

because the Secretary determined that the 1997/98 supply would be ample and appropriate at the formula level.

Accordingly, the national marketing quota for the marketing year beginning October 1, 1997, for burley tobacco is 704.5 million pounds.

In accordance with section 319(c) of the 1938 Act, the Secretary is authorized to establish a national reserve from the national quota in an amount equivalent to not more than 1 percent of the national quota for the purpose of making corrections in farm quotas to adjust for inequities and establish quotas for new farms. The Secretary has determined that a national reserve for the 1997 crop of burley tobacco of 3,798,400 pounds is adequate for these purposes.

Price Support

Price support is required to be made available for each crop of a kind of tobacco for which quotas are in effect, or for which marketing quotas have not been disapproved by producers, at a level determined in accordance with a formula prescribed in section 106 of the 1949 Act.

With respect to the 1997 crop of burley tobacco, the level of support is determined in accordance with sections 106 (d) and (f) of the 1949 Act. Section 106(f)(7)(A) of the 1949 Act provides that the level of support for the 1997 crop of burley tobacco shall be:

(1) The level, in cents per pound, at which the 1996 crop of burley tobacco was supported, plus or minus, respectively,

(2) An adjustment of not less than 65 percent nor more than 100 percent of the total, as determined by the Secretary after taking into consideration the supply of the kind of tobacco involved in relation to demand, of:

(A) 66.7 percent of the amount by which:

(I) The average price received by producers for burley tobacco on the United States auction markets, as determined by the Secretary, during the 5 marketing years immediately preceding the marketing year for which the determination is being made, excluding the year in which the average price was the highest and the year in which the average price was the lowest in such period, is greater or less than:

(II) The average price received by producers for burley tobacco on the United States auction markets, as determined by the Secretary, during the 5 marketing years immediately preceding the marketing year prior to the marketing year for which the determination is being made, excluding the year in which the average price was

the highest and the year in which the average price was the lowest in such period; and

(B) 33.3 percent of the change, expressed as a cost per pound of tobacco, in the index of prices paid by the tobacco producers from January 1 to December 31 of the calendar year immediately preceding the year in which the determination is made.

The difference between the two 5-year averages (i.e., the difference between (A) (I) and (II)) is 1.3 cents per pound. The difference in the cost index from January 1, 1996 to December 31, 1996, is 8.0 cents per pound. Applying these components to the price support formula (1.3 cents per pound, two-thirds weight; 8.0 cents per pound, one-third weight) results in a weighted total of 3.5 cents per pound. As indicated, section 106 of the 1949 Act provides that the Secretary may, on the basis of supply and demand conditions, limit the change in the price support level to no less than 65 percent of that amount. In order to remain competitive in foreign and domestic markets, the Secretary used his discretion to limit the increase to 65 percent of the maximum allowable increase. Accordingly, the 1997 crop of burley tobacco will be supported at 176.0 cents per pound, 2.3 cents higher than in 1996.

List of Subjects

7 CFR Part 723

Acreage allotments, Marketing quotas, Penalties, Reporting and recordkeeping requirements, Tobacco.

7 CFR Part 1464

Loan programs-agriculture, Price support programs, Tobacco, Reporting and recordkeeping requirements, Warehouses.

Accordingly, 7 CFR parts 723 and 1464 are amended as follows:

PART 723—TOBACCO

1. The authority citation for 7 CFR part 723 continues to read as follows:

Authority: 7 U.S.C. 1301, 1311–1314, 1314–1, 1314b, 1314b–1, 1314b–2, 1314c, 1314d, 1314e, 1314f, 1314i, 1315, 1316, 1362, 1363, 1372–75, 1421, 1445–1, and 1445–2.

2. Section 723.112 is amended by adding paragraph (e) to read as follows:

§ 723.112 Burley (type 31) tobacco.

* * * * *

(e) The 1997-crop national marketing quota is 704.5 million pounds.

PART 1464—TOBACCO

3. The authority citation for 7 CFR part 1464 continues to read as follows:

Authority: 7 U.S.C. 1421, 1423, 1441, 1445, 1445–1 and 1445–2; 15 U.S.C. 714b and 714c.

4. Section 1464.19 is amended by adding paragraph (e) to read as follows:

§ 1464.19 Burley (type 31) tobacco.

* * * * *

(e) The 1997 crop national price support level is 176.0 cents per pound.

Signed at Washington, DC, on May 21, 1997.

Bruce R. Weber,

Acting Administrator, Farm Service Agency and Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 97–14382 Filed 6–2–97; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–193–AD; Amendment 39–10043; AD 97–11–14]

RIN 2120–AA64

Airworthiness Directives; British Aerospace Model BAC 1–11 200 and 400 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain British Aerospace Model BAC 1–11 200 and 400 series airplanes, that requires inspections of the main landing gear (MLG) A-frame attachment fittings to detect corrosion or cracking, and repair or replacement of cracked or corroded components with new components. This amendment is prompted by findings of corroded and cracked A-frame components of the MLG. The actions specified by this AD are intended to prevent corrosion and cracking of MLG A-frame components, which could result in collapse of the MLG.

DATES: Effective July 8, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 8, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of

the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.
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 (425) 227-2797; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain British Aerospace Model BAC 1-11 200 and 400 series airplanes was published in the **Federal Register** on March 25, 1997 (62 FR 14047). That action proposed to require repetitive detailed visual inspections of the main landing gear (MLG) A-frame attachment fittings to detect corrosion or cracking, and repair or replacement of cracked or corroded components with new components.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 25 Model BAC 1-11 200 and 400 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$1,500, or \$60 per airplane, per inspection.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 adopted herein will 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 final rule does 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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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:

97-11-14 British Aerospace Airbus Limited (Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group): Amendment 39-10043. Docket 96-NM-193-AD.

Applicability: Model BAC 1-11 200 and 400 series airplanes; equipped with main landing gear (MLG) A-frame attachment fittings having the part numbers listed in British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 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 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 (f) 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 corrosion or cracking of MLG A-frame fittings, which could result in collapse of the MLG, accomplish the following:

(a) Conduct a detailed visual inspection to detect corrosion or cracking of the MLG A-frame attachment fittings, in accordance with British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, and at the applicable time specified in paragraph (a)(1) or (a)(2) of this AD:

(1) For airplanes that have accumulated 16,000 or fewer total landings as of the effective date of this AD: Conduct the initial inspection at the later of the times specified in paragraphs (a)(1)(i) and (a)(1)(ii).

(i) Prior to the accumulation of 16,000 total landings or within 8 years since new, whichever occurs first; or

(ii) Within 6 months after the effective date of this AD.

(2) For airplanes that have accumulated more than 16,000 total landings as of the effective date of this AD: Conduct the initial inspection within 4,000 landings or 2 years after the effective date of this AD, whichever occurs first.

(b) If no corrosion or cracking is found, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(c) If corrosion is found and it is within the limits specified in British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, prior to further flight, repair the component in accordance with the alert service bulletin. After repair, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(d) If corrosion is found and it is outside the limits specified in British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, prior to further flight, replace the corroded component with a new component in accordance with the alert service bulletin. After replacement, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(e) If any cracking is found, prior to further flight, replace the cracked component with a new component in accordance with British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995. After replacement, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(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.

(h) The actions shall be done in accordance with British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on July 8, 1997.

Issued in Renton, Washington, on May 23, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 870

RIN 1029-AB49

Abandoned Mine Land Reclamation Fund Reauthorization Implementation; Partial Suspension

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; suspension.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) of the U.S. Department of the Interior is suspending its regulation at 30 CFR 870.17. The regulation governs the scope of audits conducted in connection with OSM's abandoned mine land reclamation program. The regulation is being suspended pending new rulemaking.

EFFECTIVE DATE: The suspension notice is effective June 3, 1997.

FOR FURTHER INFORMATION CONTACT: Jim Krawchuk, Division of Compliance Management, Office of Surface Mining Reclamation and Enforcement, 3 Parkway Center, Pittsburgh, PA 15220. Telephone 412-921-2676. E-mail: jkrawchuk@osmre.gov.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Procedural Matters

I. Background

On November 5, 1990, the President signed into law the Omnibus Budget Reconciliation Act of 1990, Public Law 101-508. Included in this law was the Abandoned Mine Reclamation Act of 1990 (AMRA) which amended the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1201 *et seq.* On May 31, 1994, OSM published final regulations in the **Federal Register** (59 FR 28136) implementing the provisions of AMRA. The final regulations included a revision of 30 CFR 870.17 which specifies who may conduct audits and whose records may be examined. The revision, utilizing the authority in sections 201(c), 402(d)(2) and 413(a) of SMCRA, expanded the scope of section 870.17 to cover the records of all persons involved in a coal transaction, including permittees, operators, brokers, purchasers, and persons operating preparation plants and tipples, and any recipient of royalty payments from the coal mining operation.

In July 1994, the National Coal Association and the American Mining Congress, predecessor organizations of the National Mining Association (NMA), filed suit challenging the regulations promulgated by OSM, specifically the scope of 30 CFR 870.17. On July 23, 1996, in *National Mining Ass'n v. U.S. Department of the Interior*, No. 94-1642 (D.D.C.), the United States District Court for the District of Columbia ruled in favor of OSM. NMA appealed the district court's decision to the United States Court of Appeals for the District of Columbia. After the parties engaged in court-ordered mediation, the Department of Justice, upon OSM's request, filed a motion to hold the case in abeyance pending new rulemaking to resolve the issues in dispute and the U.S. Court of Appeals granted the motion.

Therefore, OSM is suspending section 870.17 and will propose rulemaking to reconsider its scope. During the period of suspension, OSM will continue to conduct audits of operators of surface coal mining operations, as necessary, under the provisions of section 402(d)(2) of SMCRA, and 30 CFR 870.16.

II. Procedural Matters

Executive Order 12866

This suspension notice has been reviewed under the criteria of Executive Order 12866.

Regulatory Flexibility Act

The Department of the Interior pursuant to the Regulatory Flexibility

Act, 5 U.S.C. 601 *et seq.*, certifies this suspension will not have a significant economic effect on a substantial number of small entities for the same reason that the promulgation of the rule in 1994 did not have such an impact. The particular provision being suspended governs the scope of audits conducted by OSM and will have no economic impact on small entities.

National Environmental Policy Act

This rule has been reviewed by OSM and it has been determined to be categorically excluded from the National Environmental Policy Act (NEPA) process in accordance with the Departmental Manual 516 DM 2, Appendix 1.10.

List of Subjects in 30 CFR Part 870

Reporting and recordkeeping requirements, Surface mining, Underground mining.

Dated: May 28, 1997.

Bob Armstrong,

Assistant Secretary for Land and Minerals Management.

Accordingly, 30 CFR Part 870 is amended as set forth below.

PART 870—ABANDONED MINE RECLAMATION FUND—FEE COLLECTION AND COAL PRODUCTION REPORTING

1. The authority citation for Part 870 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*, as amended; and Pub. L. 100-34.

§ 870.17 [Suspended]

2. Section 870.17 is suspended.

[FR Doc. 97-14392 Filed 6-2-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Chapter I and Parts 1, 7, 8, 9, 11, 13, 17, 18, 20, 21, 28, 51, 65, 67, 73 and 78

RIN 1024-AC60

General Provisions, Definitions: Change in Organizational Title From Field Director and Field Area to Regional Director and Region

AGENCY: National Park Service, Interior.
ACTION: Final rule.

SUMMARY: The National Park Service (NPS) is amending the terms "Field Director" and "Field Area" that came about as a result of a new organizational structure. In 1995, the National Park