

sheep products, shall pay an assessment on such sheep or sheep products at the time of sale at a rate equivalent to the rate established pursuant to § 1280.224(d), Sheep Purchases, of the Order, for live sheep or § 1280.225(d), Wool Purchases, for greasy wool, and shall remit such assessment to the Board;

(c) Each person who exports live sheep or greasy wool shall remit the assessment to the Board on such sheep or greasy wool at the time of export, at the rate established pursuant to § 1280.224(d), Sheep Purchases, of the Order, for live sheep or § 1280.225(d), Wool Purchases, for greasy wool.

**§ 1280.315 Remittance of assessments and submission of reports to the National Sheep Promotion, Research, and Information Board.**

Each person responsible for remitting the assessment as described in § 1280.314 shall remit the assessments and a report of assessments to the Board as follows:

(a) Reports. Each person who is responsible for remitting the assessment shall make reports on forms made available or approved by the Board. Such person shall prepare a separate report for each reporting period. Each report shall be mailed together with the applicable assessment amount to the Board pursuant to § 1280.311(a). Each completed report shall contain the following information, as applicable, including, but not limited to:

- (1) Live sheep sold.
- (i) The number of sheep purchased, initially transferred, or subject to the collection of assessment in any other manner, and the dates of such transactions;
- (ii) The number of live sheep exported;
- (iii) The amount of assessment remitted;
- (iv) An explanation for the remittance of any assessment that is less than the pounds of sheep multiplied by the assessment rate; and
- (v) The date an assessment was paid.
- (2) Greasy wool sold.
- (i) The amount of wool that is purchased, initially transferred or subject to the collection of assessment in any other manner, and the dates of such transaction;
- (ii) The amount of greasy wool exported;
- (iii) The amount of assessment remitted;
- (iv) An explanation for the remittance of an assessment that is less than the pounds of greasy wool multiplied by the assessment rate; and
- (v) The date an assessment was paid.

(b) Customs will transmit reports and assessments collected on imported sheep and sheep products to AMS according to an agreement between Customs and AMS.

**§ 1280.316 Evidence of payment of assessments.**

Each collecting person, except a producer or feeder who processes sheep or sheep products of the producer's or feeder's own production for sale, is required to give to the producer, feeder, handler, or collecting person from whom the collecting person collected an assessment written evidence of payment of the assessments. Such written evidence, which shall serve as a receipt, must contain the following information:

- (a) Name and address of the collecting person;
- (b) Name of producer or feeder who paid the assessment;
- (c) Number of head of sheep sold;
- (d) Total pounds of sheep or greasy wool sold;
- (e) Total assessments paid by the producer or feeder; and
- (f) Date an assessment was paid.

**§ 1280.317 Books and records.**

Any person subject to the requirements in § 1280.233, Books and Records, of the Order shall maintain and make available to the Secretary for at least 2 years beyond the fiscal period of their applicability such books and records as necessary to carry out the provision of the Order and these regulations.

**§ 1280.318 OMB control numbers.**

The control number assigned to the information collection requirements in Part 1280 by OMB pursuant to the Paperwork Reduction Act of 1980, (44 U.S.C. Chapter 35) is OMB number 0581-0093.

Dated: May 3, 1996.  
Lon Hatamiya,  
*Administrator.*  
[FR Doc. 96-11602 Filed 5-8-96; 8:45 am]  
BILLING CODE 3410-02-M

**DEPARTMENT OF JUSTICE**

**8 CFR Parts 3 and 242**

[EOIR 102F]

RIN 1125-AA01

**Executive Office for Immigration Review; Motions and Appeals in Immigration Proceedings; Correction**

**AGENCY:** Department of Justice.

**ACTION:** Correction to final regulation.

**SUMMARY:** This document contains corrections to the final regulation, published Monday, April 29, 1996 (61 FR 18900), relating to new motions and appeals procedures in immigration proceedings.

**EFFECTIVE DATE:** July 1, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Margaret M. Philbin, General Counsel, Executive Office for Immigration Review, Suite 2400, 5107 Leesburg Pike, Falls Church, Virginia 22041, (703) 305-0470 (not a toll free call).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulation that is the subject of these corrections streamlines the motions and appeals practice before the Board of Immigration Appeals and establishes a centralized procedure for filing notices of appeal, fees, fee waiver requests, and briefs directly with the Board. The new regulation also establishes time and number limitations on motions to reconsider and on motions to reopen and makes certain changes to appellate procedures to reflect the statutory directives of section 545 of the Immigration Act of 1990 (Pub. L. 101-649, 104 Stat. at 4978).

**Need for Correction**

As published, the final regulation contains errors which may prove to be misleading and are in need of clarification.

**Correction of Publication**

Editorial Note: An additional correction to this document appears elsewhere in the Corrections Section of this issue.

Accordingly, the publication on April 29, 1996, of the final regulation (EOIR 102F), which was the subject of FR Doc. 96-10157 is corrected as follows:

**§ 3.6(b) [Corrected]**

1. On page 18907, in the second column, in § 3.6 paragraph (b), line 9, the reference to “§ 3.23(b)(4)(ii)” is corrected to read “§ 3.23(b)(4)(iii).”

**§ 242.22 [Corrected]**

2. On page 18909, in the third column, in § 242.22, line 6, the reference to “§ 3.23(b)(4)(ii)” is corrected to read “§ 3.23(b)(4)(iii).”

Dated: May 6, 1996.  
Rosemary Hart,  
*Federal Register Liaison Officer.*  
[FR Doc. 96-11614 Filed 5-8-96; 8:45 am]  
BILLING CODE 4410-01-M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 96-NM-77-AD; Amendment 39-9612; AD 96-10-07]

RIN 2120-AA64

**Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model MD-11 series airplanes. This action requires inspections to detect damage of the support brackets and clamps of the transfer pipe of the tail tank, and of the transfer pipe assembly; and replacement of damaged parts, or installation of a doubler, if necessary. This amendment is prompted by reports of cracking of the support brackets in the refuel and fuel transfer lines of the tail fuel tank and damage to the nylon clamps and transfer pipe assembly; such damage is due to flexing of the brackets and subsequent contact of the transfer pipe assembly with adjacent structure. The actions specified in this AD are intended to prevent such cracking and damage, which could result in further damage to the transfer pipe assembly and possible fuel leakage.

**DATES:** Effective May 24, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 24, 1996.

Comments for inclusion in the Rules Docket must be received on or before July 8, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-77-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles

Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Raymond Vakili, Aerospace Engineer, Airframe Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5262; fax (310) 627-5210.

**SUPPLEMENTARY INFORMATION:** The FAA has received reports of cracking of the support brackets in the refuel and fuel transfer lines of the tail fuel tank on McDonnell Douglas Model MD-11 series airplanes. In addition, the nylon clamps and transfer pipe assembly have been found to be damaged. Investigation revealed that this cracking and damage was caused by flexing of the brackets during refueling and transfer operations of the tail fuel tank. When this flexing occurs, the transfer pipe assembly can sustain damage due to contact with adjacent structure. Such cracking and damage, if not corrected, would result in further damage to the fuel transfer pipe assembly and possible fuel leakage.

**Explanation of Relevant Service Information**

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin MD11-28A083, dated March 13, 1996, which describes procedures for repetitive visual inspections to detect cracking, bending, or stress of the support brackets, and any damage to the clamps of the transfer pipe of the tail tank; and replacement of any damaged bracket or clamp with a serviceable part. The alert service bulletin also describes procedures for repetitive visual inspections to detect damage of the transfer pipe assembly of the tail tank; and procedures for installation of a doubler on the pipe assembly, or replacement of the pipe assembly with a serviceable assembly, if necessary.

**Explanation of the Requirements of the Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other McDonnell Douglas Model MD-11 series airplanes of the same type design, this AD is being issued to prevent cracking of the support brackets in the refuel and fuel transfer lines of the tail fuel tank and damage to the nylon clamps and transfer pipe assembly, which if not corrected, could result in further damage to the transfer pipe assembly and possible fuel leakage. This AD requires repetitive

visual inspections for cracking, bending, or stress of the support brackets, and any damage to the clamps of the transfer pipe of the tail tank; and replacement of any damaged bracket or clamp with a serviceable part. This AD also requires repetitive visual inspections for damage of the transfer pipe assembly of the tail tank; and installation of a doubler on the pipe assembly, or replacement of the pipe assembly with a serviceable assembly, if necessary. The actions are required to be accomplished in accordance with the service bulletin described previously.

**Interim Action**

This AD is considered to be interim action. The manufacturer has advised that it currently is developing a modification that will positively address the unsafe condition addressed by this AD. Once this modification is developed, approved, and available, the FAA may consider additional rulemaking.

**Difference Between this Rule and the Relevant Service Information**

Operators should note that the McDonnell Douglas alert service bulletin recommends accomplishment of the initial inspection at "the earliest practical maintenance period, but not to exceed 600 flight hours from the date of issuance of the alert service bulletin." However, the FAA has determined that, since maintenance intervals vary from operator to operator, and since the time of receipt of the alert service bulletin also may vary from operator to operator, the compliance time for this AD must be less subjective in order to ensure that the actions are accomplished by all affected operators in a timely manner. This AD requires compliance within 90 days after the effective date of the rule. In developing an appropriate compliance time for this AD, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and regularly scheduled maintenance intervals for the affected airplanes. In light of all of these factors, the FAA finds that a 90-day compliance time for accomplishment of the initial inspection is appropriate in that it represents the maximum interval of time allowable for affected airplanes to continue to operate without compromising safety.

Operators also should note that the effectivity listing in the McDonnell Douglas alert service bulletin includes certain airplanes designated as "Group 2 airplanes." The initial visual inspection (required by this AD) was

accomplished and a temporary doubler was installed on these airplanes during production. For these airplanes, the alert service bulletin suggests an inspection interval of 15 months for accomplishment of the visual inspection. The FAA has determined that this inspection interval for Group 2 airplanes is appropriate, and is considering additional rulemaking action to address the requirements for Group 2 airplanes. However, a 15-month compliance time for the planned requirements is sufficiently long so that notice and time for prior public comment will be practicable.

#### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to

Docket Number 96-NM-77-AD." The postcard will be date stamped and returned to the commenter.

#### 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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it 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. A copy of it, if filed, 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:

96-10-07 McDonnell Douglas: Amendment 39-9612. Docket 96-NM-77-AD.

*Applicability:* Model MD-11 series airplanes; specified as Group 1 airplanes and listed in McDonnell Douglas Alert Service Bulletin MD-11-28A083, dated March 13, 1996; 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 (b) 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.

Note 2: Airplanes specified as Group 2 airplanes and listed in McDonnell Douglas Alert Service Bulletin MD-11-28A083, dated March 13, 1996, are not subject to this AD.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent cracking of the support brackets in the refuel and fuel transfer lines of the tail fuel tank and damage to the nylon clamps and transfer pipe assembly, which, if not corrected, could result in further damage to the transfer pipe assembly and possible fuel leakage, accomplish the following:

(a) Within 90 days after the effective date of this AD, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD in accordance with Paragraph 3. of the Accomplishment Instructions of McDonnell Douglas Alert Service Bulletin MD-11-28A083, dated March 13, 1996.

(1) Perform a visual inspection for cracking, bending, or stress of the support brackets and damage to the nylon clamps of the transfer pipe of the tail tank, in accordance with the alert service bulletin. If any damaged bracket or clamp is detected, prior to further flight, replace it with a serviceable part in accordance with the alert service bulletin.

(2) Perform a visual inspection for chafing and/or denting of the transfer pipe assembly of the tail tank, in accordance with the alert service bulletin.

(i) *Condition 1.* If no damage to the fuel pipe assembly is detected, accomplish the requirements of either paragraph (a)(2)(i)(A) or (a)(2)(i)(B) of this AD at the times specified in that paragraph.

(A) Option 1. Thereafter, repeat the visual inspections required by paragraph (a) of this AD at intervals not to exceed 600 flight hours; or

(B) Option 2. Install a temporary doubler on the fuel pipe assembly in accordance with the alert service bulletin and, thereafter, repeat the visual inspections required by paragraph (a) of this AD at intervals not to exceed 15 months.

(ii) *Condition 2.* If damage is found that is within the limits specified by the alert service bulletin, prior to further flight, install a temporary doubler on the fuel pipe assembly. Thereafter, repeat the visual inspections required by paragraph (a) of this AD at intervals not to exceed 15 months.

(iii) *Condition 3.* If damage is found that is outside the limits specified by the alert service bulletin, prior to further flight, replace the fuel pipe assembly with a new or

serviceable assembly; and accomplish the requirements of either paragraph (a)(2)(iii)(A) or (a)(2)(iii)(C) of this AD at the time specified in that paragraph.

(A) Option 1. Thereafter, repeat the visual inspections required by paragraph (a) of this AD at intervals not to exceed 600 flight hours; or

(B) Option 2. Install a temporary doubler on the fuel pipe assembly; and repeat the visual inspections required by paragraph (a) of this AD, thereafter, at intervals not to exceed 15 months. (Replacement of the fuel pipe assembly with a serviceable pipe assembly that has been repaired by welding a doubler in the area of potential damage, does not require the installation of a temporary doubler.)

(b) 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, Los Angeles Aircraft Certification Office (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, Los Angeles ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(c) 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.

(d) The actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD-11-28A083, dated March 13, 1996. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(e) This amendment becomes effective on May 24, 1996.

Issued in Renton, Washington, on May 1, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96-11408 Filed 5-8-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-84-AD; Amendment 39-9611; AD 96-10-06]

RIN: 2120-AA64

#### Airworthiness Directives; Boeing Model 737 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 737 series airplanes. This action requires repetitive inspections to detect cracks of the lower gate hinge of the forward galley service door, and replacement of any cracked hinge. This action also provides an optional terminating replacement for the repetitive inspections. This amendment is prompted by reports of fatigue cracks found in the lower gate hinge on the forward galley service door. The actions specified in this AD are intended to prevent such fatigue cracking, which could lead to the failure of the lower gate hinge on the forward galley service door and subsequent loss of cabin pressure. If the hinge fails, the hinge and its associated mechanisms and the emergency escape slide could separate from the airplane and be ingested into the engine, or could strike and damage the flight control surfaces.

**DATES:** Effective May 24, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 24, 1996.

Comments for inclusion in the Rules Docket must be received on or before July 8, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-84-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Roy Boffo, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind

Avenue, SW., Renton, Washington; telephone (206) 227-2780; fax (206) 227-1181.

**SUPPLEMENTARY INFORMATION:** The FAA has received several reports of cracks found in the lower gate hinge on the forward galley service door on Boeing Model 737 series airplanes. In two of these cases, the hinge was severed completely and the lower gate separated from the airplane while in flight, which resulted in loss of cabin pressure. In one of these cases, the emergency escape slide was slowly pulled through the gate opening, and, subsequently, it separated from the airplane. These airplanes had accumulated between 13,700 and 66,000 total flight cycles. Investigation revealed that the cause of such cracking was due to fatigue. The effects of such fatigue cracking could lead to the failure of the lower gate hinge on the forward galley service door and subsequent loss of cabin pressure. If the hinge fails, the hinge and its associated mechanisms and the emergency escape slide could separate from the airplane and be ingested into the engine, or could strike and damage the flight control surfaces.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 737-52A1124, dated January 11, 1996, which describes procedures for repetitive detailed visual inspections to detect cracks of the lower gate hinge of the forward galley service door, and replacement of any cracked hinge found. The service bulletin also describes procedures for replacement of the lower gate hinge of the forward galley service door with an improved hinge, which will eliminate the need for the repetitive inspections.

#### Explanation of the Requirements of the AD

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 737 series airplanes of the same type design, this AD is being issued to prevent fatigue cracking and subsequent failure of the lower gate hinge on the forward galley service door. This AD requires repetitive detailed visual inspections to detect cracks of the lower gate hinge of the forward galley service door, and replacement of any cracked hinge found. This AD also provides for an optional replacement of the lower gate hinge of the forward galley service door with an improved hinge, which constitutes terminating action for the repetitive inspection requirements. The actions are required to be accomplished