

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

List of Subjects in 9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 92 would be amended as follows:

**PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON**

1. The authority citation for part 92 would continue to read as follows:

Authority: 7 U.S.C. 1662; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 92.106, paragraphs (c)(2)(ii)(A) and (c)(2)(ii)(P)(I) would be revised to read as follows:

**§ 92.106 Quarantine requirements.**

\* \* \* \* \*

- (c) \* \* \*
- (2) \* \* \*
- (ii) \* \* \*

(A) Be constructed only with material that can withstand continued cleaning and disinfection. All solid walls, floors, and ceilings must be constructed of impervious material. All openings to the outside must be double-screened, with an interior screen of metal or nylon mesh that is impervious to biting insects such as gnats or mosquitos, and an exterior metal screen that is rodent-

proof and is made of wire, such as rabbit wire, hardware cloth, or smooth welded wire, with mesh size no larger than 1 inch x 1.5 inches (2.54 cm x 3.81 cm). The interior and exterior screens must be separated by at least 3 inches (7.62 cm);

\* \* \* \* \*

(P) \* \* \*

(I) Any of the exterior walls may be replaced by a double-screened wall set in a concrete or concrete-block curb. The double screening shall be of wire mesh or wire mesh and nylon mesh, as provided in paragraph (c)(2)(ii)(A) of this section, with the interior and exterior screens of the sun room wall separated by at least 3 inches (7.62 cm); the concrete or concrete block curb must be at least 12 inches high, impermeable to water, and able to prevent the escape of water, manure, and debris.

\* \* \* \* \*

Done in Washington, DC, this 6th day of March 1996.

Lonnie J. King,

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96-5861 Filed 3-11-96; 8:45 am]

BILLING CODE 3410-34-P

**DEPARTMENT OF ENERGY**

**Office of Energy Efficiency and Renewable Energy**

**10 CFR Part 430**

**Energy Conservation Program for Consumer Products: Public Workshop on the Improvements of the Appliance Standards Rulemaking Process**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of new location of public workshop.

**SUMMARY:** On February 22, 1996, the Department of Energy (the Department or DOE) published a notice of public workshop (61 FR 6798, February 22, 1996) announcing a public workshop to be held on Tuesday, March 19, 1996, and Wednesday, March 20, 1996, at the Embassy Suites Hotel in Arlington, Virginia. The workshop will discuss possible initiatives that the Department will undertake to improve the appliance standards program. Due to the overwhelming response to this workshop, a larger facility will be required.

**DATES:** The public workshop will be held on Tuesday, March 19, 1996, from 9:00 a.m. to 4:30 p.m. and Wednesday,

March 20, 1996, from 9:00 a.m. to 1:00 p.m.

**ADDRESSES:** The new location for the workshop will be at the Washington National Airport Hilton Hotel (Crystal City), 2399 Jefferson Davis Highway, Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:**

Bryan D. Berringer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Station EE-431, 1000 Independence Avenue SW., Washington, DC 20585-0121, (202) 586-0371

Douglas W. Smith, U.S. Department of Energy, Office of General Counsel, Forrestal Building, Mail Station GC-70, 1000 Independence Avenue SW., Washington, DC 20585-0103, (202) 586-3410

Deborah E. Miller, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Station EE-1, 1000 Independence Avenue S.W., Washington, D.C. 20585-0121, (202) 586-8888.

**SUPPLEMENTARY INFORMATION:** The public workshop to discuss possible initiatives that the Department will undertake to improve the appliance standards program has been relocated. The workshop was originally scheduled to be held on Tuesday, March 19, 1996 and Wednesday, March 20, 1996, at the Embassy Suites Hotel in Arlington, Virginia. The new location for the workshop is the Washington National Airport Hilton Hotel in Arlington, Virginia. A new location was necessary to accommodate the large number of participants who have responded to the February 22, 1996, notice of public workshop published by the Department. 61 FR 798, February 22, 1996. The dates and times for the workshop have not been changed.

Please notify Bryan Berringer at the above listed address of your intention to attend the workshop or if you have any additional questions.

Issued in Washington, DC, March 5, 1996.

Brian T. Castelli,

*Chief of Staff, Energy Efficiency and Renewable Energy.*

[FR Doc. 96-5700 Filed 3-11-96; 8:45 am]

BILLING CODE 6450-01-M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 95-NM-180-AD]

**Airworthiness Directives; Beech (Raytheon) Model BAe 125-1000A and Model Hawker 1000 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 certain Beech (Raytheon) Model BAe 125-1000A and Model Hawker 1000 series airplanes. This proposal would require a one-time inspection for adequate clearances between, and damage to, the flap cables and turnbuckles, airbrakes cables and turnbuckles, and all other flight control cables and turnbuckles at keel subframe 15A; and various follow-on actions, if necessary. This proposal is prompted by reports of chafing due to insufficient clearance between the flaps turnbuckle and the subframe, and between the airbrakes cable and the subframe. The actions specified by the proposed AD are intended to prevent such chafing, which could result in damage to the flaps turnbuckle and the airbrakes cable, and subsequent fraying or seizing of the flight control cables. These conditions, if not corrected, could result in restriction or loss of the flight controls.

**DATES:** Comments must be received by April 22, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-180-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 Raytheon Aircraft Company, Manager Service Engineering, Hawker Customer Support Department, P.O. Box 85, Wichita, Kansas 67201-0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113,

FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; 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-180-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-180-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Beech (Raytheon) Model BAe 125-1000A and Model Hawker 1000 series airplanes. The CAA advises that it received reports of chafing of the flaps turnbuckle and the airbrakes cable at keel subframe 15A. The cause of this chafing has been attributed to insufficient clearance between the flap turnbuckle and the subframe, and between the airbrakes cable and the subframe. Such insufficient clearance and resultant chafing could result in damage to the flap cables and/or

turnbuckles and the airbrakes cable, and subsequent fraying or seizing of the flight control cables. These conditions, if not corrected, could result in restriction or loss of the flight controls.

Raytheon Corporate Jets has issued Hawker Service Bulletin SB.27-168, dated July 17, 1995, which describes procedures for a one-time visual inspection for adequate clearances and/or damage of the flap cables and turnbuckles, airbrakes cables and turnbuckles, and all other flight control cables and turnbuckles at keel subframe 15A (left- and right-hand side); and various follow-on actions, if necessary. (These follow-on actions include modification, repair, and replacement of damaged cables.) The CAA classified this service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

These airplane models are manufactured in the United Kingdom 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 CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, the proposed AD would require a one-time visual inspection for adequate clearances between, and/or damage to, the flap cables and turnbuckles, airbrakes cables and turnbuckles, and all other flight control cables and turnbuckles at keel subframe 15A (left- and right-hand side); and various follow-on actions, if necessary. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 25 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,500, or \$60 per airplane.

The 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), 40113, 44701.

#### **§ 39.13 [Amended]**

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

Beech Aircraft Corporation (Formerly DeHavilland; Hawker Siddeley; British Aerospace, PLC; Raytheon Corporate Jets, Inc.): Docket 95-NM-180-AD.

*Applicability:* Model BAe 125-1000A and Model Hawker 1000 series airplanes, as listed in Hawker Service Bulletin SB.27-168, dated July 17, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For

airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent restriction or loss of the flight controls due to insufficient clearance and resultant chafing and damage to the flaps cable and/or turnbuckle and the airbrakes cable, accomplish the following:

(a) Within 6 months after the effective date of this AD: Perform a one-time detailed visual inspection for adequate working clearances and for damage of the flap, airbrakes, and other flight control cables and turnbuckles with the structure at keel subframe 15A (left- and right-hand sides) specified in Hawker Service Bulletin SB.27-168, dated July 17, 1995. Perform the inspection in accordance with that service bulletin. The detailed visual inspection for working clearances shall be conducted for each affected flight control through its full range of travel.

(1) If all clearances are within the limits specified in the service bulletin, and no damage is found: No further action is required by this AD.

(2) If the clearance for the flaps controls is outside the limits specified in the service bulletin: Prior to further flight, accomplish Modification SB 27-168-253705B in accordance with the service bulletin.

(3) If the clearance for the airbrakes controls is outside the limits specified in the service bulletin: Prior to further flight, repair in accordance with the service bulletin.

(4) If any cable is found to be damaged, and the damage exceeds the limits defined in Chapter 20-10-31 of the Airplane Maintenance Manual: Prior to further flight, replace the damaged cable with a new cable in accordance with the service bulletin.

(5) If any turnbuckle, keel subframe, or polythene strip is found to be damaged: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(b) 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. 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.

(c) 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 March 6, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-5857 Filed 3-11-96; 8:45 am]

BILLING CODE 4910-13-U

#### **14 CFR Part 39**

[Docket No. 95-NM-186-AD]

#### **Airworthiness Directives; McDonnell Douglas Model DC-9 and DC-9-80 Series Airplanes, and C-9 (Military) Airplanes, Equipped With a Ventral Aft Pressure Bulkhead**

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

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

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-9 and DC-9-80 series airplanes, Model MD-88 airplanes, and C-9 (Military) airplanes, that currently requires repetitive inspections to detect fatigue cracking in the area of the attach tees of the ventral aft pressure bulkhead. That AD was prompted by reports of fatigue cracking found in that area. This proposed action would require revised inspection and repair procedures, and would provide for terminating action. It would also delete certain airplanes from the applicability of the rule. The actions specified by the proposed AD are intended to prevent the propagation of fatigue cracking, which could lead to structural failure of the ventral aft pressure bulkhead and subsequent rapid depressurization of the airplane.

**DATES:** Comments must be received by May 6, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-186-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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). This