PART 1496—PROCUREMENT OF PROCESSED AGRICULTURAL COMMODITIES FOR DONATION UNDER TITLE II, PUB. L. 480

1. The authority citation for part 1496 is revised to read as follows:

Authority: 7 U.S.C. 1721–1726a; 1731–1736g–2; 46 U.S.C. App. 1241(b), and 1241(f).

2. In § 1496.5, paragraphs (b)(1) and (f) are proposed to be revised to read as follows:

§ 1496.5 Consideration of bids.

* * * * *

(b)(1) *Availability of ocean service.* Prior to receipt of offers from commodity suppliers, CCC will review ocean freight information from available sources including but not limited to, trade journal newspapers, port publications, steamship publications in order to determine the availability of appropriate ocean service.

* * * * *

(f) *Great Lakes ports.* Commodities offered for delivery f.a.s. vessel Great Lakes port range that represent the overall (foreign and U.S. flag) lowest landed cost will be awarded on that basis and will not be evaluated on a lowest landed cost U.S.-flag basis unless CCC determines that 25 percent of the total annual tonnage of bagged, processed or fortified commodities furnished under Title II of Public Law 480 has been, or will be, transported from the Great Lakes port range during that fiscal year.

Signed at Washington, DC, on February 3, 1997.

Bruce R. Weber,

Acting Executive Vice President,Commodity Credit Corporation.

[FR Doc. 97–3370 Filed 2–11–97; 8:45 am]

BILLING CODE 3410–05–P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Standards; Waiver of the Nonmanufacturer Rule

AGENCY: Small Business Administration.

ACTION: Notice of intent to waive the nonmanufacturer rule for power circuit breakers, disconnect switches, current and potential transformers, autotransformer, surge arresters.

SUMMARY: The Small Business Administration (SBA) is considering granting a waiver of the Nonmanufacturer Rule for Power Circuit Breakers, Disconnect Switches, Current and Potential Transformers, Autotransformer, Surge Arresters. The basis for a waiver of the Nonmanufacturer Rule for these products is that there are no small business manufacturers or processors available to supply these products to the Federal Government. The effect of a waiver would be to allow an otherwise qualified Nonmanufacturer to supply other than the product of a domestic small business manufacturer or processor on a Federal contract set aside for small businesses or awarded through the SBA 8(a) Program. The purpose of this document is to solicit comments and potential source information from interested parties.

DATES: Comments and sources must be submitted on or before February 18, 1997.

ADDRESSES: David Wm. Loines, Procurement Analyst, U.S. Small Business Administration, 409 3rd Street S.W., Washington, DC 20416, Tel: (202) 205–6475.

FOR FURTHER INFORMATION CONTACT: David Wm. Loines, Procurement Analyst, (202) 205–6475, FAX (202) 205–7324.

SUPPLEMENTARY INFORMATION: Public law 100–656, enacted on November 15, 1988, incorporated into the Small Business Act the previously existing regulation that recipients of Federal contracts set-aside for small businesses or the SBA 8(a) Program procurement must provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor. This requirement is commonly referred to as the Nonmanufacturer Rule. The SBA regulations imposing this requirement are found at 13 CFR 121.406(b). Section 303(h) of the law provides for waiver of this requirement by SBA for any ''class of products'' for which there are no small business manufacturers or processors in the Federal market. To be considered available to participate in the Federal market on these classes of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal Government within the last 24 months. The SBA defines ''class of products'' based on two coding systems. The first is the Office of Management and Budget Standard Industrial Classification Manual (SIC). The second is the Product and Service Code (PSC) established by the Federal Procurement Data System.

The Small Business Administration is currently processing a request for a waiver of the Nonmanufacturer Rule for Power Circuit Breakers (SIC 3613, PSC 5925), Disconnect Switches (SIC 3613, PSC 5930), Current and Potential Transformers (SIC 3612, PSC 5950), Autotransformer (SIC 3612, PSC 5950), Surge Arresters (SIC 3643, PSC 5920), and invites the public to comment or provide information on potential small business manufacturers for these products.

In an effort to identify potential small business manufacturers, the SBA has searched the Procurement Automated Source System (PASS) and Thomas Register, and the SBA will publish a notice in the Commerce Business Daily. The public is invited to comment or provide source information to SBA on the proposed waiver of the Nonmanufacturer Rule for these classes of products.

Dated: February 6, 1997.

Judith A. Roussel,

Associate Administrator for Government Contracting.

[FR Doc. 97–3457 Filed 2–11–97; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–12–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise an existing airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that currently requires repetitive inspections of the access doors to the midspar/spring beam fuse pins on all engine pylons to detect cracks on the external surface; repetitive inspections of each midspar/spring beam fuse pin to detect if it protrudes beyond its mating nut by a specified distance; and repair of any discrepancy found. The actions specified by that AD are intended to prevent migration of this fuse pin, which, if not detected and corrected in a timely manner, could result in failure of the engine pylon and consequent separation of the engine from the wing. This new action would increase the intervals between inspections of the access doors and each midspar/spring beam fuse pin, and consequently decrease the frequency of inspections. This proposal is prompted by new data provided the manufacturer indicating

that the reported migration of the fuse pin was apparently the result of an incorrectly installed nut.

DATES: Comments must be received by March 10, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–12–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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tamara L. Dow, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2771; fax (206) 227–1181.

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 97–NM–12–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. 97–NM–12–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On December 23, 1996, the FAA issued AD 96–26–52, amendment 39–9868 (62 FR 302, January 3, 1997), which is applicable to certain Boeing Model 747 series airplanes. It requires repetitive detailed visual inspections of the access doors to the midspar/spring beam fuse pins on all engine pylons to detect cracks on the external surface, and repair, if necessary. In addition, the AD requires repetitive detailed visual inspections of each midspar/spring beam fuse pin to detect if it protrudes beyond its mating nut by a specified distance, and repair, if necessary.

That action was prompted by a report indicating that a fuse pin had migrated on an inboard spring beam fitting on the Number 1 engine pylon of a Boeing Model 747–400 airplane.

The requirements of that AD are intended to prevent migration of this fuse pin, which, if not detected and corrected in a timely manner, could result in failure of the engine pylon and consequent separation of the engine from the wing.

Actions Since Issuance of Previous Rule

Subsequent to the issuance of that AD, the manufacturer conducted an additional inspection and analysis of the fuse pin (and its mated self-locking nut) whose migration had been reported to the FAA, and which was pertinent to the incident that prompted the issuance of AD 96–26–52.

The manufacturer reports that, normally, when a self-locking nut is correctly installed, the last 2 to 3 threads of the nut will show signs of this installation. However, according to the data gathered from the recent inspection, no such signs were found associated with the nut that was used on the migrant fuse pin. Based on that observation and further testing, the manufacturer has concluded that the self-locking nut was incorrectly installed on the fuse pin that was the subject of the reported incident. The migration of that fuse pin was apparently attributed to the incorrect installation of its mating nut, and not to some other phenomenon.

FAA's Conclusions

The new information presented the by manufacturer have led the FAA to reconsider the current inspection requirements of AD 96–26–52. Based on these new data, as well as the fact that there have been no reported findings of discrepancies associated with the fuse pins as a result of the inspections required by AD 96–26–52, the FAA finds that the repetitive inspection intervals that are currently required by that AD may be unnecessarily conservative.

AD 96–26–52 currently requires that the inspections be conducted at intervals not to exceed 150 landings or 1,000 hours time-in-service, whichever occurs first. However, the FAA has determined that the repetitive interval can be extended to 1,000 landings or 18 months, whichever occurs first, without compromising safety. This interval would closely parallel regularly scheduled maintenance inspections (''C'' checks) for the majority of affected operators. Operators then will be able to conduct the inspections when the airplanes are located at a main base, where special equipment and trained personnel would be readily available, if necessary.

The FAA finds that inspections conducted at the revised interval will provide an acceptable level of safety and will ensure that any discrepancies are found and detected in a timely manner.

Further, this revised schedule will provide an effective program of regular inspections during the period prior to accomplishing the modifications of the nacelle strut and wing structure required by AD 95–13–05 [amendment 39–9285 (60 FR 33333, June 28, 1995), as corrected at 60 FR 35452, July 7, 1995] and AD 95–13–06 [amendment 39–9286 (60 FR 33338, June 28, 1995), as corrected at 60 FR 37500, July 20, 1995]. Once those modifications are accomplished, the inspections required by this AD are no longer necessary.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed action would revise AD 96–26–52. It would continue to require:

1. repetitive inspections of the access doors to the midspar/spring beam fuse pins on all engine pylons to detect cracks on the external surface;

2. repetitive inspections of each midspar/spring beam fuse pin to detect if it protrudes beyond its mating nut by a specified distance; and

3. repair of any discrepancy found.

However, this proposed action would revise the AD by increasing the intervals between the repetitive inspections to

1,000 landings or 18 months, whichever occurs first.

Cost Impact

There are approximately 459 Boeing Model 747 series airplanes of the affected design in the worldwide fleet, and the FAA estimates that 44 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 4 work hours per airplane to accomplish each cycle of proposed inspections, at an average rate of $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $10,560 per inspection cycle, or $240 per airplane, per inspection cycle. (By increasing the intervals between inspections, this proposed AD would result in inspections being conducted less frequently than is now required.)

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.

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 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 39–9868 (62 FR 302, January 3, 1997), and by adding a new airworthiness directive (AD), to read as follows:

BOEING: Docket 97–NM–12–AD. Revises AD 96–26–52, amendment 39–9868.

Applicability: Model 747 series airplanes having line numbers 1 through 1046, inclusive; certificated in any category; that meet all of the following criteria:

- Equipped with Pratt & Whitney Model PW4000 series engines, or General Electric Model CF6–80C2 series engines, or Rolls Royce Model RB211 series engines;
- On which fuse pins having part numbers 310U2301–101, –116, –117, or –120 (''third generation'' fuse pins) are installed at the midspar/spring beam fittings of the engine pylon; and
- On which the modification of the nacelle strut and wing structure in accordance with Boeing Alert Service Bulletin 747–54A2156 or Boeing Alert Service Bulletin 747–54A2157, as applicable, has not been accomplished.

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.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the engine pylon and consequent separation of the engine from the wing, due to migration of the fuse pins installed at the midspar/spring beam fittings of the pylon, accomplish the following:

(a) Within 15 days after January 8, 1997 [the effective date of AD 96–26–52, amendment 39–9868), accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD.

(1) Perform a detailed visual inspection of the access doors to each midspar/spring beam fuse pin on each engine pylon to detect cracks on the external surface of the doors.

(i) If no cracking is detected during the inspection, repeat that inspection at intervals not to exceed 1,000 landings or 18 months, whichever occurs first.

(ii) If any cracking is detected during the inspection, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Thereafter, repeat the inspection at intervals not to exceed 1,000 landings or 18 months, whichever occurs first.

(2) Gain access through the aft fairing doors of each engine pylon to each midspar/spring beam fuse pin and its mating, self-locking nut, and perform a detailed visual inspection of each fuse pin to verify that at least one thread of the fuse pin protrudes beyond its mating, self-locking nut.

(i) If no discrepancy is detected during the inspection, repeat that inspection at intervals not to exceed 1,000 landings or 18 months, whichever occurs first.

(ii) If the inspection reveals that at least one thread does not protrude beyond its mating, self-locking nut, prior to further flight, repair in accordance with a method approved by the Manager, Seattle ACO, FAA, Transport Airplane Directorate. Thereafter, repeat the inspection at intervals not to exceed 1,000 landings or 18 months, whichever occurs first.

(b) Accomplishment of the modification of the nacelle strut and wing structure in accordance with Boeing Alert Service Bulletin 747–54A2156, Revision 2, dated December 21, 1995, or earlier revisions (for airplanes equipped with General Electric Model CF6–80C2 series engines, or Pratt & Whitney PW4000 series engines); or Boeing Alert Service Bulletin 747–54A2157, Revision 2, dated November 14, 1996, or earlier revisions (for airplanes with Rolls Royce Model RB211 series engines); as applicable; constitutes terminating action for the repetitive detailed visual inspections required by paragraphs (a)(1) and (a)(2) 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, Seattle ACO, 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, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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 February 5, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–3433 Filed 2–11–97; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 96–NM–252–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A320 and A321 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to all Airbus Model A320 series airplanes, that currently requires revising the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to instruct the flight crew to maintain a flap setting of ''Configuration Full'' (CONF FULL) during landing. That AD was prompted by a report of severe control difficulties which occurred on approach with the flaps locked in CONF FULL and the landing gear down. This action would add a requirement for installation of a new, improved flight warning computer (FWC), which, when accomplished, would constitute terminating action for the AFM limitation. This action also would revise the applicability of the existing AD to include additional airplanes that are subject to the addressed unsafe condition. The actions specified by the proposed AD are intended to prevent reduced controllability of the airplane during approach when the flaps are locked in CONF FULL.

DATES: Comments must be received by March 24, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96-NM–252-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: Charles Huber, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2589; 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 96-NM–252-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. 96–NM–252–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On September 15, 1994, the FAA issued AD 94–20–02, amendment 39–9030 (59 FR 48563, September 22, 1994), applicable to all Airbus Model A320 series airplanes, to require revising the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to advise the flight crew to maintain ''Configuration Full'' (CONF FULL) during landing approaches. That action was prompted by a report of severe control difficulties which occurred on approach with the flaps locked in CONF FULL and the landing gear down. The requirements of that AD are intended to prevent severely reduced controllability of the airplane during approach.

In the preamble to AD 94–20–02, the FAA indicated that the actions required by that AD were considered ''interim action'' and that further rulemaking action was being considered. The FAA now has determined that further rulemaking is indeed necessary, and this proposed AD follows from that determination.

Actions Since Issuance of Previous Rule

Since the issuance of AD 94–20–02, the FAA has determined that Airbus Model A321 series airplanes may be subject to the same unsafe condition addressed by AD 94–20–02. Since the FWC installed on those airplanes is similar in design to those installed on Model A320 series airplanes, the same problems encountered on the Model A320 could potentially occur on the Model A321 as well.

Additionally, since issuance of AD 94–20–02, Airbus has developed an improved flight warning computer (FWC) that positively addresses the control difficulties addressed by AD 94–20–02. Installation of the FWC will ensure adequate controllability of the airplane during approach with the flaps locked in CONF FULL and the landing gear down.

Explanation of Relevant Service Information

Airbus has issued Service Bulletin A320–31–1080, Revision 01, dated July 12, 1996, which describes procedures for installation of a new, improved FWC that defines a new standard common to Airbus Model A320 and A321 series airplanes. Among other actions, the service bulletin describes modifications that correct certain FWC parts and that implement predictive windshear function capability. The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified this service bulletin as mandatory and issued French airworthiness directive 96–079–079(B), dated April 10, 1996, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

These 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