

(3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments should reference OMB No. 0581-NEW and the Florida citrus marketing order, and be sent to USDA in care of the Docket Clerk at the previously mentioned address. All comments received will be available for public inspection during regular business hours at the same address.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

As mentioned before, because there was insufficient time for a normal clearance procedure and prompt implementation is needed, AMS has obtained emergency approval from OMB for the use of the two new forms for the second 11-week volume regulation period. The forms will be added to the forms currently approved for use under OMB No. 0581-0189. 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.

In addition to the information collection burden, this rule also invites comments on the modification to the procedures used to limit the volume of sizes 48 and 56 red seedless grapefruit entering the fresh market under the order. This rule increases the number of weeks available under weekly percentage of size regulation from 11 weeks to 22 weeks and institutes weekly percentages for 6 additional weeks of the 2001-02 season. Any comments received will be considered prior to finalization of this rule.

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

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register**. This rule needs to be in place when the during the second 11-week regulatory period. Also, handlers need to know

what their allotments of small sizes are to make their marketing plans. This issue has been widely discussed at various industry meetings, and the Committee has kept the industry well informed. Further, handlers are aware of this rule, which was recommended at public meetings. Also, a 15-day comment period is provided in this rule on increasing the number of weeks in the regulatory period from 11 to 22, and on the percentages established for the remaining 6 weeks of the second 11-week regulatory period. A 15-day comment period is deemed appropriate because this action should be finalized by the end of the regulatory period (February 17, 2002).

**List of Subjects in 7 CFR Part 905**

Grapefruit, Marketing agreements, Oranges, Reporting and recordkeeping requirements, Tangelos, Tangerines.

For the reasons set forth in the preamble, 7 CFR part 905 is amended as follows:

**PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA**

1. The authority citation for 7 CFR part 905 continues to read as follows:

**Authority:** 7 U.S.C. 601-674.

2. In § 905.153, paragraph (a), the last sentence is revised, and in paragraph (d), the third sentence is revised to read as follows:

**§ 905.153 Procedure for determining handlers' permitted quantities of red seedless grapefruit when a portion of sizes 48 and 56 of such variety is restricted.**

(a) \* \* \* The term *regulation period* means the 22-week period beginning the third Monday in September of the current season.

\* \* \* \* \*

(d) \* \* \* Overshipments will not be allowed during week 22. \* \* \*

\* \* \* \* \*

3. Section 905.350 is revised to read as follows:

**§ 905.350 Red seedless grapefruit regulation.**

This section establishes the weekly percentages to be used to calculate each handler's weekly allotment of small sizes. Handlers can fill their allotment with size 56, size 48, or a combination of the two sizes such that the total of these shipments are within the established weekly limits. The weekly percentages for size 48 (3<sup>9</sup>/<sub>16</sub> inches minimum diameter) and size 56 (3<sup>5</sup>/<sub>16</sub> inches minimum diameter) red seedless grapefruit grown in Florida, which may

be handled during the specified weeks are as follows:

Week	Weekly percentage
(a) 9/17/01 through 9/23/01 .....	45
(b) 9/24/01 through 9/30/01 .....	45
(c) 10/1/01 through 10/7/01 .....	35
(d) 10/8/01 through 10/14/01 .....	30
(e) 10/15/01 through 10/21/01 .....	30
(f) 10/22/01 through 10/28/01 .....	30
(g) 10/29/01 through 11/4/01 .....	30
(h) 11/5/01 through 11/11/01 .....	30
(i) 11/12/01 through 11/18/01 .....	30
(j) 11/19/01 through 11/25/01 .....	30
(k) 11/26/01 through 12/2/01 .....	40
(l) 1/7/02 through 1/13/02 .....	30
(m) 1/14/02 through 1/20/02 .....	30
(n) 1/21/02 through 1/27/02 .....	30
(o) 1/28/02 through 2/3/02 .....	30
(p) 2/4/02 through 2/10/02 .....	30
(q) 2/11/02 through 2/17/02 .....	30

Dated: January 3, 2002.

**Barry L. Carpenter,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 02-450 Filed 1-4-02; 10:39 am]

BILLING CODE 3410-02-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 2001-CE-48-AD; Amendment 39-12591; AD 2001-26-25]

RIN 2120-AA64

**Airworthiness Directives; Grob-Werke Gmbh & Co KG Models G102 Club Astir III, G102 Club Astir IIIb, and G102 Standard Astir III Sailplanes**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Grob-Werke Gmbh & Co KG (Grob) Models G102 Club Astir III, G102 Club Astir IIIb, and G102 Standard Astir III sailplanes. This AD requires you to apply a red mark and install a placard on the airspeed indicator to restrict the Vne airspeed. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to prevent elevator flutter, which could cause structural damage. Such damage could result in loss of control of the sailplane.

**DATES:** This AD becomes effective on January 31, 2002.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation as of January 31, 2002.

The Federal Aviation Administration (FAA) must receive any comments on this rule on or before February 11, 2002.

**ADDRESSES:** Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-48-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

You may get the service information referenced in this AD from GROB Luft- und Raumfahrt, Lettenbachstrasse 9, D86874 Tussenhausen-Mattsies, Federal Republic of Germany; telephone: 49 8268 998139; facsimile: 49 8268 998200. You may view this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-48-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.

**FOR FURTHER INFORMATION CONTACT:** Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; facsimile: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

*What events have caused this AD?* The LBA, which is the airworthiness authority for Germany, recently notified FAA that an unsafe condition may exist on all Grob Models G102 Club Astir III, G102 Club Astir IIIb, and G102 Standard Astir III sailplanes. The LBA reports two occurrences of elevator flutter on Model G102 Club Astir III sailplanes. The exact cause of this condition is unknown at this time; however, both airplanes were operating in the upper flight speed range.

*What are the consequences if the condition is not corrected?* Elevator flutter could cause structural damage to the sailplane. Such damage could result in loss of control of the sailplane.

*Is there service information that applies to this subject?* Grob has issued Service Bulletin No. MSB306-36/2, dated November 22, 2001.

The service bulletin includes procedures for:

- Applying a red mark on the airspeed indicator at 165 kilometers/hour (km/h), 89.1 knots (kts), or 102.5 miles per hour (mph) (according to the airspeed indicator calibration); and
- Installing a red placard to the airspeed indicator restricting the Vne airspeed to 165 km/h, 89.1 kts, or 102.5 mph

(according to the airspeed indicator calibration).

*What action did the LBA take?* The LBA classified this service bulletin as mandatory and issued German AD Number 2001-317/2, dated November 30, 2001, in order to ensure the continued airworthiness of these sailplanes in Germany.

*Was this in accordance with the bilateral airworthiness agreement?* These sailplane models are manufactured in Germany and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Pursuant to this bilateral airworthiness agreement, the LBA has kept us informed of the situation described above.

**The FAA's Determination and an Explanation of the Provisions of This AD**

*What has FAA decided?* The FAA has examined the findings of the LBA; reviewed all available information, including the service information referenced above; and determined that:

- The unsafe condition (elevator flutter while operating in the upper flight speed range) referenced in this document could develop on other Grob Models G102 Club Astir III, G102 Club Astir IIIb, and G102 Standard Astir III sailplanes of the same type design;
- The actions specified in the previously-referenced service information (as specified in this AD) should be accomplished on the affected sailplanes; and
- AD action should be taken in order to correct this unsafe condition.

*What does this AD require?* This AD requires you to incorporate the actions in the previously-referenced service bulletin.

In preparation of this rule, we contacted type clubs and aircraft operators to obtain technical information and information on operational and economic impacts. We have included, in the rulemaking docket, a discussion of information that may have influenced this action.

*Is there a modification I can incorporate instead of restricting the Vne airspeed?* The FAA has determined that long-term continued operational safety would be better assured by design changes that correct the source of the problem rather than by restricting the Vne airspeed. With this in mind, FAA will continue to work with Grob in collecting information and in performing analysis to determine

whether a future design change is feasible.

*Will I have the opportunity to comment prior to the issuance of the rule?* Because the unsafe condition described in this document could result in loss of control of the sailplane, we find that notice and opportunity for public prior comment are impracticable. Therefore, good cause exists for making this amendment effective in less than 30 days.

**Comments Invited**

*How do I comment on this AD?* Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, FAA invites your comments on the rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date specified above. We may amend this rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of this AD action and determining whether we need to take additional rulemaking action.

*Are there any specific portions of this AD I should pay attention to?* We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of this AD.

*How can I be sure FAA receives my comment?* If you want us to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2001-CE-48-AD." We will date stamp and mail the postcard back to you.

**Compliance Time of This AD**

*What is the compliance time of this AD?* The compliance time of this AD is "within the next 10 calendar days after the effective date of this AD."

*Why is the compliance time presented in calendar time instead of hours time-in-service (TIS)?* Although the elevator would only flutter during flight, this unsafe condition is not a result of the number of times the sailplane is operated. The chance of this situation

occurring is the same for a sailplane with 10 hours time-in-service (TIS) as it would be for a sailplane with 500 hours TIS. For this reason, the FAA has determined that a compliance based on calendar time should be utilized in this AD in order to ensure that the unsafe condition is addressed on all sailplanes in a reasonable time period.

**Regulatory Impact**

*Does this AD impact various entities?* These regulations 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, FAA has determined that this final rule does not have federalism implications under Executive Order 13132.

*Does this AD involve a significant rule or regulatory action?* We have determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under

Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

**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 § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**2001-26-25 Grob-Werke GmbH & Co KG:**  
Amendment 39-12591; Docket No. 2001-CE-48-AD

(a) *What sailplanes are affected by this AD?* This AD affects the following Models G102 Club Astir III, G102 Club Astir IIIb, and G102 Standard Astir III sailplanes, all serial numbers, that are certificated in any category.

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

(c) *What problem does this AD address?* The actions specified by this AD are intended to prevent elevator flutter, which could cause structural damage. Such damage could result in loss of control of the sailplane.

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

Actions	Compliance	Procedures
(1) Apply a red mark on the airspeed indicator at 165 kilometers/hour (km/h), 89.1 knots (kts), or 102.5 miles per hour (mph) (according to the airspeed indicator calibration).	Within the next 10 calendar days after January 31, 2002 (the effective date of this AD).	In accordance with Grob Service Bulletin No. MSB306-36/2, dated November 22, 2001.
(2) Install a placard on the airspeed indicator at restricting the Vne airspeed as indicated in paragraph (d)(1) of this AD. The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may perform the installation of the placard. You must make an entry into the aircraft records that shows compliance with this portion of the AD, in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).	Within the next 10 calendar days after January 31, 2002 (the effective date of this AD).	In accordance with Grob Service Bulletin No. MSB306-36/2, dated November 22, 2001.

(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 sailplane 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 sailplanes 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 Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; facsimile: (816) 329-4090.

(g) *What if I need to fly the sailplane to another location to comply with this AD?* The FAA can issue a special flight permit under §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your sailplane 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 Grob Service Bulletin No. MSB306-36/2, dated November 22, 2001. 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 GROB Luft- und Raumfahrt, Lettenbachstrasse 9, D86874 Tussenhausen-Mattsies, Federal Republic of Germany; telephone: 49 8268 998139; facsimile: 49 8268 998200. You may view copies at 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 January 31, 2002.

**Note 2:** The subject of this AD is addressed in German AD 2001-317/2, dated November 30, 2001.

Issued in Kansas City, Missouri, on December 27, 2001.

**Michael K. Dahl,**

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

[FR Doc. 02-89 Filed 1-7-02; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-383-AD; Amendment 39-12577; AD 2001-26-51]

RIN 2120-AA64

#### **Airworthiness Directives; Bombardier Model CL-600-2B19 Series Airplanes**

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

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

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting airworthiness directive (AD) 2001-26-51 that was sent previously to all known U.S. owners and operators of certain Bombardier Model CL-600-2B19 series airplanes by individual notices. This AD requires deactivation of the center tank fuel transfer shutoff valves by opening circuit breakers and installing a circuit breaker lock ring and disconnecting and stowing the electrical wiring, replacing certain valves with valves having a different part number, reconnecting certain circuit breaker wires, removing lock rings, and resetting the associated circuit breakers. For certain airplanes, this AD requires an AFM revision to prohibit operation with more than 200 pounds of fuel in the center fuel tank. This AD also has a provision for operating other airplanes with the center fuel tank full and with both fuel transfer shutoff valves inoperative. This action is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent ignition of fuel vapor in the center wing tank and consequent fire and explosion.

**DATES:** Effective January 14, 2002, to all persons except those persons to whom it was made immediately effective by emergency AD 2001-26-51, issued December 14, 2001, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 14, 2002.

Comments for inclusion in the Rules Docket must be received on or before February 7, 2002.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-383-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. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: *9-anm-iarcomment@faa.gov*. Comments sent via fax or the Internet must contain "Docket No. 2001-NM-383-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The applicable service information may be obtained from Bombardier, Inc., Canadair, Aerospace Group, PO Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Luciano L. Castracane, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7535; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** On December 14, 2001, the FAA issued emergency AD 2001-26-51, which is applicable to certain Bombardier Model CL-600-2B19 series airplanes. That action was prompted by the manufacturer's discovery of an unsafe condition while conducting the safety review of the fuel tank system required by Special Federal Aviation Regulation Number 88 (SFAR 88), Fuel Tank System Fault Tolerance Requirements. In addition to other requirements, SFAR 88 requires that certain type certificate and supplemental type certificate holders conduct a safety review of the

airplane fuel tank system to determine that the design meets the latest fuel tank ignition prevention requirements.

The center tank fuel transfer shutoff valve is operated by a solenoid. The solenoid closes the valve and maintains it in the closed position when electrical power is applied to the solenoid. Certain valves have two solenoids. As a result of the safety review, the valve was tested with one solenoid failed. During this bench testing, the manufacturer found that a failed valve could overheat to a temperature that exceeds the fuel hot surface ignition point. This condition, if not corrected, could result in ignition of fuel vapor in the center wing tank and consequent fire and explosion.

#### **Explanation of Relevant Service Information**

Bombardier has issued Alert Service Bulletin A601R-28-045, Revision "A," dated December 7, 2001, which describes procedures for deactivation of the center tank fuel transfer shutoff valves by opening circuit breakers and installing a circuit breaker lock ring, and disconnecting and stowing the circuit breaker electrical wire. Transport Canada Civil Aviation (TCCA) classified this alert service bulletin as mandatory and issued Canadian airworthiness directive CF-2001-47, dated December 11, 2001, in order to ensure the continued airworthiness of these airplanes in Canada.

In addition to the actions specified in the alert service bulletin, the Canadian airworthiness directive also requires replacing certain valves with valves having a different part number, reconnecting certain circuit breaker wires, removing lock rings, and resetting the associated circuit breakers. For airplanes on which a certain fuel tank vent modification has not been accomplished, the Canadian airworthiness directive also requires an airplane flight manual (AFM) revision to prohibit operation with more than 200 pounds of fuel in the center fuel tank. The Canadian airworthiness directive also has a provision for operating airplanes on which that modification has been accomplished with the center fuel tank full and with both fuel transfer shutoff valves inoperative.

#### **FAA's Conclusions**

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement,