

airplane serial number, and the total number of flight hours on the lower spar cap found cracked. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(1) For airplanes on which the inspection is accomplished after receipt of this priority letter AD: Submit the report within 10 days after performing the inspection required by paragraph (a) of this AD.

(2) For airplanes on which the inspection has been accomplished prior to the receipt of this priority letter AD: Submit the report within 10 days after receipt of this priority letter AD.

(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 to accomplish the modification requirements of this AD provided the following is followed:

- (1) The hopper is empty.
- (2) Vne is reduced to 126 miles per hour (109 knots).
- (3) Flight into known turbulence is prohibited.
- (e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(f) The inspection required by this AD shall be done in accordance with Ayres Service Bulletin No. SB-AG-39, dated September 17, 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 the Ayres Corporation, P.O. Box 3090, One Rockwell Avenue, Albany, Georgia 31706-3090. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment (39-10071) becomes effective on July 23, 1997, to all persons except those persons to whom it was made

immediately effective by priority letter AD 97-13-11, issued June 20, 1997, which contained the requirements of this amendment.

Issued in Kansas City, Missouri, on June 30, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-17728 Filed 7-9-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 381

[Docket No. RM97-5-000]

Annual Update of Filing Fees

Issued July 3, 1997.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; annual update of Commission filing fees.

SUMMARY: In accordance with § 381.104 of the Commission's regulations, the Commission issues this update of its filing fees. This notice provides the yearly update using data in the Commission's Payroll Utilization Reporting System to calculate the new fees. The purpose of updating is to adjust the fees on the basis of the Commission's costs for Fiscal Year 1996.

EFFECTIVE DATE: August 11, 1997.

FOR FURTHER INFORMATION CONTACT: Olive Wallace, Office of the Executive Director and Chief Financial Officer, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 42-65, Washington, D.C. 20426, (202) 219-2903.

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 at 888 First Street, N.E., Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, 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 order will be available on CIPS in ASCII and WordPerfect 6.1 format. CIPS user assistance is available at 202-208-2474.

CIPS is also available 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 then typing: /go FERC. FedWorld may also be accessed by Telnet at the address fedworld.gov.

Finally, the complete text on diskette in WordPerfect 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, N.E., Washington, D.C. 20426.

Annual Update of Filing Fees

The Federal Energy Regulatory Commission (Commission) is issuing this notice to update filing fees that the Commission assesses for specific services and benefits provided to identifiable beneficiaries. Pursuant to § 381.104 of the Commission's regulations, the Commission is establishing updated fees on the basis of the Commission's Fiscal Year 1996 costs. The fee for jurisdictional agency determinations (18 CFR 381.402) is removed, because the Commission no longer processes these filings. The adjusted fees announced in this notice are effective August 11, 1997. The new fee schedule is as follows.

Fees Applicable to the Natural Gas Policy Act

1. Petitions for rate approval pursuant to 18 CFR 284.123(b)(2). [18 CFR 381.403]	\$6,920
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Fees Applicable to General Activities

1. Petition for issuance of a declaratory order (except under Part I of the Federal Power Act). [18 CFR 381.302(a)]	13,910
2. Review of a Department of Energy remedial order:	

Amount in Controversy

\$0-9,999. [18 CFR 381.303(b)]	100
\$10,000-29,999. [18 CFR 381.303(b)]	600
\$30,000 or more. [18 CFR 381.303(a)]	20,300

3. Review of a Department of Energy denial of adjustment:

Amount in Controversy

\$0–9,999. [18 CFR 381.304(b)]	100
\$10,000–29,999. [18 CFR 381.304(b)]	600
\$30,000 or more. [18 CFR 381.304(a)]	10,640
4. Written legal interpretations by the Office of General Counsel. [18 CFR 381.305(a)]	3,990

Fees Applicable to National Gas Pipelines

1. Pipeline certificate applications pursuant to 18 CFR 284.224. [18 CFR 381.207(b)]	1,000
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Fees Applicable to Cogenerators and Small Power Producers

1. Certification of qualifying status as a small power production facility. [18 CFR 381.505(a)]	11,960
2. Certification of qualifying status as a cogeneration facility. [18 CFR 381.505(a)]	13,540
3. Applications for exempt wholesale generator status. [18 CFR 381.801]	1,560

List of Subjects in 18 CFR Part 381

Electric power plants, Electric utilities, Natural gas, Reporting and recordkeeping requirements.

James J. Hoecker,
Chairman.

In consideration of the foregoing, the Commission amends Part 381, Chapter I, Title 18, *Code of Federal Regulations*, as set forth below.

PART 381—FEES

1. The authority citation for Part 381 continues to read as follows:

Authority: 15 U.S.C. 717–717w; 16 U.S.C. 791–828c, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 60502; 49 App. U.S.C. 1–85.

§ 381.302 [Amended]

2. In § 381.302, paragraph (a) is amended by removing “\$12,790” and inserting “\$13,910” in its place.

§ 381.303 [Amended]

3. In § 381.303, paragraph (a) is amended by removing “\$18,680” and inserting “\$20,300” in its place.

§ 381.304 [Amended]

4. In § 381.304, paragraph (a) is amended by removing “\$9,790” and inserting “\$10,640” in its place.

§ 381.305 [Amended]

5. In § 381.305, paragraph (a) is amended by removing “\$3,670” and inserting “\$3,990” in its place.

§ 381.402 [Removed]

6. Section 381.402 is removed.

§ 381.403 [Amended]

7. Section 381.403 is amended by removing “\$6,370” and inserting “\$6,920” in its place.

§ 381.505 [Amended]

8. In § 381.505, paragraph (a) is amended by removing “\$11,000” and inserting “\$11,960” in its place and by removing “\$12,450” and inserting “\$13,540” in its place.

§ 381.801 [Amended]

9. Section 381.801 is amended by removing “\$1,670” and inserting “\$1,560” in its place.

[FR Doc. 97–18096 Filed 7–9–97; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 178**

[Docket No. 91F–0324]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of an alkylthiophenolic mixture formed by the acid-catalyzed condensation reaction of 4-nonylphenol, formaldehyde, and 1-dodecanethiol as an antioxidant for adhesives, pressure-sensitive adhesives, and rubber articles intended for repeated use in contact with food. This action is in response to a petition filed by Goodyear Tire & Rubber Co.

DATES: The regulation is effective July 10, 1997. Submit written objections and requests for a hearing by August 11, 1997.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Andrew J. Zajac, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3095.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of September 12, 1991 (56 FR 46439), FDA

announced that a food additive petition (FAP 1B4259) had been filed by the Goodyear Tire & Rubber Co. (currently c/o Keller and Heckman, 1001 G St. NW., suite 500 West, Washington, DC 20001). The petition proposed to amend the food additives regulations in § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) to provide for the safe use of the acid-catalyzed condensation reaction product of *p*-nonylphenol, formalin, and 1-dodecanethiol as an antioxidant for adhesives, listed under 21 CFR 175.105, and repeat-use rubber articles, listed under 21 CFR 177.2600. In a notice published in the **Federal Register** of January 26, 1995 (60 FR 5184), corrected on February 9, 1995 (60 FR 7774), FDA amended the September 12, 1991, notice to state that upon further review of the petition, the agency noted that the petitioner intended to use the additive in pressure-sensitive adhesives rather than adhesives generally; however, the agency also stated the petitioner had subsequently amended the petition also to include the use of the additive in adhesives. Additionally, for clarification purposes, the nomenclature for the additive was being modified to “alkylthiophenolics formed by the acid-catalyzed condensation reaction of *p*-nonylphenol, formaldehyde, and 1-dodecanethiol”. Upon further review, the agency has decided that the additive is more accurately described as alkylthiophenolics formed by the acid-catalyzed condensation reaction of 4-nonylphenol, formaldehyde, and 1-dodecanethiol.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed use of the additive in adhesives, pressure-sensitive adhesives, and rubber articles intended for repeated use in contact with food is safe, that the food additive will achieve its intended technical effect, and that § 178.2010 should be amended as set forth below.

FDA’s review of the subject petition indicates that the additive may contain