

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 removing amendment 39-9218 (60 FR 22501, May 8, 1995), and by adding a new airworthiness directive (AD), to read as follows:

Beech Aircraft Corporation (formerly DeHavilland; Hawker Siddeley; British Aerospace, plc; Raytheon Corporate Jets, Inc.): Docket 96-NM-54-AD. Supersedes AD 95-10-01, Amendment 39-9218.

*Applicability:* Model Hawker 1000 and BAe 125-1000A series airplanes, post modification 259722C, 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 request approval for an alternative method of compliance in accordance with paragraph (c) 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.

Note 2: Beech (Raytheon) Model BAe 125-1000B series airplanes are similar in design to the airplanes that are subject to the requirements of this AD and, therefore, also may be subject to the unsafe condition addressed by this AD. However, as of the effective date of this AD, those models are not type certificated for operation in the United States. Airworthiness authorities of countries in which the Model BAe 125-1000B series airplanes are approved for operation should consider adopting corrective action, applicable to those models, that is similar to the corrective action required by this AD.

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

To prevent failure of a fuel hose assembly on the auxiliary power unit (APU), which could result in a malfunction of the APU, a potential fuel fire in the fuselage rear bay, and reduced structural integrity of the surrounding structure, accomplish the following:

(a) Within 30 days after May 23, 1995 (the effective date of AD 95-10-01, amendment 39-9218), perform inspections to detect discrepancies of the fuel feed hose assemblies on the APU; an inspection to assure proper positioning of the air leak detection system; and an inspection of the bleed air system for signs of leakage; in accordance with paragraph 2.B. of the Accomplishment Instructions of Raytheon Service Bulletin SB 49-44, dated January 20, 1995.

(1) If no discrepancy is found: Thereafter, following the last flight of each day, perform an inspection to detect discoloration of the fuel hose assembly (outlet from the fuel pump box) on the APU, in accordance with paragraph 2.B.(2) and 2.C. of the Accomplishment Instructions of the service bulletin.

(2) If any discrepancy is found, prior to further flight, correct the discrepancy in accordance with paragraph 2.B. of the Accomplishment Instructions of the service bulletin.

(b) Within 200 flight hours after the effective date of this AD, replace the existing conduit of the fuel feed hose for the auxiliary power unit (APU) with new improved conduit (modification 25A825A), in accordance with Beech (Raytheon/Hawker) Service Bulletin SB.49-47-25A825A, dated August 1, 1995. Accomplishment of the replacement constitutes terminating action for paragraph (a) of this AD.

(c) 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, Wichita Aircraft Certification Office (ACO), FAA, Small 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, Wichita ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(d) 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 May 14, 1996.

S.R. Miller,

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

[FR Doc. 96-12601 Filed 5-20-96; 8:45 am]

**BILLING CODE 4910-13-U**

#### **14 CFR Part 158**

[Docket No. 27791; Notice No. 96-3A]

RIN 2120-AF69

#### **Passenger Facility Charges**

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

**ACTION:** Advance notice of proposed rulemaking (ANPRM); extension of comment period.

**SUMMARY:** This document announces an extension of the comment period on The ANPRM entitled, "Passenger Facility Charges" (61 FR 16678; April 16, 1996). This comment period is extended from May 16, 1996, until August 16, 1996. The extension responds to the request of the Air Transport Association of America (ATA) and is needed to permit ATA, and other affected parties, additional time to develop comments responsive to the ANPRM.

**DATES:** The comment period is being extended from May 16, 1996, to August 16, 1996.

**ADDRESSES:** As stated in Notice No. 96-3, comments should be mailed or delivered in triplicate, to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-200), Docket No. 27791, 800 Independence Avenue, SW., Washington, DC 20591. Comments delivered must be marked Docket No. 27791. Comments may be examined in Room 915G on weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

**FOR FURTHER INFORMATION CONTACT:** Sheryl Scarborough, Passenger Facility Charge Branch (App-530), Airports Financial Assistance Division, Office of Airports Planning and Programming, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8825.

**SUPPLEMENTARY INFORMATION:** On April 16, 1996, the Federal Aviation Administration (FAA) issued Notice No. 96-3, entitled "Passenger Facility

Charges" that sought public comment on changes to several sections of Title 14, Code of Federal Regulations, Part 158 that deal with the collection, handling, and remittance of PFC's. The notice specified the quantity and quality of airline cost data necessary for the FAA to determine an adequate rate of airline compensation. In addition, the notice included several proposed modifications to part 158 that would allow air carriers to be compensated based on PFC's collected; would implement the statutory prohibition (FAA Authorization Act of 1994) on collection of PFC's from passengers traveling on frequent flyer awards; and clarified various terms. Finally, the notice requested comments on several proposals dealing with ways to safeguard PFC revenue in the event of carrier bankruptcy.

By a request dated April 23, 1996, ATA asked that the comment period be extended 90 days to allow interested parties to respond adequately to the complex issues in the notice. ATA states that in light of the demands that the cost data guidance will place upon responding carriers and the carrier response rate that the FAA has established, an extension is needed to permit the submission of the information in the detail and to the extent that the FAA wishes.

The FAA has determined that an extension of the comment period will allow ATA and its members additional time for a more thorough review of applicable issues and questions raised by the ANPRM, and the drafting of responsive comments.

In order, therefore, to give all interested persons additional time to complete their comments, the FAA finds that it is in the public interest to extend the comment period.

Accordingly, the comment period will close on August 16, 1996.

Issued in Washington, DC, on May 16, 1996.

Paul L. Galis,

*Director, Office of Airport Planning and Programming.*

[FR Doc. 96-12739 Filed 5-16-96; 3:32 pm]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 101

[Docket Nos. 91N-384H and 95P-0241]

RIN 0910-AA19

#### Food Labeling: Nutrient Content Claims, Definition of Term: Healthy

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

**ACTION:** Proposed rule; correction.

The Food and Drug Administration (FDA) is correcting a proposed rule that appeared in the Federal Register of February 12, 1996 (61 FR 5349). The document proposed to amend the food labeling regulations to permit certain processed fruits and vegetables and enriched cereal-grain products that conform to a standard of identity to bear the term "healthy." The document was published with an inadvertent error. This document corrects that error.

**DATES:** Written comments by July 18, 1996. FDA proposes that any final rule that may issue based on this proposal become effective on the date of publication in the Federal Register.

**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Felicia B. Satchell, Center for Food Safety and Applied Nutrition (HFS-158), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5099.

In FR Doc. 96-2980, appearing on page 5349 in the Federal Register of Monday, February 12, 1996, the discussion that appears on page 5354 in the first column under the heading "V. Environmental Impact" is corrected by removing the paragraph that appears there in its entirety and adding in its place "The agency has determined under 21 CFR 25.24(a)(11) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required."

Dated: May 15, 1996.

William K. Hubbard,

*Associate Commissioner for Policy Coordination.*

[FR Doc. 96-12689 Filed 5-20-96; 8:45 am]

**BILLING CODE 4160-01-F**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Parts 202, 206, and 211

RIN 1010-AC02

#### Amendments to Gas Valuation Regulations for Federal Leases

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of reopening of public comment period.

**SUMMARY:** The Minerals Management Service (MMS) is reopening the public comment period under a proposed rule published in the Federal Register on November 6, 1995, amending the regulations governing the valuation for royalty purposes of natural gas produced from Federal leases (60 FR 56007). In the December 13, 1995, Federal Register we extended the comment period through February 5, 1996 (60 FR 64000). Based on the diversity of comments received under the proposed rule, in this notice we are publishing a summary of those comments, outlining five options for proceeding with further rulemaking, and requesting public comment on the five options.

**DATES:** Comments must be submitted on or before July 22, 1996.

**ADDRESSES:** You must send comments to: David S. Guzy, Chief, Rules and Procedures Staff, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS 3101, Denver, Colorado 80225-0165, telephone (303) 231-3432, fax (303) 231-3194, e-Mail David\_Guzy@smtp.mms.gov, courier delivery to building 85, Room A-212, Denver Federal Center, Denver, CO 80225.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Procedures Staff, Minerals Management Service, Royalty Management Program, telephone (303) 231-3432, fax (303) 231-3194, e-Mail David\_Guzy@smtp.mms.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On June 27, 1994, in response to the Vice President's National Performance Review, the Secretary chartered the Federal Gas Valuation Negotiated Rulemaking Committee (Committee) for the purpose of improving the regulations that govern the valuation, for royalty purposes, of gas produced from Federal leases. The Committee was comprised of representatives from large oil and gas companies, independents,