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Dated: May 31, 1997.

Kenneth M. Pusateri,

General Manager.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-101-AD; Amendment 39-10044; AD 97-12-01]

RIN 2120-AA64

Airworthiness Directives; Cessna Model 650 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 Cessna Model 650 airplanes. This action requires inspections to detect discrepancies of a certain wire bundle assembly and to detect discrepancies of the hydraulic pump suction line in the area above the baggage compartment; and corrective actions, if necessary. This AD also requires modification of the supports for the wire bundle cable assembly and the supports for the hydraulic pump suction line. This amendment is prompted by a report that, due to inadequate clearance, an alternating current (AC) wire chafed against the hydraulic pump suction line and caused electrical arcing. The actions specified in this AD are intended to prevent such electrical arcing and consequent fire hazard.

DATES: Effective June 19, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 19, 1997.

Comments for inclusion in the Rules Docket must be received on or before August 4, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-

101-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Cessna Aircraft Co., P.O. Box 7706, Wichita, Kansas 67277. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jose Flores, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4133; fax (316) 946-4407.

SUPPLEMENTARY INFORMATION: The FAA has received a report of an in-flight fire on a Cessna Model 650 airplane. The fire burned a hole (approximately 8 x 9 inches) in the right side of the fuselage and into the right engine pylon forward of the forward engine mount beam. The fire also burned another hole (approximately 2 feet in diameter) through the fuselage to the right side of the top centerline in the area above the aft baggage compartment. In addition, the fire burned into the empty fuel tank of the fuselage and consequently burned the upper portion of the fuel cell liner. All avionics equipment and wiring above the engine mount beams also were severely burned, which caused a number of systems to be inoperative for the remainder of the flight. Furthermore, the fire is also suspected of breaching the fuel line to the auxiliary power unit and consequently providing additional fuel to the fire.

Investigation revealed that, due to inadequate clearance, the alternating current (AC) wire chafed against the hydraulic pump suction line in the area above the baggage compartment. Such chafing resulted in the electrical arcing of an AC wire and consequently led to the in-flight fire. Subsequent ground testing, which simulated these conditions, confirmed that the subject electrical arcing could result in a fire.

Inadequate clearance between the AC wire and the hydraulic pump suction line in the area above the baggage compartment, if not corrected, could result in electrical arcing and may lead to a potential fire hazard.

Explanation of Relevant Service Information

The FAA has reviewed and approved Cessna Citation Service Bulletin 650-24-57, dated May 15, 1997. The service bulletin describes procedures for performing visual inspections to detect discrepancies of the wire bundle assembly from point 1 to point 2, and to detect discrepancies of the hydraulic pump suction line in the area above the baggage compartment; and corrective actions, if necessary. The service bulletin also describes procedures for modification of the supports for the wire bundle cable assembly and the supports for the hydraulic pump suction line. The modification involves installation of a clip and five clamps with associated hardware. Accomplishment of these actions will provide a positive separation between the AC wires and the hydraulic pump suction line above the baggage compartment.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on certain other Cessna Model 650 airplanes of the same type design, this AD is being issued to prevent electrical arcing of the AC wire and consequent fire hazard. This AD requires visual inspections to detect discrepancies of the wire bundle assembly from point 1 to point 2, and to detect discrepancies of the hydraulic pump suction line in the area above the baggage compartment; and corrective actions, if necessary. This AD also requires modification of the supports for the wire bundle cable assembly and the supports for the hydraulic pump suction line. The actions are required to be accomplished in accordance with the service bulletin described previously.

Differences Between the AD and the Relevant Service Information

Operators should note that, unlike the recommended compliance time (i.e., during the next scheduled maintenance period or phase inspection) specified in the service bulletin for accomplishing the inspections and modification, this AD requires that affected airplanes be inspected and modified within 25 hours time-in-service after the effective date of the AD. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the susceptibility of electrical arcing of the AC wire, which could lead to a potential fire hazard. In addition, the FAA has reviewed the results of a survey

(conducted by Cessna) of 43 Cessna Model 650 airplanes. The results indicate that the AC wire rubbed or chafed against the hydraulic pump suction line on eight of these airplanes (18 percent). In light of these factors, the FAA finds the compliance time specified in the AD for accomplishing the required inspections and modification to be warranted, in that it represents the maximum amount of time allowable for the affected airplanes to continue to operate without compromising safety.

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 97-NM-101-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:

97-12-01 Cessna Aircraft Company:

Amendment 39-10044. Docket 97-NM-101-AD.

Applicability: Model 650 airplanes, having serial numbers 650-0174 through 650-0241 inclusive, 650-7001 through 650-7006 inclusive, and 650-7008 through 650-7076 inclusive, 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 otherwise 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.

Compliance: Required as indicated, unless accomplished previously.

To prevent electrical arcing of the alternating current wire and consequent fire hazard, accomplish the following:

(a) Within 25 hours time-in-service after the effective date of this AD, accomplish paragraphs (a)(1), (a)(2), and (a)(3) of this AD, in accordance with the Accomplishment Instructions of Cessna Service Bulletin SB650-24-57, dated May 15, 1997.

(1) Perform a visual inspection to detect discrepancies (i.e., improper clearance, wear, and damage) of the wire bundle assembly from point 1 to point 2, in accordance with the service bulletin. If any discrepancy is detected, prior to further flight, replace the wire bundle assembly with a new wire bundle assembly or install a spiral wrap, as applicable, in accordance with the service bulletin.

(2) Perform a visual inspection to detect discrepancies (i.e., chafing, rubbing, nicks, scratches, and burn marks) of the hydraulic pump suction line in the area above the baggage compartment, in accordance with the service bulletin. If any discrepancy is detected, prior to further flight, repair it in accordance with the service bulletin.

(3) Modify the supports for the wire bundle cable assembly and the supports for the hydraulic pump suction line in accordance with the service bulletin.

(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, Wichita Aircraft Certification Office (ACO), FAA, Small 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, Wichita ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita 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 inspections and modification shall be done in accordance with Cessna Service Bulletin SB650-24-57, dated May 15, 1997. 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 Cessna Aircraft Co., P.O. Box 7706, Wichita, Kansas 67277. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on June 19, 1997.

Issued in Renton, Washington, on May 27, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-14285 Filed 6-3-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 153

[Docket No. RM97-1-000; Order No. 595]

Applications for Authorization To Construct, Operate, or Modify Facilities Used for the Export or Import of Natural Gas

Issued May 28, 1997.

AGENCY: Federal Energy Regulatory Commission. DOE.

ACTION: Final rule.

SUMMARY: The Commission is reorganizing, rewriting, and updating its regulations governing the filing of applications under section 3 of the Natural Gas Act governing the filing of applications for the siting, construction, and operation of facilities for the import or export of natural gas and the issuance and amendment of Presidential Permits for the construction and operation of border facilities. The rule is part of the Commission's ongoing program to review its filing and reporting requirements and reduce unnecessary burdens by eliminating the collection of data that is not necessary to the performance of the Commission's regulatory responsibilities. The rule is necessary to conform the Commission's regulations to the Commission's current responsibilities, as delegated by the Secretary of Energy.

EFFECTIVE DATE: This Final Rule is effective August 4, 1997.

FOR FURTHER INFORMATION CONTACT:

Albert J. Francese, Office of the General Counsel, Federal Energy Regulatory

Commission, 888 First Street, NE, Washington, DC 20426, (202) 208-0736.

Richard W. Foley, Office of Pipeline Regulation, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208-2245.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room, Room 2A, 888 First Street, NE, Washington, DC 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, also provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing 202-208-1397 if dialing locally or 1-800-856-3920 if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS in ASCII and Word Perfect 6.1 format. CIPS user assistance is available at 202-208-2474.

CIPS also is available on the Internet through the Fed World system. Telnet software is required. To access CIPS via the Internet, point your browser to the URL address: <http://www.fedworld.gov> and select the "Go to the FedWorld Telnet Site" button. When your Telnet software connects you, log-on to the FedWorld system, scroll down and select FedWorld by typing: 1 and at the command line type: go FERC. FedWorld also may be accessed by Telnet at the address fedworld.gov.

Finally, the complete text on diskette in Word Perfect format may be purchased from the Commission's copy contractor, La Dorn Systems Corporation. La Dorn Systems Corporation is also located in the Public Reference Room at 888 First Street, NE, Washington, DC 20426.

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I. Introduction

The Federal Energy Regulatory Commission (Commission) is amending part 153 of its regulations governing the siting, construction, and operation of facilities for the import and export of natural gas between the United States and a foreign country. Part 153 has not been significantly revised since the Commission's predecessor, the Federal Power Commission (FPC), recodified its regulations in 1947.¹

The rule conforms the Commission's filing requirements in part 153 to the Commission's current responsibilities as changed by intervening legislation and Department of Energy (DOE) delegation orders. The DOE delegation orders divide jurisdiction and authority over natural gas import and export issues arising under section 3 of the Natural Gas Act (NGA)² between the Commission and DOE.³ The revisions to part 153 implement the Commission's currently delegated responsibilities under NGA section 3 and Executive Order 10485, as amended, regarding the construction and operation of facilities

¹ Order No. 141, 12 FR 8596 (December 19, 1947). The part 153 regulations originally became effective on July 11, 1938, in FPC Order Nos. 52 (section 3 authorizations) and 66 (Presidential Permits).

² 15 U.S.C. 717b.

³ DOE previously issued regulations implementing its delegated authorities under NGA section 3 for the import/export of natural gas. See 10 CFR 590.100, *et seq.*