inspection to detect cracks in the holes around the overwing refueling aperture at ribs 13-14, in accordance with Airbus Service Bulletin A310-57-2006, Revision 2, dated March 28, 1995.

(1) If any crack is found that is confined to the inside edge of the bolt hole (extending from the bolt hole toward the cap aperture): Prior to the accumulation of 250 additional landings after finding the crack, accomplish the requirements of paragraphs (i)(1)(i) and (i)(1)(ii) of this AD.

(i) Perform a non-destructive testing (NDT) inspection to ensure that cracking has not initiated from the other side of the bolt holes extending away from the direction of the aperture, in accordance with the service bulletin. If any such crack has initiated, prior to further flight, repair in accordance with paragraph (i)(2) of this AD.

(ii) Accomplish Airbus Modification 5891H5128 (reference Airbus Service Bulletin A310-57-2020) in accordance with Airbus Service Bulletin A310-57-2006, Revision 2, dated March 28, 1995.

(2) If any crack is found in a bolt hole, and that crack extends away from the direction of the aperture: Prior to further flight, accomplish paragraph (i)(2)(i) or (i)(2)(ii) of this AD, as applicable.

(i) If the crack extends 1 mm (0.04 inch) or less into the material beyond the bolt hole, blend in accordance with the service bulletin.

(A) If the crack can still be detected following initial blending, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(B) If the crack is completely removed following initial blending, prior to further flight, accomplish Airbus Modification 5891H5128 (reference Airbus Service Bulletin A310-57-2020) in accordance with Airbus Service Bulletin A310-57-2006, Revision 2, dated March 28, 1995.

(ii) If the crack extends more than 1 mm (0.04 inch) into the material beyond the bolt hole, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(j) For airplanes listed in Airbus Service Bulletin A310-57-2032, Revision 2, dated April 23, 1993: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracks around the bolts in the wing top skin upper surface of the front spar between rib 7 and rib 28, in accordance with Airbus Service Bulletin A310-57-2032, Revision 2, dated April 23, 1993.

(1) If no crack is found, repeat this inspection thereafter at intervals not to exceed 4,500 landings.

(2) If any crack is found: Accomplish paragraph (j)(2)(i), (j)(2)(ii), or (j)(2)(iii) of this AD, as applicable, at the times specified in those paragraphs.

(i) If the crack extends from a bolt hole toward the skin edge in a forward direction: Within 250 landings after finding the crack, perform a high frequency eddy current inspection to detect cracks, in accordance with the service bulletin; and repeat that inspection thereafter at intervals not to exceed 250 landings.

(ii) If the crack extends in a forward direction and reaches the skin edge: Within 250 landings after finding the crack, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(iii) If the crack extends in a rearward direction: Prior to further flight, perform a high frequency eddy current inspection to determine the length of the crack, in accordance with the service bulletin.

(A) If the crack measures 10 mm (0.394 inch) or less in length, within 50 landings after finding the crack, repeat the high frequency eddy current inspection required by paragraph (j)(2)(iii) of this AD. Repeat that eddy current inspection thereafter at intervals not to exceed 50 landings. Prior to the accumulation of 250 landings, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(B) If the crack measures more than 10 mm (0.394 inch) in length, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(iv) Accomplishment of Airbus Modification 5026H0878 (Airbus Service Bulletin A310-57-2005) terminates the requirements of paragraph (j) of this AD.

(k) For airplanes listed in Airbus Service Bulletin A310-57-2037, Revision 2, dated April 23, 1993: Prior to the accumulation of 12,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a high frequency eddy current inspection to detect cracks around the attachment bolt heads for the shroud panel landing on the bottom skin aft of the rear spar, forward of access door 575CB/675CB, in accordance with Airbus Service Bulletin A310-57-2037, Revision 2, dated April 23, 1993.

(1) If no crack is found, repeat this inspection thereafter at intervals not to exceed 3,000 landings.

(2) If any crack is found that extends from a bolt hole toward the skin edge in a rearward direction: Within 250 landings after finding the crack, repeat the inspection required by paragraph (k) of this AD. Repeat that inspection thereafter at intervals not to exceed 250 landings.

(3) If any crack is found that extends in a rearward direction and reaches the skin edge: Within 250 landings after finding the crack, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(4) If any crack is found that extends in a forward direction toward the rear spar, prior to further flight, perform a high frequency eddy current inspection to determine the length of the crack, in accordance with the service bulletin.

(i) If the crack measures 10 mm (0.394 inch) or less in length, within 50 landings after finding the crack, repeat the high frequency eddy current inspection required by paragraph (k)(3) of this AD. Repeat that eddy current inspection thereafter at intervals not to exceed 50 landings. Prior to the accumulation of 250 landings, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(ii) If the crack measures more than 10 mm (0.394 inch) in length, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(l) For airplanes listed in Airbus Service Bulletin A310-57-2039, dated September 24, 1990: Accomplish paragraph (l)(1) or (l)(2) of this AD, as applicable, in accordance with Airbus Service Bulletin A310-57-2039, dated September 24, 1990.

(l) For airplanes on which Airbus Modification 7541/S7973 (reference Airbus

Service Bulletin A310-57-2041) has not been accomplished: Prior to the accumulation of 21,000 total landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform an eddy current inspection to detect cracks on the left and right vertical posts, numbers 1 through 5 inclusive, in the wing center box at frame 40/41, in accordance with the service bulletin.

(i) If no crack is found, repeat the inspection thereafter at intervals not to exceed 7,500 landings.

(ii) If any crack is found that is 2 mm (0.078 inch) or less in length, prior to further flight, accomplish the modification specified in Airbus Service Bulletin A310-57-2041, dated September 24, 1990, in accordance with Airbus Service Bulletin A310-57-2039, dated September 24, 1990; and perform the repetitive inspections required by paragraph (l)(1)(i) of this AD.

(iii) If any crack is found that is more than 2 mm (0.078 inch) in length, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(2) For airplanes on which Airbus Modification 7541/S7973 (reference Airbus Service Bulletin A310-57-2041) has been accomplished: Perform an eddy current inspection to detect cracks on the left and right vertical posts, numbers 1 through 5 inclusive, in the wing center box at frame 40/41, in accordance with Airbus Service Bulletin A310-57-2039, dated September 24, 1990, at the times specified in the graph contained in NOTE 1 of paragraph 1.A.(2) of that service bulletin, or within 1,000 landings after the effective date of this AD, whichever occurs later.

(i) If no crack is found, repeat the inspection thereafter at intervals not to exceed 8,600 landings.

(ii) If any crack is found that is 2 mm (0.078 inch) or less in length, prior to further flight, accomplish the modification specified in Airbus Service Bulletin A310-57-2041, dated September 24, 1990, in accordance with Airbus Service Bulletin A310-57-2039, dated September 24, 1990; and perform the repetitive inspections required by paragraph (l)(2)(i) of this AD.

(iii) If any crack is found that is more than 2 mm (0.078 inch) in length, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(m) For Model A310-200 series airplanes on which Airbus Modification 7925H1113 has not been accomplished: Prior to the accumulation of 12,000 landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a high frequency eddy current rototest inspection to detect cracks in certain bolt holes where the main landing gear forward pick-up fitting is attached to the rear spar, in accordance with Airbus Service Bulletin A310-57-2046, Revision 3, dated October 17, 1995, including Appendix 1. Accomplishment of paragraph (m) of this AD terminates the requirements of AD 91-06-18, amendment 39-6940.

(1) If no crack is found, accomplish either paragraph (m)(1)(i) or (m)(1)(ii) of this AD in accordance with the service bulletin at the time specified in that paragraph.

(i) Repeat the inspection of the bolt/stud holes only thereafter at intervals not to exceed 5,000 landings. Or

(ii) Within 18,000 landings after accomplishing the inspection required by paragraph (m) of this AD, reinspect and cold-expand the bolt/stud holes, and accomplish Airbus Modification 7925H1113. Thereafter, repeat the inspection at intervals not to exceed 12,000 landings.

Note 2: Airbus Service Bulletin A310-57-2046, Revision 3, dated October 17, 1995, including Appendix 1, references Airbus Service Bulletin A310-57-2049 or Repair Instruction R571-49305 for additional information concerning accomplishment of Airbus Modification 7925H1113.

(2) If any crack is found, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(n) For Model A310-300 series airplanes on which Airbus Modification 7925H1113 has not been accomplished: Prior to the accumulation of 9,000 landings, or within 1,000 landings after the effective date of this AD, whichever occurs later, perform a high frequency eddy current rototest inspection to detect cracks in certain bolt holes where the main landing gear forward pick-up fitting is attached to the rear spar, in accordance with Airbus Service Bulletin A310-57-2046, Revision 3, dated October 17, 1995, including Appendix 1. Accomplishment of paragraph (n) of this AD terminates the requirements of AD 91-06-18, amendment 39-6940.

(1) If no crack is found, accomplish either paragraph (n)(1)(i) or (n)(1)(ii) of this AD in accordance with the service bulletin at the time specified in that paragraph.

(i) Repeat the inspection of the bolt/stud holes only thereafter at intervals not to exceed 4,300 landings. Or

(ii) Within 15,000 landings after accomplishing the inspection required by paragraph (n) of this AD, reinspect and cold-expand the bolt/stud holes, and accomplish Airbus Modification 7925H1113. Thereafter, repeat the inspection at intervals not to exceed 9,500 landings.

Note 3: Airbus Service Bulletin A310-57-2046, Revision 3, dated October 17, 1995, including Appendix 1, references Airbus Service Bulletin A310-57-2049 or Repair Instruction R571-49305 for additional information concerning accomplishment of Airbus Modification 7925H1113.

(2) If any crack is found, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(o) For airplanes listed in Airbus Service Bulletin A310-57-2047, dated February 26, 1991: Perform a rotating probe inspection to detect cracks in the fastener holes on the left- and right-hand sides of the rear spar internal angle and tee fitting, in accordance with Airbus Service Bulletin A310-57-2047, dated February 26, 1991, at the time specified in NOTE 2 of paragraph 1.A.(2) of the service bulletin, or within 1,000 landings after the effective date of this AD, whichever occurs later.

(1) If no crack is found, repeat this inspection thereafter at the intervals

specified in NOTE 2 of paragraph 1.A.(2) of the service bulletin.

(2) If any crack is found and a repair for a crack of that length is specified in the service bulletin, prior to further flight, repair in accordance with the service bulletin.

(3) If any crack is found, and no repair for a crack of that length is specified in the service bulletin, or if the crack is of a length for which the service bulletin specifies that the operator should contact Airbus before the next flight: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113. Where differences between the service bulletin and this AD exist, the AD prevails.

(p) For airplanes listed in Airbus Service Bulletin A310-57-2050, dated April 23, 1990: Perform a rototest inspection to detect cracks in the drain holes on the lower skin panel in the center wing box between frames 42 and 46, in accordance with Airbus Service Bulletin A310-57-2050, dated April 23, 1990, at the time specified in NOTE 1 of paragraph 1.A.(2) of the service bulletin, or within 1,000 landings after the effective date of this AD, whichever occurs later.

(1) If no crack is found, repeat this inspection thereafter at intervals not to exceed those specified in NOTE 1 of paragraph 1.A.(2) of the service bulletin, as applicable.

(2) If any crack is found and a repair for a crack of that length and type is specified in the service bulletin, prior to further flight, repair in accordance with the service bulletin.

(3) If any crack is found, and no repair for a crack of that length and type is specified in the service bulletin, or if the service bulletin specifies that the operator should contact Airbus before the next flight, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113. Where differences between the service bulletin and this AD exist, the AD prevails.

(4) Accomplishment of cold expansion of the drain holes, in accordance with the procedures described in Airbus Service Bulletin A310-57-2048, dated April 23, 1990, as revised by Change Notice O.A., dated June 29, 1990, and Change Notice O.C., dated May 31, 1991, constitutes terminating action for the repetitive inspections required by paragraph (o)(1) of this AD.

(q) For airplanes listed in Airbus Service Bulletin A310-53-2074, Revision 1, dated February 20, 1995: Accomplish the requirements of paragraphs (q)(1), (q)(2), (q)(3), and (q)(4) of this AD in accordance with Airbus Service Bulletin A310-57-2074, Revision 1, dated February 20, 1995. Accomplish these requirements at the time specified in Table 2 of paragraph 1.C.(4) of the service bulletin, or within 1,000 landings after the effective date of this AD, whichever occurs later.

(1) Perform a visual inspection to detect damaged sealant between frames 87 and 89 and between stringers 24 and 27 (left- and right-hand). If any damaged sealant is found, prior to further flight, repair in accordance with the service bulletin.

(2) Perform a visual inspection to detect cracks and corrosion in the lower horizontal

stabilizer cutout longeron, the corner fitting, the skin strap, and the outer skin between frames 87 and 89 and between stringers 24 and 27 (left- and right-hand).

(i) If no crack or corrosion is found, repeat the visual inspection thereafter at intervals not to exceed those specified in Table 2 of paragraph 1.C.(4) of the service bulletin, as applicable.

(ii) If any corrosion is found, prior to further flight, treat the affected area in accordance with the service bulletin.

(iii) If any crack is found, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(3) Perform an eddy current inspection to detect cracks in the flanges of the lower corner fitting and the edges of the outer skin (left- and right-hand).

(i) If no crack is found, repeat the eddy current inspection thereafter at intervals not to exceed those specified in Table 2 of paragraph 1.C.(4) of the service bulletin, as applicable.

(ii) If any crack is found and a repair for a crack of that length or type is specified in the service bulletin, prior to further flight, repair in accordance with the service bulletin.

(iii) If any crack is found, and no repair for a crack of that length or type is specified in the service bulletin, or if the crack is of a length or type for which the service bulletin specifies that the operator should contact Airbus before the next flight, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113. Where differences between the service bulletin and this AD exist, the AD prevails.

(4) Perform an eddy current inspection to detect cracks in the edges of the longeron, the

skin strap, and the outer skin at the runout of the corner fitting above the last eight fasteners (left- and right-hand).

(i) If no crack is found, repeat the eddy current inspection thereafter at intervals not to exceed those specified in Table 2 of paragraph 1.C.(4) of the service bulletin, as applicable.

(ii) If any crack is found, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(5) Remove the fasteners from the assembly of the lower corner fitting, the longeron, the skin strap, and the skin (left- and right-hand); perform a rotating probe inspection of the fastener holes.

(i) If no crack is found, cold work the fastener holes together with countersinks, ream the holes, and install the fasteners in accordance with the service bulletin.

(A) For inspection Area 3, as specified in the service bulletin: If the cold work procedure is not performed prior to the threshold specified in Table 2 of paragraph 1.C.(4) of the service bulletin, as applicable, no further inspection is required by this paragraph.

(B) For inspection Area 3, as specified in the service bulletin: If the cold work procedure is performed prior to the threshold specified in Table 2 of paragraph 1.C.(4) of the service bulletin, as applicable, reinspect at the times specified by and in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(ii) If any crack is found and a repair for a crack of that length or type is specified in the service bulletin, prior to further flight, repair in accordance with the service bulletin.

(iii) If any crack is found, and no repair for a crack of that length or type is specified in

the service bulletin, or if the crack is of a length or type for which the service bulletin specifies that the operator should contact Airbus before the next flight, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113. Where differences between the service bulletin and this AD exist, the AD prevails.

(r) 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, Manager, Standardization Branch, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(s) Special flight permits may be issued in accordance with Federal Aviation Regulations (FAR) 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on January 4, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.*

[FR Doc. 96-395 Filed 1-10-96; 8:45 am]

**BILLING CODE 4910-13-U**

# Notices

Federal Register

Vol. 61, No. 8

Thursday, January 11, 1996

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act

January 5, 1996.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 and to Department Clearance Officer, USDA, OIRM, AG Box 7630, Washington, DC 20250-7630. Copies of the submission(s) may be obtained by calling (202) 720-6204 or (202) 720-6746.

#### Rural Utilities Service

**Title:** Use of Consultants Funded by Borrowers

**Summary:** Section 18(C) of the RE Act (7 U.S.C. 918(C)) authorizes RUS to use consultants voluntarily funded by borrowers for financial, legal engineering, and other technical services. The consultants may be used to facilitate timely action on applications by borrowers for financial assistance and for approvals required by FUS pursuant to the terms of outstanding loan or security instruments or otherwise.

**Need and Use of the Information:** The information will be used by RUS to determine whether it is appropriate to use a consultant voluntarily funded by the borrower to expedite a particular borrower application.

**Description of Respondents:** Business or other for-profit; Not-for-profit institutions.

**Number of Respondents:** 6.

**Frequency of Responses:** Reporting—On occasion.

**Total Burden Hours:** 12.

Donald Hulcher,

Deputy Departmental Clearance Officer.

[FR Doc. 96-408 Filed 1-10-96; 8:45 am]

BILLING CODE 3410-01-M

## DEPARTMENT OF ENERGY

### Environmental Management Site-Specific Advisory Board, Kirtland Area Office (Sandia); Open Meeting

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board, Kirtland Area Office (Sandia).

**DATES:** Wednesday, January 17, 1996: 6:50 pm—9:30 pm (Mountain Standard Time).

**ADDRESSES:** Indian Pueblo Cultural Center, 2401 12th St. NW, Albuquerque, NM.

**FOR FURTHER INFORMATION CONTACT:** Mike Zamorski, Acting Manager, Department of Energy Kirtland Area Office, P.O. Box 5400, Albuquerque, NM 87185 (505) 845-4094.

**SUPPLEMENTARY INFORMATION:** Purpose of the Board: The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda:

6:50 pm Public Comment Period  
 7:00 pm Meeting Overview  
 7:05 pm Approval of Agenda  
 7:10 pm Approval of 11/15/95 & 12/20/95 Minutes  
 7:15 pm By-laws Approval  
 7:35 pm Reports  
 7:45 pm TCE Ground Water Contamination Update  
 7:55 pm Break  
 8:05 pm DOE FY98 Budget Formulation  
 8:50 pm Future Land Use Withdrawn Area Overview  
 9:00 pm EA of ER Project at SNL/NM Overview

9:05 pm Draft EIS: Medical Isotopes Overview

9:20 pm New/Other Business

9:25 pm Public Comment

9:30 pm Adjourn

A final agenda will be available at the meeting Wednesday, January 17, 1996.

**Public Participation:** The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Mike Zamorski's office at the address or telephone number listed above.

Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments. This notice is being published less than 15 days before the date of the meeting, due to programmatic issues that had to be resolved prior to publication.

**Minutes:** The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585 between 9:00 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to Mike Zamorski, Department of Energy Kirtland Area Office, P.O. Box 5400, Albuquerque, NM 87185, or by calling (505) 845-4094.

Issued at Washington, DC on January 5, 1996.

Rachel M. Samuel,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96-396 Filed 1-10-96; 8:45 am]

BILLING CODE 6450-01-P

**Federal Energy Regulatory  
Commission**

[Docket No. RP96-110-000]

**Carnegie Interstate Pipeline Company;  
Notice of Proposed Changes in FERC  
Gas Tariff**

January 5, 1996.

Take notice that on January 2, 1996, Carnegie Interstate Pipeline Company (CIPCO) tendered for filing to become part of its FERC Gas Tariff, Original Volume No. 1, the following revised tariff sheet, to become effective on February 1, 1996:

Fifth Revised Sheet No. 7

CIPCO states that this is its quarterly filing pursuant to Section 32.2 of the General Terms and Conditions of its FERC Gas Tariff to reflect prospective changes in transportation costs associated with unassigned upstream capacity held by CIPCO on Texas Eastern Transmission Corporation ("Texas Eastern") for the 3-month period commencing February 1, 1996 and ending April 30, 1996. The filing reflects an increase in the Transportation Cost Rate ("TCR") from \$1.1162 to \$1.2286. The new TCR includes a TCR Adjustment of \$1.7191 and a TCR Surcharge credit of \$0.4905.

CIPCO states that copies of its filing were served on all jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Section 385.214 and 385.211 of the Commission's Rules and Regulations. Pursuant to Section 154.210 of the Commission's Regulations, all such motions or protests must be filed not later than 12 days after the date of the filing noted above. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

Lois D. Cashell,  
Secretary.

[FR Doc. 96-404 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP96-126-000]

**Columbia Gas Transmission  
Corporation; Notice of Application**

January 5, 1996.

Take notice that on December 29, 1995, Columbia Gas Transmission Corporation (Columbia), PO Box 1273, 1700 MacCorkle Avenue SE., Charleston, West Virginia 26031, filed in an abbreviated application pursuant to Sections 7(b) and 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing Columbia to construct and operate certain natural gas replacement facilities and permission to abandon the facilities being replaced.

Columbia seeks authorization to construct and operate approximately 11.7 miles of 20-inch pipeline and appurtenances and authorization for the retirement of approximately 11.7 miles of 16-inch pipeline and appurtenances designated as Columbia's Line 1740 in Gilmer County, West Virginia.

The replacement with larger diameter pipe for continuity purposes will result in an increase in capacity of 21,800 Dth/d over a relatively short distance of Line 1740 which Columbia will post for short-term release in accordance with its tariff. Columbia states that the deteriorated pipeline requires replacement in order to assure continued service to its customers and the integrity of the line. Columbia does not request authorization for any new or additional service. The estimated cost of the proposed construction is \$11,350,100 and will be financed with funds generated from internal sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 25, 1996, file with the Federal Energy Regulatory Commission Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceedings. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and Commission's Rules of Practice

and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Columbia to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 96-405 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP96-128-000]

**Eastern Shore Natural Gas Company;  
Notice of Filing**

January 5, 1996.

Take notice that on December 29, 1995, Eastern Shore Natural Gas Company (Eastern Shore), tendered for filing pursuant to Sections 7 (b) and (c) of the Natural Gas Act, 15 U.S.C. § 717f (b) and (c), its abbreviated application for a blanket certificate of public convenience and necessity authorizing the transportation of natural gas on behalf of others under Subpart G of Part 284 of the Commission's Regulations at 18 CFR 284.221 *et seq.* Eastern Shore also has submitted Pro Forma Tariff Sheets implementing its initial restructuring filing pursuant to Section 284.14 of the Commission's Regulations, 18 CFR 284.14, which implements the final rule in Docket No. RM91-11-000, *Pipeline Service Obligations and Revisions to Regulations governing Self-Implementing Transportation Under Part 284 of the Commission's Regulations*, III FERC Stats. & Regs. ¶ 30,939 (1992) (Order No. 636, as amended by Order Nos. 636-A and 636-B, hereinafter "Order No. 636"), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Eastern Shore states that in accordance with Order No. 636, it proposes to unbundle the sales and storage services it currently provides. Customers receiving firm bundled sales and storage services on Eastern Shore (Converting Customers) will receive entitlements to firm transportation service on Eastern Shore's pipeline system in a quantity equivalent to their current firm service rights. Eastern shore

will assign to the Converting Customers the firm transportation capacity, including contract storage, it holds on its upstream pipelines so that the Converting Customers can become direct customers of such upstream pipelines. Converting Customers who previously received bundled sales service having no-notice characteristics and customers receiving firm transportation service under Rate Schedule T-1 will have the right to elect either conventional notice or no-notice firm transportation service.

With respect to cost classification, allocation, and rate design, Eastern Shore proposes to implement straight fixed variable cost classification and postage stamp rates. In order to accomplish a change from its current modified fixed variable rate design, Eastern Shore states that it will make a Section 4 rate filing, on or about May 1, 1996, which would also be coordinated with its pending certificate filing in Docket No. CP96-97-000, wherein Eastern Shore seeks authorization to construct and operate a new compressor station to stabilize and increase system capacity.

Also, as part of its restructuring filing, Eastern Shore requests authorization, pursuant to Section 7(b) of the Natural Gas Act and 18 CFR 284.14(d), to abandon service under its existing rate Schedules CD-1, CD-E, G-1, I-1, E-1, GSS-1, LSS, WSS-1, LGA-1, CFSS, CWS, and T-1. Eastern Shore requests that the effective date of the authorizations sought in the instant filing be no earlier than the in-service date of the facilities included in Docket No. CP96-97-000.

Eastern Shore states that copies of its filing have been served upon its customers and the regulatory commissions of the states of Delaware and Maryland.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 26, 1996, file with the Federal Energy Regulatory Commission, Washington DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act, 18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in, and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Eastern Shore to appear or be represented at the hearing.

Lois D. Cashell,

*Secretary.*

[FR Doc. 96-406 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-358-000]

**Energy Resource Management Corporation; Notice of Issuance of Order**

January 5, 1996.

On November 14, 1995, Energy Resource Management Corporation (ERMC) submitted for filing a rate schedule under which ERMC will engage in wholesale electric power and energy transactions as a marketer. ERMC also requested waiver of various Commission regulations. In particular, ERMC requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by ERMC.

On December 20, 1995, pursuant to delegated authority, the Director, Division of Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by ERMC should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, ERMC is authorized to issue

securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of ERMC's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 19, 1996. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426.

Lois D. Cashell,

*Secretary.*

[FR Doc. 96-400 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-359-000 and ER94-1328-006]

**Global Petroleum Corp; Notice of Issuance of Order**

January 5, 1996.

On November 5, 1995, Global Petroleum Corp. (Global) submitted for filing a rate schedule under which Global will engage in wholesale electric power and energy transactions as a marketer. Global also requested waiver of various Commission regulations. In particular, Global requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by Global.

On December 20, 1995, pursuant to delegated authority, the Director, Division of Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Global should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, Global is authorized to issue securities and assume obligations or

liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Global's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 19, 1996. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street NE., Washington, DC 20426.

Lois D. Cashell,  
*Secretary.*

[FR Doc. 96-399 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER96-381-000]

**Heath Petra Resources, Inc.; Notice of Issuance of Order**

January 5, 1996.

On November 16, 1995, Heath Petra Resources, Inc. (Heath Petra) submitted for filing a rate schedule under which Heath Petra will engage in wholesale electric power and energy transactions as a marketer. Heath Petra also requested waiver of various Commission regulations. In particular, Heath Petra requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by Heath Petra.

On December 20, 1995, pursuant to delegated authority, the Director, Division of Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Heath Petra should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, Heath Petra is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser,

surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Heath Petra's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 19, 1996. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street NE., Washington DC 20426.

Lois D. Cashell,  
*Secretary.*

[FR Doc. 96-402 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

**Paragon Gas Marketing; Notice of Issuance of Order**

[Docket No. ER96-380-000]

January 5, 1996.

On November 16, 1995, Paragon Gas Marketing (Paragon) submitted for filing a rate schedule under which Paragon will engage in wholesale electric power and energy transactions as a marketer. Paragon also requested waiver of various Commission regulations. In particular, Paragon requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by Paragon.

On December 20, 1995, pursuant to delegated authority, the Director, Division of Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Paragon should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, Paragon is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any

security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Paragon's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 19, 1996. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street NE., Washington, DC 20426.

Lois D. Cashell,  
*Secretary.*

[FR Doc. 96-401; Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. GT96-42-000]

**Trunkline Gas Company; Notice of Proposed Changes in FERC Gas Tariff**

January 5, 1996.

Take notice that on January 3, 1996, Trunkline Gas Company (Trunkline) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1 revised tariff sheets, as listed on Appendix A attached to the filing, proposed to be effective November 1, and December 1, 1994; and January 1, January 15, March 1, April 1, June 1, July 1, and October 1, 1995.

Trunkline states the revised tariff sheets reflect updates to the Index of Firm Customers.

Trunkline states that a copy of this filing was mailed to affected shippers and interested state regulatory agencies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. Pursuant to Section 154.210 of the Commission's Regulations, all such motions or protests must be filed not later than 12 days after the date of the filing noted above.

Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are

available for public inspection in the Public Reference Room.

Lois D. Cashell,  
Secretary.

[FR Doc. 96-403 Filed 1-10-96; 8:45 am]

BILLING CODE 6717-01-M

## FEDERAL RESERVE SYSTEM

### **Douglas R. Bauman, et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies**

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than January 25, 1996.

A. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:  
1. *Douglas R. Bauman*, Apple Valley, Minnesota, and James D. Bauman, Farmington, Minnesota; each to acquire an additional 8.33 percent, for a total of 25.00 percent; Kathleen A. Murray, Irving, Texas, to acquire a total of 25.00 percent; and Robert K. Bauman, Kerkhoven, Minnesota; to acquire an additional 8.08 percent, for a total of 25.00 percent, of the voting shares of Kerkhoven Bancshares, Inc., Kerkhoven, Minnesota, and thereby indirectly acquire State Bank of Kerkhoven, Kerkhoven, Minnesota.

B. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Robert H. Croak*, Midwest City, Oklahoma; to acquire an additional 2.79 percent, for a total of 34.97 percent, of the voting shares of First Midwest Bancorp, Inc., Midwest City, Oklahoma, and thereby indirectly acquire First National Bank of Midwest City, Midwest City, Oklahoma.

2. *Roger D. Durant and Rita J. Durant*, both of Cameron, Missouri; to acquire an additional 42.14 percent, for a total of 51.14 percent, of the voting shares of Osborn Bancshares, Inc., Osborn,

Missouri, and thereby indirectly acquire Horizon State Bank, Cameron, Missouri.

Board of Governors of the Federal Reserve System, January 5, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96-411 Filed 1-10-96; 8:45 am]

BILLING CODE 6210-01-F

### **Butte Bank Shares, Inc.; Formation of, Acquisition by, or Merger of Bank Holding Companies**

The company listed in this notice has applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that application or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Comments regarding this application must be received not later than February 5, 1996.

A. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Butte Bank Shares, Inc.*, Butte, Montana; to become a bank holding company by acquiring at least 80 percent of the voting shares of First Citizens Bank of Butte, Butte, Montana.

Board of Governors of the Federal Reserve System, January 5, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96-412 Filed 1-10-96; 8:45 am]

BILLING CODE 6210-01-F

### **Corporacion Bancaria de Espana; Notice to Engage in Certain Nonbanking Activities**

Corporacion Bancaria de Espana, S.A., Madrid, Spain (Notificant), has provided notice pursuant to section 4(c)(8) of the Bank Holding Company

Act (12 U.S.C. 1843(c)(8)) (BHC Act) and section 225.23(a)(3) of the Board's Regulation Y (12 CFR 225.23(a)(3)), to engage *de novo* through its indirect subsidiary, Argentaria International Securities, Inc., New York, New York, in the following nonbanking activities:

- (1) Providing investment and financial advisory services;
- (2) Providing full service brokerage services;
- (3) Acting as agent in the private placement of all types of securities; and
- (4) Acting as riskless principal in the purchase and sale of all types of securities on behalf of customers.

These activities would be conducted worldwide.

Notificant maintains that the Board previously has determined by regulation or order that the proposed activities are closely related to banking. See 12 CFR 225.25(b)(4) (investment advisory services); 12 CFR 225.25(b)(15) and *PNC Financial Corp.*, 75 Fed. Res. Bull. 396 (1986) (full service brokerage); *Bankers Trust New York Corporation*, 75 Fed. Res. Bull. 829 (1989) (acting as agent in the private placement of securities and purchasing and selling securities on the order of investors as a riskless principal). Notificant has stated that Company would conduct these proposed activities within the prudential limitations and guidelines established by the Board.

In order to approve the proposal, the Board also must determine that the proposed activities to be conducted by Notificant "can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." 12 U.S.C. 1843(c)(8). Notificant believes that the proposal would produce public benefits that outweigh any potential adverse effects. In particular, Notificant maintains that the proposal would result in increased competition and gains in efficiency.

In publishing the proposal for comment, the Board does not take a position on issues raised by the proposal. Notice of the proposal is published solely to seek the views of interested persons on the issues presented by the application and does not represent a determination by the Board that the proposal meets, or is likely to meet, the standards of the BHC Act. Any comments or requests for hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the

Federal Reserve System, Washington, DC 20551, not later than January 25, 1996. Any request for a hearing on this application must, as required by § 262.3(e) of the Board's Rules of Procedure (12 CFR 262.3(e)), be accompanied by a statement of the reasons why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

This application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of New York.

Board of Governors of the Federal Reserve System, January 5, 1996.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-410 Filed 1-10-96; 8:45 am]

BILLING CODE 6210-01-F

**James River Bankshares, Inc.;**  
**Acquisition of Company Engaged in**  
**Permissible Nonbanking Activities**

The organization listed in this notice has given notice under § 225.23(a)(2) or (e) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (e)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The notice is available for immediate inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute,

summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding this application must be received not later than January 25, 1996.

A. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *James River Bankshares, Inc.*, Suffolk, Virginia; to acquire First Colonial Bank, F.S.B., Hopewell, Virginia, and thereby engage in operating a federal savings bank and its two finance subsidiaries, pursuant to §§ 225.25(b)(9) and 225.25(b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, January 5, 1996.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-413 Filed 1-10-96; 8:45 am]

BILLING CODE 6210-01-F

**Traxshares, Inc. et al.; Notice of**  
**Applications to Engage de novo in**  
**Permissible Nonbanking Activities**

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing,

identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 25, 1996.

A. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Traxshares, Inc.*, LeCenter, Minnesota; to engage *de novo* in making loans for its own account and purchasing loans from its subsidiary bank, pursuant to § 225.2(b)(1) of the Board's Regulation Y. These activities will be conducted throughout LeCenter, Minnesota.

B. Federal Reserve Bank of Dallas (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *First Lakewood, Inc.*, Dover, Delaware, and Texas Community Bankshares, Inc., Dallas, Texas; to engage *de novo* through its subsidiaries, Texas Community Financial Services, Inc., Dallas, Texas, and Fiduciary Consulting Services, LLC, Dallas, Texas, in providing investment or financial advice, pursuant to § 225.25(b)(4) of the Board's Regulation Y; in management consulting to depository institutions, pursuant to § 225.25(b)(11) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, January 5, 1996.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-414 Filed 1-10-96; 8:45 am]

BILLING CODE 6210-01-F

**GENERAL ACCOUNTING OFFICE**

**Federal Accounting Standards**  
**Advisory Board; Monthly Meeting**

**AGENCY:** General Accounting Office.

**ACTION:** Notice of Monthly Meeting.

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. No. 92-463), as amended, notice is hereby given that a meeting of the Federal Accounting Standards Advisory Board will be held on Thursday, January 25, 1996, from 9:00 A.M. to 4:00 P.M. in room 7C13 of the General Accounting Office, 441 G St. NW., Washington, DC.

The purpose of the meeting is to discuss issues arising from the December 5 public hearing on

*Supplementary Stewardship Reporting* exposure draft and also to discuss issues related to the *Accounting for Revenue and Other Financing Sources* exposure draft.

Any interested person may attend the meeting as an observer. Board discussions and reviews are open to the public.

**FOR FURTHER INFORMATION CONTACT:**

Ronald S. Young, Executive Staff Director, 750 First St. NE., room 1001, Washington, DC 20002, or call (202) 512-7350.

Authority: Federal Advisory Committee Act. Pub. L. No. 92-463, Section 10(a)(2), 86 Stat. 770, 774 (1972) (current version at 5 U.S.C. app. section 10(a)(2) (1988)); 41 CFR 101-6.1015 (1990).

Dated: January 5, 1996.

Ronald S. Young,  
*Executive Director.*

[FR Doc. 96-397 Filed 1-10-96; 8:45 am]

BILLING CODE 1610-01-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**Grassroots Regulatory Partnership Meeting; Pacific Region; Importing Community**

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Food and Drug Administration (FDA) (Office of Regulatory Affairs, Office of the Pacific Region, Office of External Affairs) is announcing a free public meeting as a followup to a meeting held in April 1995. The FDA Office of the Pacific Region will meet with interested persons in the Pacific Region to improve levels of communication with industries and individuals associated with the importation of FDA regulated commodities, provide improved levels of consumer protection in connection with imported commodities, and to address specific issues related to the importing industry, Pacific Region, and FDA. The agency is holding this meeting to promote the President's initiative for a partnership approach with front-line regulators and the people affected by the work of this agency, and to create local partnerships.

**DATES:** The public meeting will be held on Thursday, January 18, 1996, from 9:30 a.m. to 3 p.m. Registration check-in begins at 9 a.m.

**ADDRESSES:** The public meeting will be held at the FDA Los Angeles District Office, 19900 MacArthur Blvd., suite 300, Irvine, CA 92715-2445.

**FOR FURTHER INFORMATION CONTACT:**

Regarding the Seattle area: George F. Long, Food and Drug Administration, 9935 Pacific Hwy., Blaine, WA 98230, 360-332-4032.

Regarding the San Francisco area: Janet Codor, Food and Drug Administration, 1431 Harbor Bay Pkwy., Alameda, CA 94502-7070, 510-337-6735.

Regarding the Los Angeles area: Mary J. Ayling, Food and Drug Administration, 222 West Sixth St., suite 700, San Pedro, CA 90731, 310-831-6123.

Regarding registration: Maxine K. Fritz or Hetal S. Sutaria, Food and Drug Administration, 19900 MacArthur Blvd., suite 300, Irvine, CA 92715-2445, 714-798-7694 or FAX 714-798-7794.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of April 20, 1995 (60 FR 19573), FDA announced that a series of Grassroots Regulatory Partnership meetings would be held. This document announces a followup meeting to the one held on April 27, 1995, in Burlingame, CA. Those persons interested in attending this meeting should FAX their name(s), affiliation, address, telephone and FAX numbers, and any specific questions they want addressed at the meeting to Maxine K. Fritz or Hetal S. Sutaria (address above). The public meeting is free of charge, however due to space limitations, it will be necessary to check with the registration contact person(s) listed above prior to the meeting to check on space availability. The goals of this meeting are to assist importers, brokers and others associated with a wide variety of products being imported through the Pacific Coast and to listen to concerns and ideas, and to identify next-steps for the agency.

Dated: January 4, 1996.

William K. Hubbard,  
*Associate Commissioner for Policy Coordination.*

[FR Doc. 96-419 Filed 1-10-96; 8:45 am]

BILLING CODE 4160-01-F

**[Docket No. 95D-0375]**

**Guidance for Industry for the Submission of an Environmental Assessment in Human Drug Applications and Supplements; Availability**

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

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the availability of a guidance entitled

"Guidance for Industry for the Submission of an Environmental Assessment in Human Drug Applications and Supplements." This document, which was prepared by the Center for Drug Evaluation and Research (CDER), is intended to provide guidance on how to prepare environmental assessments (EA's) for submission to CDER in new drug applications (NDA's), antibiotic applications, abbreviated new drug applications (ANDA's), abbreviated antibiotic applications (AADA's), and investigational new drug applications (IND's). The guidance fulfills a commitment made in the President's National Performance Report, "Reinventing Drug and Medical Device Regulations," April 1995, to clarify through guidance current EA procedures.

**DATES:** Written comments on the guidance may be submitted at any time.

**ADDRESSES:** Submit written requests for single copies of the guidance entitled "Guidance for Industry for the Submission of an Environmental Assessment in Human Drug Applications and Supplements" to the Consumer Affairs Branch (formerly the CDER Executive Secretariat Staff), Center for Drug Evaluation and Research (HFD-210), 7500 Standish Pl., Rockville, MD 20855. Send two self-addressed adhesive labels to assist that office in processing your requests. An electronic version of this guidance is also available via Internet by connecting to the CDER file transfer protocol (FTP) server (CDVS2.CDER.FDA.GOV) using the FTP. Submit written comments on the guidance to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857. Requests and comments should be identified with the docket number found in brackets in the heading of this document. A copy of the guidance and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:**

Nancy B. Sager, Center for Drug Evaluation and Research (HFD-357), 5600 Fishers Lane, Rockville, MD 20857, 301-594-6740, FAX 301-594-6197, Internet:

SAGER@CDER.FDA.GOV.

**SUPPLEMENTARY INFORMATION:** NEPA requires all Federal agencies to assess the environmental impacts of their actions and to ensure that the interested and affected public is informed of environmental analyses. FDA is required under NEPA to consider the environmental impact of approving drug product applications as an integral part

of its regulatory process. FDA's regulations in part 25 (21 CFR part 25) specify that EA's or abbreviated environmental assessments (AEA's) must be submitted as part of certain NDA's, antibiotic applications, ANDA's, AADA's, IND's, and for other various actions. This guidance provides information on how to prepare EA's for submission to CDER for these drug product applications. Topics covered in this guidance include: (1) When categorical exclusions apply, (2) when to submit an EA or AEA, (3) the content and format of EA's or AEA's, (4) approaches to determining the environmental fate and effects of substances, (5) test methods, (6) treatment of confidential information submitted in support of an EA, (7) special considerations associated with EA's for genetically altered organisms and materials and products derived from natural sources, (8) EA documentation for foreign manufacturing facilities, and (9) drug master files.

CDER encourages industry to implement the use of the content and format described in this guidance as soon as possible because standardized documentation submitted by industry increases the efficiency and speed of the review process. Alternative content and format styles may be used as long as the regulatory requirements defined in part 25 are satisfied.

Section III.D.7.c of this guidance describes specific circumstances (identified as Tier 0) under which format items 7, 8, 9, 10, 11, and 15 are unnecessary and may be omitted from certain environmental assessments submitted pursuant to § 25.31a(a). Because approval of a product under these circumstances is unlikely to have a significant environmental effect, submission of information for these format items will not ordinarily assist CDER in determining whether an action significantly affects the environment. Therefore, for applications already submitted in which these circumstances exist, the applicant has the option to withdraw the information submitted in format items 7, 8, 9, 10, 11, and 15; and CDER will not review it. The applicant should submit an amendment to the application stating that the circumstances described in Tier 0 exist in the application, and the information is being withdrawn for format items 7, 8, 9, 10, 11, and 15. Because CDER is required to make the EA and a finding of no significant impact (FONSI) publicly available, the applicant should provide, along with the letter, a revised EA with the information in those format items deleted. The applicant should

certify that the remaining information has not been revised from what was previously submitted. To avoid unnecessarily complicating the review process if the review has already been completed, the applicant should state in the letter that it waives the request to withdraw this information if CDER has prepared a FONSI based on the previously submitted information. CDER requests that pending applications be amended on or before February 12, 1996. A copy of the amendment cover letter should be sent to the contact person (address above). The applicant has the option of checking with the contact person regarding the status of the environmental review for its pending application. An amendment of this type will not affect the user fee due date required by the Prescription Drug User Fee Act of 1992 (Pub. L. 102-571).

Under the President's reinventing government (REGO) initiatives announced in April 1995, CDER is reevaluating its environmental regulations and plans to reduce the number of EA's required to be submitted by industry and, consequently, the number of FONSI's prepared by the agency under NEPA. FDA will publish in a future issue of the Federal Register a proposed rule concerning proposed additional categorical exclusions for those actions CDER has determined normally do not individually or cumulatively have a significant effect on the quality of the human environment. This guidance explaining how to prepare an EA when required by current regulations will remain in effect until superseded by revised final regulations or new CDER guidance.

Although this guidance does not create or confer any rights, for or on any person, and does not operate to bind FDA, it does represent the agency's current thinking on how to prepare environmental assessments for submission to CDER.

Interested persons may, at any time, submit to the Dockets Management Branch (address above) written comments on the guidance. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. The guidance and received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: January 2, 1996.

William B. Schultz,

*Deputy Commissioner for Policy.*

[FR Doc. 96-420 Filed 1-10-96; 8:45 am]

BILLING CODE 4160-01-F

### **Investigational Biological Product Trials; Procedure to Monitor Clinical Hold Process; Meeting of Review Committee and Request for Submissions**

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

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing a meeting of the clinical hold review committee, which reviews the clinical holds that the Center for Biologics Evaluation and Research (CBER) has placed on certain investigational biological product trials. CBER held its first clinical hold review meeting on May 17, 1995. FDA is inviting any interested biological product company to use this confidential mechanism to submit to the committee for its review the name and number of any investigational biological product trial placed on clinical hold during the past 12 months that the company wants the committee to review.

**DATES:** The meeting will be held in February 1996. Biological product companies may submit review requests for the February meeting by January 30, 1996.

**ADDRESSES:** Submit clinical hold review requests to Amanda B. Pedersen, FDA Chief Mediator and Ombudsman, Office of the Commissioner (HF-7), Food and Drug Administration, rm. 14-105, 5600 Fishers Lane, Rockville, MD 20857, 301-827-3390.

**FOR FURTHER INFORMATION CONTACT:** Joy A. Cavagnaro, Center for Biologics Evaluation and Research (HFM-2), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852-1448, 301-827-0379.

**SUPPLEMENTARY INFORMATION:** FDA regulations in part 312 (21 CFR part 312) provide procedures that govern the use of investigational new drugs and biologics in human subjects. These regulations require that the sponsor of a clinical investigation submit an investigational new drug application (IND) to FDA outlining the proposed use of the investigational product. The IND must contain the study protocol, a summary of human and animal experience with the product, and information on the product's characterization, chemistry, pharmacology, and toxicology. FDA reviews an IND to help ensure the safety and rights of human subjects of research and to help ensure that the quality of any scientific evaluation of a drug is adequate to permit an evaluation of the product's efficacy and safety.

If FDA determines that a proposed or ongoing study may pose significant risks for human subjects or is otherwise seriously deficient, as discussed in the investigational new drug regulations, it may impose a clinical hold on the study. The clinical hold is one of FDA's primary mechanisms for protecting subjects who are involved in investigational new drug or biologic trials. A clinical hold is an order that FDA issues to a sponsor to delay a proposed investigation or to suspend an ongoing investigation. The clinical hold may be placed on one or more of the investigations covered by an IND. When a proposed study is placed on clinical hold, subjects may not be given the investigational drug or biologic as part of that study. When an ongoing study is placed on clinical hold, no new subjects may be recruited to the study and placed on the investigational drug or biologic, and patients already in the study should stop receiving therapy involving the investigational drug or biologic unless FDA specifically permits it.

FDA regulations in § 312.42 describe the grounds for the imposition of a clinical hold. When FDA concludes that there is a deficiency in a proposed or ongoing clinical trial that may be grounds for the imposition of a clinical hold order, ordinarily FDA will attempt to resolve the matter through informal discussions with the sponsor. If that attempt is unsuccessful, the agency may order a clinical hold.

A clinical hold is ordered by or on behalf of the director of the division that is responsible for review of the IND. The order identifies the studies under the IND to which the clinical hold applies and explains the basis for the action. The clinical hold order may be made by telephone or other means of rapid communication, or in writing. Following notification of the clinical hold by telephone or other means of rapid communication, CBER promptly provides the sponsor with a written explanation of the basis for the clinical hold.

The clinical hold order specifies whether the sponsor may resume the affected investigation without prior notification by FDA once the deficiency has been corrected. If the order does not permit the resumption without notification, an investigation may resume only after the division director or his or her designee has notified the sponsor that the investigation may

proceed. Resumption may be authorized by telephone or other means of rapid communication. If all investigations covered by an IND remain on clinical hold for 1 year or longer, FDA may place the IND on inactive status.

FDA regulations in § 312.48 provide dispute resolution mechanisms through which sponsors may request reconsideration of clinical hold orders. The regulations encourage the sponsor to attempt to resolve disputes directly with the review staff responsible for the review of the IND. If necessary, the sponsor may request a meeting with the review staff and management to discuss the clinical hold.

Over the years, drug sponsors have expressed a number of concerns about the clinical hold process, including concerns about the scientific and procedural adequacy of some agency actions. FDA undertook several initiatives to evaluate the consistency and fairness of the Center for Drug Evaluation and Research's (CDER's) practices in imposing clinical holds. First, CDER completed a centerwide review of clinical holds recorded in their management information system. While some differences in practice and procedure were discerned among divisions in CDER, it appeared that the procedures specified in the regulations were, in general, being followed, and that clinical holds were scientifically supportable. Second, FDA established a committee in CDER to review selected clinical holds for scientific and procedural quality. The committee held pilot meetings in 1991 and met quarterly through 1992. The committee currently meets semiannually as a regular program.

CBER began a similar process to evaluate the consistency and fairness of CBER's practices in imposing clinical holds by instituting a review committee to review clinical holds. CBER also plans to conduct further quality assurance oversight of the IND process. CBER held its first clinical hold review committee meeting on May 17, 1995, and intends to make the clinical hold review process a regular, ongoing program. The committee last met in October 1995. The review procedure of the committee is designed to afford an opportunity for a sponsor who does not wish to seek formal reconsideration of a pending clinical hold to have that clinical hold considered "anonymously." The committee consists of senior managers of CBER, a

senior official from CDER, and the FDA Chief Mediator and Ombudsman.

Clinical holds to be reviewed will be chosen randomly. In addition, the committee will review clinical holds proposed for review by biological product sponsors. In general, a biological product sponsor should consider requesting review when it disagrees with the agency's scientific or procedural basis for the decision.

Requests for committee review of a clinical hold should be submitted to the FDA Chief Mediator and Ombudsman, who is responsible for selecting clinical holds for review. The committee and CBER staff, with the exception of the FDA Chief Mediator and Ombudsman, are never advised, either in the review process or thereafter, which of the clinical holds were randomly chosen and which were submitted by sponsors. The committee will evaluate the selected clinical holds for scientific content and consistency with agency regulations and CBER policy.

The meetings of the review committee are closed to the public because committee discussions deal with confidential commercial information. Summaries of the committee deliberations, excluding confidential commercial information, may be requested in writing from the Freedom of Information Office (HFI-35), Food and Drug Administration, rm. 12A-16, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. If the status of a clinical hold changes following the committee's review, the appropriate division will notify the sponsor.

FDA invites biological product companies to submit to the FDA Chief Mediator and Ombudsman the name and IND number of any investigational biological product trial that was placed on clinical hold during the past 12 months that they want the committee to review at its February 1995 meeting. Submissions should be made by January 30, 1996, to Amanda B. Pedersen, FDA Chief Mediator and Ombudsman (address above).

Dated: January 4, 1996.  
William K. Hubbard,  
*Associate Commissioner for Policy  
Coordination.*  
[FR Doc. 96-417 Filed 1-9-96; 9:27 am]

BILLING CODE 4160-01-F

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# Sunshine Act Meetings

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Federal Register

Vol. 61, No. 8

Thursday, January 11, 1996

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This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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## FEDERAL RESERVE SYSTEM

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**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System.

**TIME AND DATE:** 11:00 a.m., Tuesday, January 16, 1996.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, C Street

entrance between 20th and 21st Streets NW., Washington, DC 20551.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:**

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call

(202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: January 5, 1996.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-416 Filed 1-9-96; 9:08 am]

**BILLING CODE** 6210-01-P

# Corrections

Federal Register

Vol. 61, No. 8

Thursday, January 11, 1996

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

**46 CFR Parts 126, 128, 131, 132, 174, and 175**

[CGD 82-004 and CGD 86-074]

RIN 2115-AA77

### Offshore Supply Vessels

#### Correction

In rule document 95-27870 beginning on page 57630 in the issue of Thursday, November 16, 1995, make the following corrections:

(1) On page 57635, in the first column, in the third full paragraph, in the first line, "None" should read "Nine".

(2) On page 57637, in the third column, in the last paragraph, in the last line "through its" should read "throughout".

(3) On page 57643, in the first column, in the table of contents under PART 126—INSPECTION AND

CERTIFICATION, under Subpart A—General:

(a) The contents heading for §126.160 should read "Tests and inspections during repairs or alterations, or during riveting, welding, burning, or other hot work."

(b) The contents heading for §126.170 should read "Carriage of offshore workers".

#### §126.220 [Corrected]

(4) On page 57644, in the second column, in §126.220, in the fourth line "maximum" should read "minimum".

#### §128.410 [Corrected]

(5) On page 57650, in the second column, under Subpart D—Design Requirements for Specific Systems, the section heading "§128.310" should read "§128.410".

#### §131.550 [Corrected]

(6) On page 57662, in the third column, in §131.550(a), in the third line "oat" should read "at".

#### §131.575 [Corrected]

(7) On page 57663, in the second column, in §131.575(a), in the fifth line "east" should read "least".

#### §132.220 [Corrected]

(8) On page 57668, in the table for §132.220, under the heading "Classification (see §132.210)", in the third entry "B-III or C-II" should read "B-II or C-II"

#### §174.205 [Corrected]

(9) On page 57672, in the second column, in §174.205(b), the text following paragraph (b)(1) and preceding (b)(2) should be removed.

#### §175.05-2 [Corrected]

(10) On page 57674, in §175.05-2(b), in the third column, in the first paragraph, in the last line "1996" should read "1998".

BILLING CODE 1505-01-D

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 301

[TD 8621]

RIN 1454-AT21

#### Authority of the Secretary of Agriculture to Share Employer Identification Numbers Collected from Retail Food Stores and Wholesale Food Concerns

#### Correction

In rule document 95-24467 beginning on page 51724 in the issue of Tuesday, October 3, 1995, make the following correction:

#### §301.6109-2 [Corrected]

On page 51725, in the second column, in §301.6109-2(f)(2), in the second line, remove "I" after "numbers".

BILLING CODE 1505-01-D



**26 CFR**  
 1.....6, 260, 262, 515, 517, 552  
 20.....515  
 23.....515  
 24.....515  
 25.....515  
 27.....515  
 33.....515  
 38.....515  
 301.....260, 515, 1035  
 602.....6, 260, 262, 515, 517  
**Proposed Rules:**  
 1.....28, 338, 552  
 301.....338

**27 CFR**  
 4.....522  
**Proposed Rules:**  
 9.....706

**28 CFR**  
 540.....90  
 542.....86  
 545.....90, 378  
**Proposed Rules:**  
 540.....92  
 545.....92

**29 CFR**  
 215.....386

**31 CFR**  
 1.....386  
**Proposed Rules:**  
 256.....552  
 356.....402

**32 CFR**  
 40b.....541  
 69.....271  
 234.....541  
**Proposed Rules:**  
 199.....339

**33 CFR**  
 Ch. 1.....8  
 81.....8  
 165.....544  
**Proposed Rules:**  
 67.....708  
 117.....709  
 165.....136  
 207.....33

**36 CFR**  
 1253.....390

**40 CFR**  
 86.....122  
 88.....122, 129  
**Proposed Rules:**  
 85.....140  
 86.....140  
 88.....140

**41 CFR**  
 201-1.....10  
 201-2.....10  
 201-3.....10  
 201-4.....10  
 201-6.....10  
 201-7.....10  
 201-17.....10  
 201-18.....10

201-20.....10  
 201-21.....10  
 201-22.....10  
 201-24.....10  
 201-39.....10

**46 CFR**  
 Ch. I.....864  
 126.....1035  
 128.....1035  
 131.....1035  
 132.....1035  
 170.....864  
 171.....864  
 173.....864  
 174.....1035  
 175.....1035

**48 CFR**  
 225.....130  
 252.....130  
 1213.....391  
 1215.....273  
 1237.....391  
 1252.....273, 391  
 1253.....273  
**Proposed Rules:**  
 31.....234

**49 CFR**  
 573.....274  
 576.....274  
 577.....274  
**Proposed Rules:**  
 171.....688  
 195.....342  
 391.....606  
 553.....145

**50 CFR**  
 222.....17  
 227.....17  
 611.....279  
 625.....291, 292  
 641.....17  
 652.....293  
 663.....279  
 675.....20  
**Proposed Rules:**  
 17.....35  
 651.....710

**REMINDERS**  
 The rules and proposed rules in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

**Rules Going Into Effect Today**

**EDUCATION DEPARTMENT**  
 Direct grant programs; published 12-12-95

**ENERGY DEPARTMENT**  
 Acquisition regulations: Legislation lobbying cost prohibition; published 12-12-95

**ENVIRONMENTAL PROTECTION AGENCY**  
 Clean Air Act:

State operating permits programs-- Nevada; published 12-12-95

**TRANSPORTATION DEPARTMENT**  
**Coast Guard**  
 Ports and waterway safety: Wrangell Narrows, AK; regulated navigation area; published 12-12-95

**TRANSPORTATION DEPARTMENT**  
**Federal Aviation Administration**  
 Airworthiness directives: Lockheed; published 12-27-95 Pratt & Whitney; published 12-27-95

**TRANSPORTATION DEPARTMENT**  
**National Highway Traffic Safety Administration**  
 Rulemaking procedures: Reconsideration of rules; effect on judicial review; published 12-12-95

**Comments Due Next Week**

**AGRICULTURE DEPARTMENT**  
**Agricultural Marketing Service**  
 Cherries, tart, grown in-- Michigan et al.; comments due by 1-16-96; published 1-2-96  
 Raisins produced from grapes grown in California; comments due by 1-18-96; published 1-3-96

**AGRICULTURE DEPARTMENT**  
**Cooperative State Research, Education, and Extension Service**  
 Grants: 1890 Institution capacity building grants program; administrative provisions; comments due by 1-19-96; published 12-20-95  
 Higher Education Challenge Grants Program; administrative provisions; comments due by 1-18-96; published 12-19-95

**COMMERCE DEPARTMENT**  
**National Oceanic and Atmospheric Administration**  
 Fishery conservation and management: Atlantic mackerel, squid, and butterfish; comments due by 1-17-96; published 12-21-95  
 Gulf of Mexico and South Atlantic coastal migratory

pelagic resources and South Atlantic shrimp; comments due by 1-19-96; published 12-21-95

**COMMODITY FUTURES TRADING COMMISSION**  
 Practice and procedure: Ethics training for registrants; comments due by 1-16-96; published 12-14-95

**DEFENSE DEPARTMENT**  
 Acquisition regulations: Contracting by negotiation Public meeting; comments due by 1-16-96; published 12-8-95  
 Federal Acquisition Regulation (FAR): FAR Part 15 rewrite; comments due by 1-16-96; published 12-28-95

**ENVIRONMENTAL PROTECTION AGENCY**  
 Air pollution control; new motor vehicles and engines: On-board diagnostic systems-- Compliance with Federal requirements by optional compliance with revised California requirements; comments due by 1-16-96; published 11-1-95  
 Air pollution; standards of performance for new stationary sources: Municipal waste combustors; comments due by 1-18-96; published 12-19-95  
 Air quality implementation plans; approval and promulgation; various States: Massachusetts; comments due by 1-18-96; published 12-19-95  
 Clean Air Act: State operating permits program-- Missouri; comments due by 1-16-96; published 12-15-95

**FEDERAL COMMUNICATIONS COMMISSION**  
 Radio stations; table of assignments: Wyoming; comments due by 1-16-96; published 12-4-95

**GENERAL SERVICES ADMINISTRATION**  
 Federal Acquisition Regulation (FAR): FAR Part 15 rewrite; comments due by 1-16-96; published 12-28-95

**LIBRARY OF CONGRESS Copyright Office, Library of Congress**  
 Copyright claims; group registration of photographs;

comments due by 1-18-96;  
published 12-4-95

**NATIONAL AERONAUTICS  
AND SPACE  
ADMINISTRATION**

Federal Acquisition Regulation  
(FAR):

FAR Part 15 rewrite;  
comments due by 1-16-  
96; published 12-28-95

**NATIONAL CREDIT UNION  
ADMINISTRATION**

Credit unions:

Organization and operations-

-  
Supervisory committee  
audits and verifications;  
comments due by 1-18-  
96; published 12-27-95

**PERSONNEL MANAGEMENT  
OFFICE**

Prevailing rate systems

Federal wage system wage  
areas; redefinition for pay-  
setting purposes;  
comments due by 1-18-  
96; published 12-19-95

**SECURITIES AND  
EXCHANGE COMMISSION**

Securities:

Brazil et al.; exemption for  
purposes of trading  
futures contracts;  
comments due by 1-19-  
96; published 12-20-95

**SMALL BUSINESS  
ADMINISTRATION**

Business loan programs:

Federal regulatory review;  
comments due by 1-16-  
96; published 12-15-95

**TRANSPORTATION  
DEPARTMENT**

**Federal Aviation  
Administration**

Airworthiness directives:

Avro; comments due by 1-  
16-96; published 11-16-95

British Aerospace;  
comments due by 1-16-  
96; published 11-14-95

Fokker; comments due by  
1-16-96; published 12-4-  
95

Class D and E airspace;  
comments due by 1-17-96;  
published 12-18-95

Class E airspace; comments  
due by 1-19-96; published  
12-18-95

Rulemaking petitions;  
summary and disposition;  
comments due by 1-19-96;  
published 12-21-95

**TRANSPORTATION  
DEPARTMENT**

**National Highway Traffic  
Safety Administration**

Motor vehicle safety  
standards:

Brake hoses--

Whip resistance test;  
comments due by 1-16-  
96; published 11-16-95

**TREASURY DEPARTMENT**

**Customs Service**

Country of origin marking:

Proximity to geographic  
location marking other  
than country of origin on  
imported articles;  
requirements; comments  
due by 1-16-96; published  
11-16-95