

43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.11 of the Federal Aviation Regulations (14 CFR 43.11).

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office, 1801 Airport Rd., Rm. 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita Aircraft Certification Office.

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.

(e) The check and re-installation required by this AD shall be done in accordance with Raytheon Aircraft Mandatory Service Bulletin No. 2693, Issued: May, 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 Raytheon Aircraft Company, P. O. Box 85, Wichita, Kansas 67201-0085. 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.

(f) This amendment (39-10073) becomes effective on September 2, 1997.

Issued in Kansas City, Missouri, on July 2, 1997.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-18138 Filed 7-18-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 946

[Docket No. 960418114-7140-05]

RIN 0648-AF72

Weather Service Modernization Criteria

AGENCY: National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Final rule.

SUMMARY: In accordance with the Weather Service Modernization Act, 15

U.S.C. 313n. (the Act), the National Weather Service (NWS) is publishing an amendment to its criteria for modernization actions requiring certification. This amendment adds criteria unique to automating a field office at service level D airports to ensure that automation actions will not result in any degradation of service. Automating a field office occurs after automated surface observing system (ASOS) equipment is installed and commissioned at a field office and the NWS employees that were performing surface observations at that office are removed or reassigned.

EFFECTIVE DATES: October 1, 1997.

ADDRESSES: Requests for copies of documents described in this notice as being available upon request should be sent to Julie Scanlon, NOAA/NWS, SSMC2, Room 18366, 1325 East-West Highway, Silver Spring, Maryland 20910.

FOR FURTHER INFORMATION CONTACT: Nicholas Scheller, 301-713-0454.

SUPPLEMENTARY INFORMATION: On May 2, 1996, the NWS published, for comment, proposed modernization criteria unique to automating a field office (see 61 FR 19594). In significant part, the proposed criteria embodied the levels of service set forth in the Federal Aviation Administration's (FAA) Weather Observation Service Standards for level A, B, C and D airports (see 61 FR 32887). After consideration of the public comments that were received and, after consultations with the National Research Council's (NRC) NWS Modernization Committee and the Modernization Transition Committee (MTC) in June 1996, the NWS established final modernization criteria for automating a field office at service levels A, B and C airports (see 61 FR 39862). However, in light of the concerns expressed in the public comments specifically on the automation criteria proposed for service level D airports, establishment of final modernization criteria for automating a field office at a service level D airport was deferred pending further study and reconsultation with the MTC. Many of these public comments expressed concern about either the representativeness of an unaugmented ASOS observation and/or the adequacy of a stand-alone ASOS. A list of persons submitting comments, the specific comments, and the NWS's response were provided in the July 31, 1996 notice that established final automation criteria for service levels A, B and C airports (see 61 FR 39862).

Between June and September 1996, NWS, in cooperation with the FAA and

the Airline Owners and Pilots Association's Air Safety Foundation (ASF), reassessed the automation criteria proposed for service level D airports. A description of this reassessment, the proposal that emerged as a result thereof and the rationale behind it is described below.

With regard to concerns raised by commentators on the representativeness of the unaugmented ASOS observation, NWS, FAA and ASF reviewed the results of the recently completed ASOS Aviation Demonstration. This demonstration was carried out jointly by the NWS, the FAA, and the aviation industry, from February 15, 1995 through August 15, 1995. During this demonstration, NWS observers were asked to record those cases when ASOS observations did not represent the true meteorological situation. Based on reports supplied by NWS observers, ASOS was found to report the correct individual weather parameters up to 98% of the time under all conditions combined. NWS also reexamined each of the service level D ASOS sites to determine if there were any remaining representativeness issues resulting from poor sensor siting or the need for meteorological discontinuity sensors. The need for sensor resiting and second ceiling and/or visibility sensors at several of these sites had already been identified and corrective actions were already in progress.

With regard to concerns raised by commentators on the adequacy of a stand-alone ASOS, the NWS, FAA and ASF focused their attention on the 6 parameters of the observations that distinguish service level C from service level D as described in the Summary Chart of the FAA's Weather Observation Service Standards. These are: Thunderstorm occurrence, tornadic activity, hail, virga, volcanic ash, and tower visibility. Since all service level D airports for which NWS must complete an automation certification do not have an FAA tower, tower visibility cannot be provided and, consequently, is not applicable. Of the remaining 5 parameters, 4 of them (tornadic activity, hail, virga and volcanic ash) occur very infrequently. Furthermore, the reporting of the occurrence of these 4 parameters is available to users through other means such as supplementary observations and complementary data sources. On December 13, 1995, NWS published a notice setting forth its Supplementary Data Program (see 60 FR 64020). Although information about thunderstorm occurrence is available through other sources, NWS, FAA and ASF concluded that providing thunderstorm occurrence as part of the

ASOS observation was critical. Consequently, NWS is in the process of adding single-site lightning sensors (capable of reporting thunderstorm occurrence) to the ASOS sensor suite at the service level D sites subject to automation certification, with the exception of Homer, Alaska. Upon examination of climatological data for the frequency of thunderstorm occurrence, the occurrence at Homer, Alaska was so low (0.015%) that a lightning sensor is not warranted at this site. Software modifications to ASOS, required to interface with the lightning sensor, are being implemented.

In addition, as a result of the reassessment, NWS reiterated its commitment to deploy freezing rain sensors prior to automation certification at all NWS sponsored ASOS sites that experience this phenomenon, regardless of the assigned service level. Some sites in the United States do not experience freezing rain, and consequently, are not scheduled to receive freezing rain sensors. Among the service level D sites subject to automatic certification, Ely, Nevada and Lander, Wyoming will not receive freezing rain sensors.

Besides the additional automation criteria described above resulting from the reassessment, NWS, FAA and ASF agreed that more education for pilots on automated observations, as well as pilot feedback on the utility of such observations was needed. Accordingly, the ASF has undertaken a significant pilot education and outreach effort. This effort will be completed prior to any automation certifications of service level D airports. The goals of this activity are to: (1) Educated pilots as to the differences between human and automated observations and how to use automated observations in conjunction with other weather information to make safe pre-flight and in-flight decisions; (2) notify a representative sample of the approximately 70,000 pilots who regularly use these service level D airports that ASOS is in place and give them an opportunity to comment; (3) measure understanding and acceptance of automated observing systems; and (4) identify and correct any systemic or site specific problems with the automated observations. The ASF assessment of pilot understanding and acceptance of ASOS observations is being conducted during a portion of the 1997 severe weather season (May through July), with 10 of the service level D sites having lightning sensors installed and operational. The ASF is responsible for preparing and disseminating the educational materials; collecting and statistically analyzing any pilot feedback; and sharing the results with

both the NWS and FAA for additional evaluation. The results of this activity will be reported to the MTC at its September 1997 meeting.

The NRC's NWS Modernization Committee was advised of the additional automation criteria being contemplated by NWS on September 9, 1996. In addition, during its consultation with the MTC on September 19, 1996, the NWS proposed to supplement the service level D automation criteria as discussed above and briefed the MTC on the ASF pilot education and outreach effort at service level D airports. In response, the MTC endorsed the NWS proposal concluding that the additional criteria, when applied in conjunction with previously proposed automation criteria, and after completion of the pilot education and outreach effort would provide an adequate basis for certifying no degradation in the required level of services. The MTC further recognized the importance of the integration of the new observational data in order to avoid a degradation of service and recommended that both the NWS and FAA develop and implement product improvement programs to correct deficiencies as they occur and to implement new technology to improve observations.

To implement the proposal endorsed by the MTC, NWS has modified the automation criteria for service level D airports as follows. Criterion D.4.c. has been added to Appendix A to require that a lightning sensor be operational as a prerequisite for automation certification at service level D airports, except as noted. Criterion D.4.d. has been added to Appendix A to require that a freezing rain sensor be operational as a prerequisite for automation certification, except as noted. Criterion D.4.b. has also been modified to indicate that completion of the transition checklist is applicable to service level A, B and C airports only, since transfer of augmentation/back-up responsibility from NWS to FAA does not occur at service level D airports. An additional Criterion 5. has been added for service level D airports which requires completion of the above pilot education and outreach effort and that the MTC has had an opportunity to review the results.

The May 2, 1996 publication of proposed modernization criteria unique to automating a field office (see 61 FR 19594) included a total of 27 airports in the service level D category. In April 1997, NWS completed a reexamination of these 27 service level D airports and ascertained that 2 of them had FAA Automated Flight Service Stations

(AFSS). Because an AFSS constitutes a qualified Federal presence, FAA reclassified these two airports (i.e., Elkins, WV and Huron, SD) from service level D to service level C. In both cases, the AFSS will provide augmentation and back-up of the ASOS. Consequently, Appendix B is amended to reflect this reclassification and add the remaining 25 service level D airports for which NWS must complete an automation certification.

A. Classification Under Executive Order 12866

These regulations have been determined not to be significant for purposes of E.O. 12866.

B. Regulatory Flexibility Act Analysis

These regulations set forth the criteria for certifying that certain modernization actions will not result in a degradation of service to the affected area. The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration when these criteria were proposed, that if adopted, they would not have a significant economic impact on a substantial number of small entities. Comments on the proposed regulations were received and based on those comments these final regulations have been adjusted accordingly and have been determined that they do not effect small economic entities. While the final regulations are changed as discussed above, these criteria are intended for internal agency use, and the impact on small business entities will be negligible. The final criteria do not directly affect "small government jurisdictions" as defined by Public Law 96-354, the Regulatory Flexibility Act. Accordingly, the basis for the certification has not changed and no final regulatory flexibility analysis was prepared.

C. Paperwork Reduction Act of 1980

These regulations will impose no information collection requirements subject to the Paperwork Reduction Act.

D. E.O. 12612

This rule does not contain policies with sufficient Federalism implications to warrant preparation of a Federalism assessment under Executive Order 12612.

E. National Environmental Policy Act

NOAA has concluded that issuance of this rule does not constitute a major Federal action significantly affecting the quality of the human environment.

Therefore, an environmental impact statement is not required.

List of Subjects in 15 CFR Part 946

Administrative practice and procedure, Certification, Commissioning, Decommissioning, National Weather Service, Weather service modernization.

Dated: July 14, 1997.

Robert S. Winokur,

Acting Assistant Administrator for Weather Services.

For the reasons set out in the preamble, 15 CFR part 946 is amended as follows:

PART 946—[AMENDED]

1. The authority citation for part 946 continues to read as follows:

Authority: Title VII of Pub. L. 102-567, 106 Stat 4303 (15 U.S.C. 313n.).

Appendix A to Part 946—[Amended]

2. Appendix A to part 946 is amended by revising Subsection (D) under Section II. Criteria for Modernization Actions Requiring Certification, to read as follows:

(D) Modernization Criteria Unique to Automation Certifications

1. Compliance with flight aviation rules (applies on airports only): Consultation with the Federal Aviation Administration (FAA) has verified that the weather services provided after the commissioning of the relevant ASOS unit(s) will be in full compliance with applicable Federal Aviation Regulations promulgated by the FAA.

2. ASOS Commissioning: The relevant ASOS unit(s) have been successfully commissioned in accordance with the criteria set forth in section I.A.1 of Appendix A to the Weather Service Modernization Regulations, 15 CFR part 946.

3. User Confirmation of Services: Any valid user complaints related to actual system performance received since commissioning of the ASOS have been satisfactorily resolved and the issues addressed in the MIC's recommendation for certification.

4. Aviation Observation Requirement: At sites subject to automation certification, all surface observations and reports required for aviation services can be generated by an ASOS augmented as necessary by non-NWS personnel.

a. The ASOS observation will be augmented/backed-up to the level specified in Appendix B as described in the Summary Chart of the FAA's Weather Observation Service Standards.

b. The transition checklist has been signed by the appropriate Region Systems

Operations Division Chief (applies to service level A, B and C airports only).

c. Thunderstorm occurrence is reported in the ASOS observation through the use of a lightning sensor (applies to service level D airports only, excluding Homer, Alaska).

d. Freezing rain occurrence is reported in the ASOS observation through the use of a freezing rain sensor. Among service level D airports, this criterion is not applicable to Ely, Nevada and Lander, Wyoming.

5. Pilot Education and Outreach Completed: The Air Safety Foundation has conducted a pilot education and outreach effort to educate pilots on the use of automated observations and measure their understanding and acceptance of automated observing systems, and the MTC has had an opportunity to review the results of this effort (applies to service level D airports only).

6. General Surface Observation Requirement: The total observations available are adequate to support the required inventory of services to users in the affected area. All necessary hydrometeorological data and information are available through ASOS as augmented in accordance with this section, through those elements reported as supplementary data by the relevant Weather Forecast Office(s), or through other complementary sources. The adequacy of the total surface observation is addressed in the MTC's recommendation for certification.

BILLING CODE 3510-12-M

Summary of FAA's Weather Observation Service Standards**"D" Level Service
Stand-Alone ASOS**

- "C" Level Service Add-Ons**
- Backup basic service
 - Augmentation of:
 - Thunderstorm occurrence
 - Tornadic activity
 - Hail
 - Virga
 - Volcanic ash
 - Tower visibility



- "B" Level Service Augmentation Add-Ons**
- Long-line Runway Visual Range (RVR) at designated sites (may be instantaneous readout)
 - Freezing drizzle
 - Ice pellets
 - Snow depth on ground
 - Snow increasing rapidly remark
 - Thunderstorm/lightning location remark
 - Observed significant weather not at station



- "A" Level Service Augmentation Add-Ons**
- Either 10-minute long-line RVR or visibility increments down to 1/8, 1/16, and 0 miles
 - Sector visibility
 - Variable sky
 - Cloud types
 - Cloud layers above 12,000 feet
 - Widespread dust, sand, and smoke obstructions
 - Volcanic eruptions

Appendix B to Part B—[Revised]

Appendix B to Part 946 is revised to read as follows:

**APPENDIX B TO PART 946—AIRPORT
TABLES**

"A" Level Service Airports:

*Akron, OH	CAK
*Albany, NY	ALB
*Atlanta, GA	ATL
*Baltimore, MD	BWI
*Boston, MA	BOS
Charlotte, NC	CLT
*Chicago-O'Hare (AV), IL	ORD
Cincinnati, OH	CVG
Columbus, OH	CMH
*Dayton, OH	DAY
*Des Moines, IA	DSM
*Detroit, MI	DTW
*Fairbanks, AK	FAI
*Fresno, CA	FAT
*Greensboro, NC	GSO
*Hartford, CT	BDL
Indianapolis, IN	IND
*Kansas City, MO	MCI
*Lansing, MI	LAN
Las Vegas, NV	LAS
Los Angeles (AV), CA	LAX
*Louisville, KY	SDF
*Milwaukee, WI	MKE
*Minneapolis, MN	MSP
*Newark, NJ	EWR
*Oklahoma City, OK	OKC
Phoenix, AZ	PHX
*Portland, OR	PDX
*Providence, RI	PVD
*Raleigh, NC	RDU
*Richmond, VA	RIC
*Rochester, NY	ROC
*Rockford, IL	RFD
*San Antonio, TX	SAT
San Diego, CA	SAN
*San Francisco, CA	SFO
*Spokane, WA	GEG
*Syracuse, NY	SYR
Tallahassee, FL	TUL
Tulsa, OK	TUL

"B" Level Service Airports:

*Baton Rouge, LA	BTR
*Billings, MT	BIL
*Charleston, WV	CRW
*Chattanooga, TN	CHA
Colorado Springs, CO	COS
Daytona Beach, FL	DAB
El Paso, TX	ELP
Flint, MI	FNT
Fort Wayne, IN	FWA
Honolulu, HI	HNL
*Huntsville, AL	HSV
*Knoxville, TN	TYS
*Lincoln, NE	LNK
Lubbock, TX	LBB
*Madison, WI	MSN
*Moline, IL	MLI
*Montgomery, AL	MGM
*Muskegon, MI	MKG
*Norfolk, VA	ORF
Peoria, IL	PIA
*Savannah, GA	SAV
*South Bend, IN	SBN
Tucson, AZ	TUS
*West Palm Beach, FL	PBI
*Youngstown, OH	YNG

"C" Level Service Airports:

**APPENDIX B TO PART 946—AIRPORT
TABLES—Continued**

Abilene, TX	ABI
Allentown, PA	ABE
Asheville, NC	AVL
Athens, GA	AHN
Atlantic City, NJ	ACY
Augusta, GA	AGS
Austin, TX	AUS
Bakersfield, CA	BFL
Bridgeport, CT	BDR
Bristol, TN	TRI
Casper, WY	CPR
Columbia, MO	COU
Columbus, GA	CSG
Dubuque, IA	DBQ
Elkins, WV	EKN
Erie, PA	ERI
Eugene, OR	EUG
Evansville, IN	EVV
Fargo, ND	FAR
Fort Smith, AR	FSM
Grand Island, NE	GRI
Helena, MT	HLN
Huntington, WV	HTS
Huron, SD	HON
Kahului, HI	OGG
Key West, FL	EYW
Lewiston, ID	LWS
Lexington, KY	LEX
Lynchburg, VA	LYH
Macon, GA	MCN
Mansfield, OH	MFD
Meridian, MS	MEI
Olympia, WA	OLM
Port Arthur, TX	BPT
Portland, ME	PWM
Rapid City, SD	RAP
Redding, CA	RDD
Reno, NV	RNO
Roanoke, VA	ROA
Rochester, MN	RST
Salem, OR	SLE
Santa Maria, CA	SMX
Sioux City, IA	SUX
Springfield, IL	SPI
Stockton, CA	SCK
Toledo, OH	TOL
Waco, TX	ACT
Waterloo, IA	ALO
Wilkes-Barre, PA	AVP
Williamsport, PA	IPT
Wilmington, DE	ILG
Worcester, MA	ORH
Yakima, WA	YKM

"D" Level Service Airports:

Alamosa, CO	ALS
Alpena, MI	APN
Astoria, OR	AST
Beckley, WV	BKW
Caribou, ME	CAR
Concordia, KS	CNK
Concord, NH	CON
Ely, NV	ELY
Havre, MT	HVR
Homer, AK	HOM
Houghton Lake, MI	HTL
International Falls, MN	INL
Kalispell, MT	FCA
Lander, WY	LND
Norfolk, NE	OFK
Sault Ste. Marie, MI	SSM
Scottsbluff, NE	BFF
Sheridan, WY	SHR
St. Cloud, MN	STC

**APPENDIX B TO PART 946—AIRPORT
TABLES—Continued**

Tupelo, MS	TUP
Valentine, NE	VTN
Victoria, TX	VCT
Wichita, Falls, TX	SPS
Williston, ND	ISN
Winnemucca, NV	WMC

* Long-line RVR designated site.

[FR Doc. 97-18913 Filed 7-18-97; 8:45 am]

BILLING CODE 3510-12-M

**DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

Food and Drug Administration

21 CFR Parts 510, 520, and 522

**Animal Drugs, Feeds, and Related
Products**

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to remove those portions reflecting approval of one new animal drug application (NADA) held by Babineaux's Veterinary Products for diethylcarbamazepine citrate syrup, and two NADA's held by Schein Pharmaceutical/Steris Laboratories for phenylbutazone injection and oxytocin injection. In a notice published elsewhere in this issue of the **Federal Register**, FDA is withdrawing approval of these NADA's as requested by their sponsors.

EFFECTIVE DATE: July 31, 1997.

FOR FURTHER INFORMATION CONTACT: Mohammad I. Sharar, Center for Veterinary Medicine (HFV-216), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1722.

SUPPLEMENTARY INFORMATION:

Babineaux's Veterinary Products, Inc., 6425 Airline Hwy., Metairie, LA 70003, is the sponsor of NADA 46-147 for Diocide (diethylcarbamazepine citrate) Syrup. Schein Pharmaceutical, Inc./Steris Laboratories, Inc., 620 North 51st Ave., Phoenix, AZ 85043-4705, is the sponsor of NADA 48-391 for phenylbutazone injection, and NADA 49-183 for oxytocin injection.

The sponsors requested withdrawal of approval of the NADA's under 21 CFR 514.115(d) because the products are no longer being marketed.

The regulations are amended in 21 CFR 520.622b(a)(2), 522.1680(b), and 522.1720(b)(2) to remove those portions which reflect approval of these NADA's.