

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 354

[Docket No. 00-017-1]

#### Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** We are amending the regulations concerning overtime services provided by employees of Plant Protection and Quarantine by removing and adding commuted traveltime allowances for travel between various locations in California, New York, and Wisconsin. Commuted traveltime allowances are the periods of time required for Plant Protection and Quarantine employees to travel from their dispatch points and return there from the places where they perform Sunday, holiday, or other overtime duty. The Government charges a fee for certain overtime services provided by Plant Protection and Quarantine employees and, under certain circumstances, the fee may include the cost of commuted traveltime. This action is necessary to inform the public of commuted traveltime for these locations.

**EFFECTIVE DATE:** September 4, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jim Smith, Senior Operations Officer, Port Operations, PPQ, APHIS, 4700 River Road Unit 60, Riverdale, MD 20737-1236; (301) 734-8415.

#### SUPPLEMENTARY INFORMATION:

#### Background

The regulations in 7 CFR, chapter III, and 9 CFR, chapter I, subchapter D,

require inspection, laboratory testing, certification, or quarantine of certain plants, plant products, animals, animal products, or other commodities intended for importation into, or exportation from, the United States.

When these services must be provided by an employee of Plant Protection and Quarantine (PPQ) on a Sunday or holiday, or at any other time outside the PPQ employee's regular duty hours, the Government charges a fee for the services in accordance with 7 CFR part 354. Under circumstances described in § 354.1(a)(2), this fee may include the cost of commuted traveltime. Section 354.2 contains administrative instructions prescribing commuted traveltime allowances, which reflect, as nearly as practicable, the periods of time required for PPQ employees to travel from their dispatch points and return there from the places where they perform Sunday, holiday, or other overtime duties.

We are amending § 354.2 of the regulations by removing and adding commuted traveltime allowances for travel between various locations in California, New York, and Wisconsin. The amendments are set forth in the rule portion of this document. This action is necessary to inform the public of the commuted traveltime between the dispatch and service locations.

#### Effective Date

The commuted traveltime allowances appropriate for employees performing services at ports of entry, and the features of the reimbursement plan for recovering the cost of furnishing port of entry services, depend upon facts within the knowledge of the Department of Agriculture. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to the administrative provisions in 5 U.S.C. 553, we find upon good cause that prior notice and other public procedures with respect to this rule are impracticable and unnecessary; we also find good cause for making this rule effective less than 30 days after publication of this document in the **Federal Register**.

#### Executive Order 12866 and Regulatory Flexibility Act

This final rule has been reviewed under Executive Order 12866. For this

action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

The number of requests for overtime services of a PPQ employee at the locations affected by our rule represents an insignificant portion of the total number of requests for these services in the United States.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

#### Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is intended to have preemptive effect with respect to any State or local laws, regulations, or policies that conflict with its provisions or that would otherwise impede its full implementation. This rule is not intended to have retroactive effect. There are no administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this rule or the application of its provisions.

#### Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 7 CFR Part 354

Exports, Government employees, Imports, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Travel and transportation expenses.

Accordingly, we are amending 7 CFR part 354 as follows:

#### PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS; AND USER FEES

1. The authority citation for part 354 continues to read as follows:

**Authority:** 7 U.S.C. 2260; 21 U.S.C. 136 and 136a; 49 U.S.C. 1741; 7 CFR 2.22, 2.80, and 371.3.

2. Section 354.2 is amended by removing or adding in the table, in alphabetical order, under California, New York, and Wisconsin, the following entries to read as follows:

**§ 354.2 Administrative instructions**  
**prescribing commuted traveltime.**

\* \* \* \* \*

**COMMUTED TRAVELTIME ALLOWANCES**  
 [In hours]

Location covered		Served from		Metropolitan area	
				With- in	Outside
[Remove]					
*	*	*	*	*	*
California:					
*	*	*	*	*	*
Antioch .....	San Jose .....	5			
Benecia .....	San Jose .....	4			
*	*	*	*	*	*
Crockett .....	San Jose .....	4			
*	*	*	*	*	*
March AFB .....	Riverside .....	1			
*	*	*	*	*	*
Martinez .....	San Jose .....	4			
*	*	*	*	*	*
Moss Beach Landing .....	San Jose .....	6			
Norton AFB .....	Riverside .....	1			
*	*	*	*	*	*
Oakland .....	San Jose .....	3½			
*	*	*	*	*	*
Pittsburg .....	San Jose .....	5			
*	*	*	*	*	*
Richmond .....	San Jose .....	4			
*	*	*	*	*	*
San Francisco International Airport .....	San Jose .....	3			
*	*	*	*	*	*
Stockton .....	Travis AFB .....	3			
*	*	*	*	*	*
Vallejo .....	San Jose .....	4½			
*	*	*	*	*	*
Wisconsin:					
*	*	*	*	*	*
Milwaukee .....		2			
*	*	*	*	*	*
[Add]					
*	*	*	*	*	*
California:					
*	*	*	*	*	*
Bakersfield .....	Shafter .....	1			
Beale AFB .....	Sacramento .....	4			
*	*	*	*	*	*
Edwards AFB .....	Ontario .....	4			
*	*	*	*	*	*
Fresno .....	Shafter .....	5			
Fresno .....	Stockton .....	5			
*	*	*	*	*	*
Hanford .....	Shafter .....	5			

COMMUTED TRAVELTIME ALLOWANCES—Continued  
[In hours]

Location covered	Served from	Metropolitan area	
		With-in	Outside
Lemoore .....	Shafter .....	5	
* .....	* .....		*
Mather Airfield .....	Sacramento .....	3	
* .....	* .....		*
McClellan AFB .....	Sacramento .....	3	
* .....	* .....		*
Merced/Atwater (Old Castle AFB) .....	Stockton .....	3	
* .....	* .....		*
Monterey .....	San Jose .....	5	
Moss Beach Landing .....	San Jose .....	4	
* .....	* .....		*
Palm Springs International Airport .....	Ontario .....	4	
* .....	* .....		*
Port Hueneme .....	Port Hueneme .....	1	
* .....	* .....		*
Port Hueneme .....	Shafter .....	7	
* .....	* .....		*
Sacramento International Airport .....	Sacramento .....	3	
* .....	* .....		*
Sacramento Seaport .....	Sacramento .....	2	
San Bernardino International Airport (Old Norton AFB) .....	Ontario .....	2	
* .....	* .....		*
San Francisco .....	San Jose .....	4	
* .....	* .....		*
San Jose .....	Sacramento .....	5	
* .....	* .....		*
San Jose .....	Stockton .....	5	
* .....	* .....		*
San Luis Obispo Seaport .....	Port Hueneme .....	5	
Santa Barbara Airport .....	Port Hueneme .....	2	
* .....	* .....		*
Southern California International Airport (Old George AFB) .....	Ontario .....	3	
* .....	* .....		*
Stockton .....	Sacramento .....	3	
* .....	* .....		*
New York:			
Alexandria Bay .....	Oneida .....	5	
* .....	* .....		*
Corning .....	Avoca .....	2	
Corning .....	Big Flats .....	1	
Farmingdale .....	Westhampton Beach .....	3	
Islip .....	Westhampton Beach .....	2	
* .....	* .....		*
Oswego .....	Canandaigua .....	4	
Oswego .....	Oneida .....	3	
* .....	* .....		*
Rochester .....	Avoca .....	3	

COMMUTED TRAVELTIME ALLOWANCES—Continued  
[In hours]

Location covered			Served from	Metropolitan area	
				With- in	Outside
* .....	* .....	* .....	* .....		*
Rochester .....	Canandaigua .....			2	
* .....	* .....	* .....	* .....		*
Syracuse .....	Canandaigua .....			3	
Syracuse .....	Oneida .....			2	
* .....	* .....	* .....	* .....		*
Watertown .....	Oneida .....				4
Westhampton ANG .....	Westhampton .....			1	
* .....	* .....	* .....	* .....		*
Wisconsin:					
* .....	* .....	* .....	* .....		*
Milwaukee .....				1	
Milwaukee .....	Madison .....				4½
* .....	* .....	* .....	* .....		*

Done in Washington, DC, this 28th day of August 2001.

**Craig A. Reed,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 01-22135 Filed 8-31-01; 8:45 am]

BILLING CODE 3410-34-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-CE-27-AD; Amendment 39-12431; AD 2001-18-05]

RIN 2120-AA64

#### **Airworthiness Directives; Goodyear Tire and Rubber Company Flight Eagle Tires, 34X9.25-16 18PR 210MPH, Part Number 348F83-2**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Goodyear Tire and Rubber Company (Goodyear) Flight Eagle tires, 34X9.25-16 18PR 210MPH, Part Number (P/N) 348F83-2, that are installed on aircraft. This AD requires

you to inspect these tires to determine if they are within a certain serial number range and replace any tires within this serial number range. This AD is the result of several instances of main landing gear (MLG) tire tread separations on Gulfstream aircraft. The actions specified by this AD are intended to remove these tires from service to prevent the potential of these tires experiencing tread separations during operation. These tread separations could result in structural damage to the aircraft, including damage to the flaps, engine nacelles, and wheel wells.

**DATES:** This AD becomes effective on September 24, 2001.

The FAA must receive any comments on this rule on or before October 12, 2001.

**ADDRESSES:** Submit comments in triplicate to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-27-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

You may get the service information referenced in this AD from Goodyear Global Aviation Tires, Global Product Support, 1144 East Market Street, Akron, Ohio 44316-0001; telephone: (330) 796-3293; facsimile: (330) 796-6535; or Gulfstream Aerospace

Corporation, 500 Gulfstream Road, P.O. Box 2206, Savannah, Georgia 31402-2206, as applicable. You may examine this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-27-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Roy Boffo, Aerospace Engineer, FAA, Chicago Aircraft Certification Office, 2300 E. Devon Avenue, Des Plaines, Illinois 60018; telephone: (847) 294-7564; facsimile: (847) 294-7834.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

##### *What Events Have Caused This AD?*

The FAA has received reports of four incidents of main landing gear (MLG) tire tread separations on Gulfstream aircraft. Two of these incidents occurred during takeoff, and the other two are being investigated.

Goodyear has identified a batch of Flight Eagle tires, 34X9.25-16 18PR 210MPH, Part Number (P/N) 348F83-2, that are susceptible to the tire tread separations. The serial numbers of this batch are 0168xxxx through 0185xxxx. This consists of approximately 300 tires.

These tires are installed on, but not limited to, the following aircraft:

Type certificate holder	Models	Serial numbers
Gulfstream Aerospace Corporation .....	GII, GIIb, and GIII	All serial numbers.
Gulfstream Aerospace Corporation .....	GIV	Serial numbers 1000 through 1213, except for serial number 1183.
The Boeing Company .....	720 and 720B	All serial numbers.