

used to adjust food stamp benefits in accordance with the timeframes currently in place for acting on changes.

New systems developed by the Social Security Administration (SSA) may provide faster access to accurate information about SSI and OASDI benefits than has previously been the case. SSA has developed the State Verification and Exchange System (SVES), 42 U.S.C. 1320b-7(a), which replaces previously separate exchanges for SSI and OASDI data. Using the new File Transfer Management System (FTMS), State agencies will be able to obtain daily updates of SSI and OASDI information. SSA will respond to SVES inquiries submitted via FTMS within 24 hours. Using these systems, State agencies will be able to obtain current income information and update records at the State level or provide the information to local offices electronically.

We are interested in State agency comments on their ability to access and use these systems to identify and act on changes in SSI and OASDI benefits within the current timeframes in 7 CFR 273.12(c) for acting on reported changes. We are also interested in comments on the ability of State agencies to use the State's UC data systems for acting on changes in households' UC benefits.

c. Action on Changes in Fluctuating Income—7 CFR 273.12(c)

To address the problem of determining when eligibility workers should act on a reported change in fluctuating income, we are proposing to revise the introductory paragraph of 7 CFR 273.12(c) to specify that if a household reports a change in income, the State agency shall use the information to compute a new allotment amount if the change is representative of anticipated future income. Whether it is representative would be determined on the basis of an expectation that the new circumstance will continue for at least one month beyond the month in which the change is reported. The worker would document the case record to indicate the basis for adjusting or not adjusting the average. If the change does not affect the allotment, the worker would document that fact.

Implementation

We are proposing that the changes made by this rule would be effective and implemented no later than the first day of the month 180 days after publication of the final rule.

List of Subjects in 7 CFR Part 273

Administrative practice and procedure, Aliens, Claims, Food stamps,

Fraud, Grant programs—social programs, Penalties, Records, Reporting and recordkeeping requirements, Social security, Students.

Accordingly, 7 CFR part 273 is proposed to be amended as follows:

1. The authority citation of part 273 continues to read as follows:

Authority: 7 U.S.C. 2011-2032.

PART 273—CERTIFICATION OF ELIGIBLE HOUSEHOLDS

2. In § 273.10, paragraph (c)(3)(i) is revised to read as follows:

§ 273.10 Determining household eligibility and benefit levels.

* * * * *

(c) *Determining income.* * * *

(3) *Income averaging.* (i) Households may elect to have their income averaged. However, the State agency shall not average the income of destitute households (as defined in paragraph (e)(3) of this section). When averaging income, the State agency shall use the household's anticipation of monthly income fluctuations over the certification period. An average must be recalculated at recertification and in response to changes in income, in accordance with § 273.12(c).

* * * * *

5. In § 273.12,

a. The heading of the section, the introductory text of paragraph (a)(1) and paragraph (a)(1)(i) are revised.

b. The introductory text of paragraph (c) is amended by adding two sentences after the first sentence.

The revisions and additions read as follows:

§ 273.12 Requirements for change reporting households.

(a) *Household responsibility to report.*

(1) Monthly reporting households are required to report as provided in § 273.21. Certified change reporting households are required to report the following changes in circumstances:

(i) (A) A change greater than \$25 in the amount of unearned income, except changes relating to PA or general assistance (GA) in project areas in which GA and food stamp cases are jointly processed. The State agency is responsible for identifying changes during the certification period in the amount of PA or GA in jointly processed cases.

(B) A change in the source of income, including starting or stopping a job or changing jobs.

(C) One of the following, as determined by the State agency:

(1) A change in the wage rate of earned income and a change in full-time

or part-time employment status (as determined by the employer or as defined in the State's PA Program), provided that the household is certified for no more than 3 months;

(2) A change in wage rate and a change in hours worked of more than 5 hours a week that is expected to continue for more than a month; or

(3) A change in the amount earned of more than \$80 a month.

* * * * *

(c) *State agency action on changes.*

* * * If a household reports a change in income, the State agency shall act on the change in accordance with paragraphs (c)(1) and (c)(2) of this section if the new circumstance is expected to continue for at least one month beyond the month in which the change is reported. The time frames in paragraphs (c)(1) and (c)(2) of this section apply to these actions. * * *

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Dated: December 10, 1996.

Ellen Haas,

Under Secretary for Food, Nutrition, and Consumer Services.

[FR Doc. 96-31989 Filed 12-16-96; 8:45 am]

BILLING CODE 3410-30-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-44-AD]

RIN 2120-AA64

Airworthiness Directives; Jetstream Aircraft Limited HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking (NPRM); Reopening of the comment period.

SUMMARY: This document proposes to revise an earlier proposed airworthiness directive (AD) that would have required the following on Jetstream Aircraft Limited (JAL) HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes: repetitively inspecting the main landing gear (MLG) pintle to cylinder interface for cracks, and replacing any MLG cylinder that has a crack of any length. The proposed AD results from reports of MLG cracks in the area of the pintle to cylinder interface on three of the affected airplanes. Since publication of that proposal, the Federal Aviation Administration (FAA) has determined

that the proposed action is still a valid safety issue, but that more stringent repetitive inspection intervals should be established than what was earlier proposed. This proposed AD revises the previous proposal by incorporating this change. The actions specified by the proposed AD are intended to prevent failure of the MLG caused by cracks in the pintle to cylinder interface area, which could result in loss of control of the airplane during landing operations. Since the comment period for the previous proposal has closed and the change described above goes beyond the scope of what was previously proposed, the FAA is allowing additional time for the public to comment.

DATES: Comments must be received on or before February 28, 1997.

ADDRESSES: Submit comments in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-44-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland; telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, D.C. 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Tom Rodriguez, Program Manager, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (32 2) 508.2715; facsimile (32 2) 230.6899; or Mr. S.M. Nagarajan, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified

above, will be considered before taking action on the proposed rule. The proposals contained in this supplemental 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 that summarizes 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 supplemental notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95-CE-44-AD." The postcard will be date stamped and returned to the commenter.

Availability of Supplemental NPRM

Any person may obtain a copy of this supplemental NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-44-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Events Leading to This Action

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain JAL HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes was published in the Federal Register on September 19, 1995 (60 FR 48429). The notice of proposed rulemaking (NPRM) proposed to require repetitively inspecting (using non-destructive testing eddy current methods) the MLG pintle to cylinder interface for cracks, and replacing any MLG cylinder that has a crack exceeding certain limits. Accomplishment of the proposed inspections as specified in the NPRM would be in accordance with Jetstream Alert Service Bulletin 32-A-JA 941245, Revision 2, dated March 28, 1995, and AP Precision Hydraulics Ltd. Service Bulletin 32-56, Revision 3, dated February 1995.

Interested persons were afforded an opportunity to participate in the making of this amendment. One comment was received in favor of the proposed rule and no comments were received regarding the FAA's determination of the cost to the public.

The original NPRM, if followed with a final rule, would have allowed

continued flight if cracks were found in the MLG pintle to cylinder interface when the cracks did not exceed certain limits. The FAA has recently established a policy to disallow airplane operation when known cracks exist in primary structure (the MLG pintle to cylinder interface is considered primary structure). For this reason, the FAA issued a supplemental NPRM on March 19, 1996 (61 FR 12051, March 25, 1996) that proposed the same actions as the original proposal, but proposed to require the MLG cylinder to be replaced if any cracks are found, not just if cracks are found that exceed certain limits.

Since publication of the previous supplemental NPRM, the FAA has re-examined all information related to this subject and determined that the actions proposed in the proposal are a valid safety issue, but that more stringent repetitive inspection intervals should be established. Specifically, the MLG pintle to cylinder interface would be inspected initially "upon accumulating 8,000 landings on an affected MLG * * *" (instead of 8,500 landings), "* * * and, thereafter at intervals not to exceed 1,200 landings * * *" (instead of 4,000 landings). The more stringent inspection intervals were based on an analysis done by JAL and subsequently evaluated and approved by the FAA.

Applicable Service Information

JAL has issued Jetstream Service Bulletin 32-JA 960142, dated March 15, 1996. This service bulletin specifies procedures for accomplishing the proposed inspections using fluorescent penetrant methods. The FAA has included this inspection method as an alternative to the non-destructive testing eddy current inspection.

The FAA's Determination

The revision of the previous supplemental NPRM would require more stringent repetitive inspection intervals of the MLG pintle to cylinder interface for JAL HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes. Since these actions go beyond the scope of what was already proposed and the comment period for the previous supplemental NPRM has closed, the FAA has determined that the public should have the opportunity to comment on the proposal as amended. Therefore, the FAA is issuing this supplemental NPRM to allow all interested persons a further opportunity to participate in the making of this amendment.

Cost Impact

The FAA estimates that 250 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 6 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the proposed inspection on U.S. operators is estimated to be \$90,000. This figure does not take into account the cost of repetitive inspections or the cost of replacement MLG cylinders if cracks are found. The FAA has no way of determining the number of repetitive inspections each owner/operator would incur over the life of the airplane or the number of MLG cylinders that may be found cracked during the inspections proposed by this action.

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 action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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 has been placed 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

Jetstream Aircraft Limited: Docket No. 95–CE–44–AD.

Applicability: HP 137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes (all serial numbers), certificated in any category, that are equipped with one of the following main landing gear (MLG) part numbers:

1863
1863/4C
1864/4B
BOOA702851A
BOOA703065A
BOOA702926A
BO1A703066A
1863/4A,
1864
1864/4C
BOOA702925A
BO1A703065A
BO1A702926A
BOOA703031A
1863/4B
1864/4A
BOOA702850A
BO1A702925A
BOOA703030A
BOOA703066A

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 (d) 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 initially upon accumulating 8,000 landings on an affected MLG or within the next 100 landings after the effective date of this AD, whichever occurs later, unless already accomplished, and thereafter at intervals not to exceed 1,200 landings accumulated on an affected MLG.

Note 2: If the number of landings is unknown, hours time-in-service (TIS) may be used by multiplying the number of hours TIS by 0.75. If hours TIS are utilized to calculate the number of landings, this would make the AD effective "initially upon accumulating 10,667 hours TIS on an affected MLG or within the next 133 hours TIS after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 1,600 hours TIS accumulated on an affected MLG."

To prevent failure of the MLG caused by cracks in the pintle to cylinder interface area, which could result in loss of control of the airplane during landing operations, accomplish the following:

(a) Inspect the MLG pintle to cylinder interface for cracks in accordance with one of the following:

(1) Using non-destructive testing (NDT) eddy current methods, in accordance with AP Precision Hydraulics Ltd. Service Bulletin 32–56, Revision 3, dated February 1995; or

(2) Using fluorescent penetrant methods, in accordance with APPENDIX 1 in Jetstream Service Bulletin 32–JA 960142, dated March 15, 1996.

(b) If any crack is found during any inspection required by this AD, prior to further flight, replace the MLG cylinder with a new part. Replacing the MLG cylinder does not eliminate the repetitive inspection requirement of this AD.

Note 3: The "prior to further flight" replacement compliance time required by this AD if a MLG cylinder is cracked is different from the compliance time referenced in Jetstream Alert Service Bulletin 32–A–JA 941245; and AP Precision Hydraulics Ltd. Service Bulletin 32–56, Revision 3, dated February 1995. This AD takes precedence over any service information.

(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.

(d) An alternative method of compliance or adjustment of the initial and repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Division, Europe, Africa, Middle East office, FAA, c/o American Embassy, B–1000 Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Division.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division.

(e) All persons affected by this directive may obtain copies of the documents referred to herein upon request to Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC 20041–6029; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on December 9, 1996.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–31950 Filed 12–16–96; 8:45 am]

BILLING CODE 4910–13–U