

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:

96-17-10 Beech Aircraft Corporation: Amendment 39-9719. Docket 95-NM-255-AD.

*Applicability:* Model 400, 400A, MU-300-10, and 2000 airplanes, Model 200 and B200 series airplanes having a maximum altitude

capability of greater than 31,000 feet, and Model 300 and B300 series airplanes; equipped with AlliedSignal outflow/safety valves, as identified in AlliedSignal Aerospace Service Bulletins 103570-21-4012 and 103648-21-4022, both Revision 1, both dated May 30, 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 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 (c) 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 cracking and subsequent failure of the outflow/safety valves, which could result in rapid decompression of the airplane, accomplish the following:

(a) Within 18 months after the effective date of this AD, replace the outflow/safety valve in accordance with AlliedSignal Aerospace Service Bulletin 103570-21-4012 (for airplanes equipped with valves having part number 103570-25, 103570-26, or 103570-27), or 103648-21-4022 (for airplanes equipped with valves having part number 103648-1, 103648-3, 103648-4, 103648-5, 103648-6, 103648-7, or 103648-13), both Revision 1, both dated May 30, 1995, as applicable.

(b) As of the effective date of this AD, no person shall install an outflow/safety valve, having a part number and serial number identified in AlliedSignal Aerospace Service Bulletin 103570-21-4012 (for airplanes equipped with valves having part number 103570-25, 103570-26, or 103570-27), or 103648-21-4022 (for airplanes equipped with valves having part number 103648-1, 103648-3, 103648-4, 103648-5, 103648-6, 103648-7, or 103648-13), both Revision 1, both dated May 30, 1995, on any airplane unless that valve is considered to be serviceable in accordance with the applicable service bulletin.

(c) 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(d) 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.

(e) The replacement shall be done in accordance with AlliedSignal Aerospace Service Bulletin 103570-21-4012, or 103648-21-4022, both Revision 1, both dated May 30, 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 AlliedSignal Aerospace, Technical Publications, Dept. 65-70, P.O. Box 52170, Phoenix, Arizona 85072-2170. 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.

(f) This amendment becomes effective on September 24, 1996.

Issued in Renton, Washington, on August 12, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-21008 Filed 8-19-96; 8:45 am]

BILLING CODE 4910-13-U

#### **14 CFR Part 39**

[Docket No. 96-CE-41-AD; Amendment 39-9720; AD 96-15-01]

RIN 2120-AA64

#### **Airworthiness Directives; Raytheon Aircraft Corporation Model 1900D 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) 96-15-01, which was sent previously to all known U.S. owners and operators of Raytheon Aircraft Corporation (formerly Beech) Model 1900D airplanes. This AD requires immediately pulling and banding the circuit breakers leading to the windshield heat control on both the pilot and co-pilot sides, inserting a copy of the priority letter AD into the Limitations section of the Airplane Flight Manual (AFM), and fabricating and installing a placard instructing the pilot to avoid flight into known icing conditions. Reports of smoke and fire in the cockpit on two Beech Model 1900D airplanes caused by a high resistance short circuit condition in the heated windshield wiring prompted the action. The actions specified by this AD are intended to prevent smoke and fire

around the forward edge of the glare shield in the cockpit, which could result in loss of control of the airplane.

**DATES:** Effective September 19, 1996, to all persons except those to whom it was made immediately effective by priority letter AD 96-15-01, issued July 10, 1996, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before October 21, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-41-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Information related to this AD may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Harvey E. Nero, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas, 67209; telephone (316) 946-4137, facsimile (316) 946-4407.

**SUPPLEMENTARY INFORMATION:** The FAA has received reports of smoke and fire in the cockpit of two Beech Model 1900D airplanes. The reports indicate that a high resistance short circuit situation was created by the braid wire that is attached to the low heat power terminal block mounted on the pilot and co-pilot windshields, which led to arcing and substantial amounts of heat, causing smoke and fire in the cockpit. This condition, if not corrected, will result in a fire in the cockpit and possible loss of control of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop in other Beech Model 1900D airplanes of the same type design, the FAA issued priority letter AD 96-15-01 to prevent smoke and fire around the forward edge of the glare shield in the cockpit and loss of control of the airplane.

The AD requires immediately pulling and banding the circuit breakers leading to the windshield heat control on both the pilot and co-pilot sides. The affected circuit breakers are the LEFT WSHLD, CONTROL and PWR circuit breakers located on the circuit breaker panel on the co-pilot's side (Zone 246) and the CO-PILOT WSHLD ANTI-ICE circuit breaker located on the aft side of the forward pressure bulkhead above the co-pilot left rudder pedal (Zone 222). This AD also requires inserting a copy of this priority letter AD into the Limitations section of the Airplane Flight Manual (AFM), fabricating a placard that says "FLIGHT IN KNOWN ICING

CONDITIONS IS PROHIBITED," using letters at least 0.10-inch in height, and installing this placard within the pilot's clear view on the instrument panel. This is considered to be an interim action until final action is identified, at which time the FAA may consider further rulemaking.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on July 10, 1996 to all known U.S. owners and operators of Beech Model 1900D airplanes. These conditions still exist, and the AD is hereby published in the Federal Register as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to 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 should identify the Rules Docket number and be submitted in triplicate to the address specified above. 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 No. 96-CE-41-AD." The

postcard will be date stamped and returned to the commenter.

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 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, 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 USC 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

96-15-01. Raytheon Aircraft Corporation (Raytheon): Amendment 39-9720; Docket No. 96-CE-41-AD.

*Applicability:* Model 1900D airplanes (serial numbers UE-1 through UE-239), certificated in any category, with either windshield part number 114-384020-1 or 114-384020-2 installed.

Note 1: The pilot windshield and co-pilot windshield may not have the same windshield configuration. The actions of this AD are only required on those windshields

incorporating part number 114-384020-1 or 114-384020-2.

Note 2: This AD applies to each airplane identified in the preceding applicability provision, 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 (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 prior to further flight after the effective date of this AD, unless already accomplished, except to those operators receiving this action by priority letter issued July 10, 1996, which made these actions effective immediately upon receipt.

To prevent smoke and fire around the forward edge of the glare shield in the cockpit, accomplish the following:

(a) Pull and band the circuit breakers leading to the windshield heat control on both the pilot and the co-pilot sides. The affected circuit breakers are the LEFT WSHLD, CONTROL and PWR circuit breakers located on the circuit breaker panel on the co-pilot's side (Zone 246) and the CO-PILOT WSHLD ANTI-ICE circuit breaker located on the aft side of the forward pressure bulkhead above the co-pilot left rudder pedal (Zone 222).

(b) If either the pilot or co-pilot windshield heat is disabled, then this action (de-activation of the circuit breaker) prohibits flight into known icing conditions.

(c) A copy of this priority letter AD must be placed in the Limitations section of the Airplane Flight Manual (AFM).

(d) Fabricate a placard with the following words in letters at least 0.10-inch in height and install this placard within the pilot's clear view of the instrument panel: "FLIGHT IN KNOWN ICING CONDITIONS IS PROHIBITED."

(e) 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.

(f) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas, 67209.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita Aircraft Certification Office.

(g) Information related to this airworthiness directive may be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(h) This amendment (39-9720) becomes effective on September 19, 1996, to all persons except those persons to whom it was made immediately effective by priority letter AD 96-15-01, issued July 10, 1996, which contained the requirements of this amendment.

Issued in Kansas City, Missouri, on August 13, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-21122 Filed 8-19-96; 8:45 am]

BILLING CODE 4910-13-U

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 1

#### Correction of Trading Records

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission") has amended Commission regulations, which address the preparation, submission and correction of trading cards, to make its provisions applicable to all trading records. The Commission also has amended regulations, which require the use of non-erasable ink and addresses correction of errors, to require that the correction of erroneous information on trading records will be accomplished in such a manner that the originally recorded information must not be obliterated or otherwise made illegible. The Commission has further amended the regulations to require that a ply of the trading card, or in the absence of plies the original trading card, that subsequently is rewritten to correct erroneous information must be submitted to contract market personnel or the clearing member in accordance with contract market rules which set forth the required collection schedule for trading cards. Contract markets are required to promulgate rules to that effect.

**EFFECTIVE DATE:** October 21, 1996.

**FOR FURTHER INFORMATION CONTACT:** Duane C. Andresen, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Telephone: (202) 418-5490.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Regulation 1.35(d)(7), which became effective on May 7, 1990,<sup>1</sup> requires that

trading cards prepared by members of contract markets must be completed in non-erasable ink and submitted in accordance with contract market rules adopted pursuant to Regulation 1.35(j)(1).<sup>2</sup> It also provides, in paragraph (d)(7)(ii), that a member of a contract market may correct any errors by crossing out erroneous information or rewriting the trading card. Regulation 1.35(d)(7) was one of various rule amendments adopted by the Commission that were intended, among other things, to limit the opportunity for the fabrication or alteration of trading records, to ensure accountability for trading cards and to enhance exchange audit trails and trade surveillance.

Notwithstanding these provisions, the Commission has found, based upon its oversight activities, instances in which it appears that trade prices and quantities have been altered on trading records in order to accomplish abuse of customer orders. The Commission believes that this type of activity may be accomplished under the guise of correcting erroneous information on a trading record if the information originally recorded is obscured. Such treatment of trading records renders it more difficult for the Commission and the exchanges to detect potentially fraudulent activity. Further, correcting erroneous information by obliteration of the original data can facilitate illegal purposes and increases the difficulty of determining how to correctly reconstruct and surveil trade activity.

The Commission believes that obscuring trade information originally recorded not only can be used to facilitate illegal or fraudulent conduct, but also is in itself illegal. Obscuring the information originally recorded violates the Regulation 1.35 requirement that members prepare accurate and complete trading records. The requirement to record trades in non-erasable ink, found in Regulations 1.35 (d)(7)(ii) and (j)(8), was implemented, in part, to prevent the obliteration of trade data through erasures. The paragraph (d)(7)(ii) requirement that members be fully accountable for trading cards that are rewritten in order to correct errors exists to assure that the originally recorded data are maintained. As the Commission

<sup>2</sup> Regulation 1.35(j)(1) requires that each contract market maintain in effect rules which require, among other things, that trading records prepared by a member of the contract market pursuant to paragraphs (a-1) and (d) of this section be submitted to contract market personnel or the clearing member within 15 minutes of designated intervals not to exceed 30 minutes. Paragraph (a-1) requires the creation of order tickets; paragraph (d) requires the preparation of trading cards or other records showing purchases or sales executed on or subject to the rules of a contract market.

<sup>1</sup> 55 FR 8127 (March 7, 1990).