

submit information on the regulatory and informational impacts of this action on small businesses.

This action imposes no additional reporting or recordkeeping requirements on either small or large California kiwifruit handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

An interim final rule concerning this action was published in the **Federal Register** on August 14, 2000 (65 FR 49472). Copies of that rule were also mailed or sent via facsimile to all kiwifruit handlers. Finally, the interim final rule was made available through the Internet by the Office of the Federal Register. A 60-day comment period was provided for interested persons to respond to the interim final rule. The comment period ended on October 13, 2000. No comments were received.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 920

Kiwifruit, Marketing agreements.

For the reasons set forth in the preamble, 7 CFR part 920 is amended as follows:

#### PART 920—KIWIFRUIT GROWN IN CALIFORNIA

Accordingly, the interim final rule amending 7 CFR part 920 which was published at 65 FR 49472 on August 14, 2000, is adopted as a final rule without change.

Dated: October 23, 2000.

**Robert C. Keeney,**

*Deputy Administrator, Fruit and Vegetable Programs.*

[FR Doc. 00-27618 Filed 10-26-00; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-CE-03-AD; Amendment 39-11946; AD 2000-21-14]

RIN 2120-AA64

#### Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Pilatus Aircraft Ltd. (Pilatus) Models PC-12 and PC-12/45 airplanes. This AD requires you to perform a one-time inspection for abrasion damage, distortion, and proper clearance of the torque oil-pressure tubes and py pressure pipe, and if necessary, adjust and replace these components. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. The actions specified by this AD are intended to correct abrasive damage from rubbing pipes and consequent loss of engine oil.

**DATES:** This AD becomes effective on December 15, 2000.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of December 15, 2000.

**ADDRESSES:** You may get the service information referenced in this AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224. You may examine this information at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000-CE-03-AD, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC 20001.

**FOR FURTHER INFORMATION CONTACT:** Roman T. Gabrys, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4141; facsimile: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:**

### Discussion

*What events have caused this AD?* The Federal Office for Civil Aviation (FOCA), which is the airworthiness authority for Switzerland, recently notified the FAA that an unsafe condition may exist on certain Pilatus Model PC-12 and PC-12/45 airplanes. The FOCA reports that 3 airplanes had rubbing pipes, 2 with consequent leakage of engine oil. Inadequate clearance caused these components to touch and rub.

*What are the consequences if you do not correct the condition?* This condition, if not corrected, could result in loss of propulsion during flight.

*Has FAA taken any action to this point?* We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Pilatus Models PC-12 and PC-12/45 airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on August 18, 2000 (65 FR 50466). The NPRM proposed to require a one-time inspection of the torque oil-pressure tubes and py pressure pipe; and adjust and replace, if necessary, the torque oil-pressure tubes and py pressure pipe.

*Was the public invited to comment?* Interested persons were afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

### The FAA's Determination

*What is FAA's Final Determination on this Issue?* After careful review of all available information related to the subject presented above, we have determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. We determined that these minor corrections:

- Will not change the meaning of the AD; and
- Will not add any additional burden upon the public than was already proposed.

### Cost Impact

*How many airplanes does this AD impact?* We estimate that this AD affects 108 airplanes in the U.S. registry.

*What is the cost impact of this AD on owners/operators of the affected airplanes?* We estimate the following costs to accomplish the inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. airplane operators
1 workhour × \$60 per hour = \$60 .....	No part required for the ..... inspection	\$60 per airplane .....	\$60 × 108 = \$6,480.

We estimate the following costs to accomplish the adjustment and replacement:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. airplane operators
2 workhours × \$60 per hour = \$120 .....	The manufacturer will provide replacement parts at no charge to the owner/operator of the affected airplanes.	\$120 per airplane .....	\$120 × 108 = \$12,960.

**Regulatory Impact**

*Does this AD impact various entities?* The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

*Does this AD involve a significant rule or regulatory action?* 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 copy of the final 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, Incorporation by reference, Safety.

**Adoption of the Amendment**

Accordingly, under 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. FAA amends Section 39.13 by adding a new AD to read as follows:  
**2000-21-14 Pilatus Aircraft Ltd.:**  
 Amendment 39-11946; Docket No. 2000-CE-03-AD.

(a) *What airplanes are affected by this AD?* This AD affects Models PC-12 and PC-12/45 airplanes, manufacturer serial numbers (MSN) 101 through MSN 301, that:

- (1) Are certificated in any category; and
- (2) Are equipped with any of the following Pilatus torque oil-pressure tubes and py pressure pipe assemblies:
  - (i) Pilatus part number (P/N) 577.11.12.105 (or FAA-approved equivalent part number);
  - (ii) Pratt & Whitney Canada (P&WC) P/N 3119969 (or FAA-approved equivalent part number); and
  - (iii) Pilatus P/N 577.11.12.104 (or FAA-approved equivalent part number).

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to correct chafing damage and consequent loss of engine oil caused by rubbing pipes. Such damage could result in loss of propulsion during critical phases of flight.

(d) *What actions must I accomplish to address this problem?* To address this problem, you must accomplish the following actions:

Actions	Compliance times	Procedures
(1) Inspect the torque oil-pressure tubes and the py pressure pipe assemblies for abrasion damage and distortion.	Within the next 50 hours time-in-service (TIS) after December 15, 2000 (the effective date of the AD).	Accomplish in accordance with the AC-COMPLISHMENT INSTRUCTIONS—AIRCRAFT paragraph of Pilatus Service Bulletin No. 71-004, dated December 22, 1999.
(2) If there is any abrasion damage or distortion, accomplish the following: (i) Replace the pipes and tubes with the damage or distortion; and (ii) Make sure there is a clearance distance of not less than 0.12 inches (3.0 millimeters), and make any appropriate adjustments.	Before further flight after the inspection .....	As specified in the above-referenced service information.
(3) If no abrasion damage or distortion is found, make sure there is a clearance distance of not less than 0.12 inches (3.0 millimeters), and make any appropriate adjustments.	Before further flight after the inspection .....	As specified in the above-referenced service information.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

- (1) Your alternative method of compliance provides an equivalent level of safety; and
- (2) The Manager, Small Airplane Directorate, approves your alternative.

Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 1:** This AD applies to each airplane identified in paragraph (a) of this AD, 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Roman T. Gabrys, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4141; facsimile: (816) 329-4090.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *Are any service bulletins incorporated into this AD by reference?* Actions required by this AD must be done in accordance with Pilatus Service Bulletin No. 71-004, dated December 22, 1999. The Director of the Federal Register approved this incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6371 Stans, Switzerland. You can look at copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) *When does this amendment become effective?* This amendment becomes effective on December 15, 2000.

**Note 2:** The subject of this AD is addressed in Swiss AD Number HB 2000-007, dated January 17, 2000.

Issued in Kansas City, Missouri, on October 17, 2000.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 00-27222 Filed 10-26-00; 8:45 am]

**BILLING CODE 4910-13-U**

## OVERSEAS PRIVATE INVESTMENT CORPORATION

### 22 CFR Part 706

RIN 3420-ZA00

#### Freedom of Information; Final Rule

**AGENCY:** Overseas Private Investment Corporation.

**ACTION:** Final rule.

**SUMMARY:** This final rule revises the Overseas Private Investment Corporation's ("OPIC," or "the Corporation") Freedom of Information Act ("FOIA") regulations by making substantive and administrative changes. These revisions supersede OPIC's current FOIA regulations, located at this Part. The final rule incorporates the FOIA revisions contained in the Electronic Freedom of Information Act Amendments of 1996 (Pub. L. 104-231) ("EFOIA"), conforms OPIC's regulations to current OPIC FOIA practices, and converts the regulations to a plain English format. The final rule also reflects the disclosure principles established by President Clinton and Attorney General Reno in their FOIA Policy Memorandum of October 4, 1993, and reiterated in Attorney General Reno's September 3, 1999 FOIA Memorandum to the heads of federal departments and agencies. Finally, the final rule adds a notice to OPIC's business submitters concerning access to OPIC records that have been transferred to the legal custody and control of the National Archives of the United States ("National Archives").

**DATES:** This rule is effective November 15, 2000.

**FOR FURTHER INFORMATION CONTACT:** Laura A. Naide, FOIA Director, (202) 336-8426, or Eli H. Landy, FOIA Counsel, (202) 336-8418.

**SUPPLEMENTARY INFORMATION:** This revision of part 706 incorporates changes to the language and structure of the regulations and adds new provisions to implement the EFOIA. New provisions implementing the amendments are found at § 706.12 (defining "search" to include electronic searches), § 706.21 (electronic reading room), § 706.31 (format of disclosure), § 706.32 (timing of responses and expedited processing), and § 706.33 (material withheld). OPIC is already complying with these statutory requirements; this final rule serves as OPIC's formal codification of the applicable law and its practice.

Under the EFOIA, an agency may provide by regulation for multiple "tracks" in responding to FOIA requests depending upon the amount of time and work involved in responding to different kinds of requests ("multitrack processing"). OPIC will not implement multitrack processing. Because OPIC receives a limited number of FOIA requests each year and is able to respond to the great majority of them on a timely basis, OPIC does not need to provide separate processing tracks for more complicated versus simpler FOIA requests.

Revisions to OPIC's fee schedule can be found at § 706.34. The duplication charge will remain fifteen cents per page, while the document search and review charges will increase to \$16 and \$35 per hour, respectively. The amount at or below which OPIC will not charge a fee is set at \$15.

This revision also notifies OPIC's business submitters of the requirement that OPIC transfer legal custody and control of certain records to the National Archives pursuant to applicable federal records schedules.

OPIC published a proposed rule at 65 FR 30369, May 11, 2000, and invited interested parties to submit comments. OPIC received one set of comments and made several changes to its proposed rule based on the commentator's suggestions.

OPIC adopted the following suggestions. First, OPIC revised § 706.31(b)(1) to describe more clearly how the Corporation handles FOIA requests that do not reasonably describe the records sought. The commentator stated that OPIC's proposed regulation did not "adequately guarantee that requesters whose requests need to be clarified will be contacted in a timely and effective manner so that their requests can be processed quickly." The final rule specifies in more detail OPIC's procedures for treatment of ambiguous requests.

Second, OPIC modified § 706.34(e) concerning special service charges to clarify that requesters will be provided advance notice of the actual cost of any requested service(s) that OPIC has agreed to provide. OPIC provides special services such as certification of documents and rapid delivery methods as a convenience to its FOIA requesters. FOIA requesters are not required to use special services and may withdraw a request for special services if they do not wish to pay the stated cost.

OPIC considered, but did not adopt the following suggestions. First, OPIC did not adopt the suggestion that the Corporation include in its regulations a provision granting expedited processing to records that are subject to multiple (*i.e.*, five or more) pending FOIA requests. OPIC could establish this discretionary category of "expedited processing" under FOIA subsection 5 U.S.C. 552(a)(6)(E)(i)(II), but the Corporation does not believe it would serve a useful purpose to do so. OPIC's FOIA program is flexible enough to accommodate multiple requests and respond to them in a timely manner without giving such requests expedited status.

The commentator was concerned that OPIC's response to multiple requests for