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 a new airworthiness directive (AD) to read as follows

97–23–05 Avions Pierre Robin: Amendment 39–10193; Docket No. 97–CE–87–AD.

Applicability: Model R3000 airplanes, all serial numbers, 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 prior to further flight after the effective date of this AD, unless already accomplished.

To prevent the pitch control cables on the control column from becoming jammed due to failure of the attachment bolt, which could result in a reduction in the directional controllability of the airplane, accomplish the following:

(a) Replace the attachment bolt between the pitch control cables and control column lever, part number (P/N) 95.13.19.000 (or FAA-approved equivalent part number), with a bolt of improved design, P/N 27.36.03.140 (or FAA-approved equivalent part number), in accordance with Avions Pierre Robin Service Bulletin No. 146, Revision 1, dated September 26, 1996.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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

(d) The replacement required by this AD shall be done in accordance with Avions Pierre Robin Service Bulletin No. 146, Revision 1, dated September 26, 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 Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France. Copies may be inspected at the FAA, Central Region, Office of the Regional 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.

Note 3: The subject of this AD is addressed in French AD 96–167(A)R1, dated December 4, 1996.

(e) This amendment (39–10193) becomes effective on December 1, 1997.

Issued in Kansas City, Missouri, on October 29, 1997.

Mary Ellen A. Schutt,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–29232 Filed 11–6–97; 8:45 am]

BILLING CODE 4910–13–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1615 and 1616

Standards for Flammability of Children's Sleepwear: Sizes 0 Through 6X and 7 Through 14; Stay of Enforcement; Extension

AGENCY: Consumer Product Safety Commission.

ACTION: Extension of Stay of Enforcement.

SUMMARY: This document announces the Commission's decision to extend the stay of enforcement of sleepwear requirements involving garments currently used or likely to be used as sleepwear if these garments are skin-tight or nearly skin-tight, similar in design, material, and fit to underwear, and are labeled as ''underwear.''

DATES: The stay which first became effective on January 13, 1993 (published at 58 FR 4178, January 13, 1993), and was extended at 59 FR 53584, October 25, 1994, and 61 FR 47412, September 9, 1996, will continue in effect until June 9, 1998.

FOR FURTHER INFORMATION CONTACT: Patricia A. Fairall, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504–0400, extension 1369.

SUPPLEMENTARY INFORMATION: On January 13, 1993, the Commission published a document announcing that for certain garments it would stay enforcement of its Standard for the Flammability of Children's Sleepwear: Sizes 0–6x (16 CFR part 1615) and the Standard for the Flammability of Children's Sleepwear Sizes 7–14 (16 CFR part 1616). The Commission stated that it would not enforce the sleepwear flammability standards against garments used by children for sleeping that are: (1) Skin-tight or nearly skin-tight; (2) manufactured from fabrics such as rib knit, interlock knit, or waffle knit; (3) relatively free of ornamentation; and (4) labeled and marketed as ''underwear.''

The stay was part of the Commission's effort to amend its sleepwear regulations to exempt certain tight-fitting garments and infant garments from the sleepwear standards. The stay was published on the same day as an advance notice of proposed rulemaking beginning the proceeding to exempt these garments. See 58 FR 4111. The Commission has since published a proposed rule (59 FR 53616) and a final rule (61 FR 47634) exempting certain tight-fitting and infant garments from the sleepwear flammability standards.

While the Commission was considering amending the standard and to allow time for the industry to adjust to the exemption, the Commission extended the stay of enforcement when it issued the proposed rule (59 FR 53584) and the final rule (61 FR 47412). The Commission is extending the stay 3 months, from March 9, 1998 to June 9, 1998 for the garments described above. The Commission is taking this action because the March 9 date falls in the middle of a retail cycle. Without the extension, retailers and manufacturers believe that in the same selling season they would need to offer and make garments that are acceptable under the stay for the first half of the season and garments that meet the tight fitting requirements for the second half. This could be burdensome for some companies and make it more difficult to insure compliance of manufactured/marketed garments. The Commission does not believe that extending the stay 3 months will adversely affect the industry or consumer safety.

Garments covered by the stay must meet applicable requirements of the Standard for the Flammability of

Clothing Textiles, 16 CFR part 1610, and the Standard for the Flammability of Vinyl Plastic Film, 16 CFR part 1611.

After the stay expires, children's sleepwear must either pass the flammability tests described in the regulations at 16 CFR parts 1615 and 1616 or meet the definition of ''tight-fitting garments'' described in 16 CFR 1615.1(o) and 1616.1(m), or be in infant sizes 9 months or smaller.

Dated: October 31, 1997.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 97–29306 Filed 11–6–97; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 97–88]

19 CFR Parts 101 and 122

Customs Service Field Organization; Establishment of Sanford Port of Entry

AGENCY: Customs Service, Treasury.

ACTION: Interim rule; solicitation of comments.

SUMMARY: This document delays the effective date for implementation of a final rule document published in the **Federal Register** July 11, 1997, as T.D. 97–64, which would establish a new port of entry at Orlando-Sanford Airport in Sanford, Florida effective November 10, 1997. Since publication of the final rule document, the Airport Operator has brought to Customs attention that the date chosen by Customs significantly impairs its agreements with air carriers that were signed prior to Customs announcement of its decision. In addition, the Airport Operator claims that cargo and warehousing space currently available at the airport must be expanded to accommodate projected needs. Because of these factors, Customs is delaying the effective date to May 1, 1998 for the port of entry designation. The user-fee status of the airport will continue until the new effective date.

DATES: Effective date of November 10, 1997, of the amendments of §§ 101.3(b)(1) and 122.15(b), Customs Regulations, published in the **Federal Register** (62 FR 37131) on July 11, 1997, is delayed until May 1, 1998. Comments must be received on or before December 8, 1997.

ADDRESSES: Written comments (preferably in triplicate) may be addressed to the U.S. Customs Service, Office of Regulations and Rulings—ATTN: Regulations Branch, The Ronald Reagan Building, 1300 Pennsylvania Avenue, NW., Washington, D.C. 20229. Comments submitted may be inspected at the Regulations Branch, Office of Regulations and Rulings, The Ronald Reagan Building, 1300 Pennsylvania Avenue, NW, Suite 3000, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Harry Denning, Office of Field Operations, Resource Management Division (202) 927–0196.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 1997, Customs published in the **Federal Register** (62 FR 37131) T.D. 97–64 which amended § 101.3(b), Customs Regulations (19 CFR 101.3), to establish a new port of entry at Orlando-Sanford Airport in Sanford, Florida, and § 122.15(b), Customs Regulations (19 CFR 122.15(b)), to remove the Sanford Regional Airport from the list of user-fee airports.

That action was taken by Customs based on analysis of a report prepared for the Central Florida Regional Airport Board that manages the airport at Sanford. The report showed that the Sanford Regional Airport was becoming the fastest growing airport for international passenger clearance services in Florida. In response to this growth, the report indicated that the Airport Board had decided to make substantial and long term investment in new international arrival facilities to serve this growing Central Florida market. Applying the criteria used by Customs since 1973 for the establishment of ports of entry (*see* Treasury Decision (T.D.) 82–37 (47 FR 10137), as revised by T.D. 86–14 (51 FR 4559) and T.D. 87–65 (52 FR 16328)), to the figures projected by the Central Florida Regional Airport Board, Customs believed that sufficient justification existed for redesignating the airport facility from its user-fee status to that of a port of entry. Customs announced this decision on July 11, 1997, and designated November 10, 1997 as the effective date.

Since publication of the final rule document, it has come to Customs attention that agreements currently in force between the Orlando-Sanford Airport and the air carriers it serves effectively requires the Airport to absorb additional Customs fees through the end of April 1998. Moreover, the facilities for cargo processing and warehousing at Orlando-Sanford Airport need to be expanded and that construction will not be completed until late Spring of 1998.

Delayed Effective Date

For the reasons set forth in the above discussion, Customs has determined that the effective date for the establishment of the new port of entry at Sanford, Florida shall be delayed for approximately 6 months—until May 1, 1998—to afford the airport facility time to complete projected facilities. Until that time, the airport may continue to operate as a user-fee facility.

Public Comment Requirements

Customs establishes, expands, and consolidates Customs ports of entry throughout the United States to accommodate the volume of Customs-related activity in various parts of the country. Because the establishment, expansion or consolidation of a port of entry relates to agency management and organization, a regulatory change involving such an action is not subject to the notice and public procedure requirements of the Administrative Procedure Act (APA) (5 U.S.C. 553).

In addition, pursuant to 5 U.S.C. 553(b)(B), Customs finds for good cause in this instance that notice and public procedure are impracticable, unnecessary and contrary to public interest. It would be impracticable for Customs to issue a proposal in this instance as the rulemaking process could not be completed timely.

If a proposal were to be issued, it would be unlikely that a final decision could be published before November 10, causing possible unforeseen consequences for the airport operator and other members of the public. Also the temporary postponement of the effective date of a rule is a technical change for which it is unnecessary to provide notice and comment. The substantive decision to create a port of entry at Sanford has already been made; the only question is when that port of entry will open.

Notwithstanding the above, Customs generally provides the public with an opportunity to comment on the establishment of ports of entry. Even though notice and public comment are not required in this instance pursuant to 5 U.S.C. 553(a)(2) because this is a matter relating to agency management, and pursuant to 5 U.S.C. 553(b)(B) for good cause, Customs is requesting the public to submit comments regarding the delayed effective date. If comments submitted within the next 30 days demonstrate that there exist sufficient grounds for not delaying the effective date of the establishment of a port of entry in Sanford until May 1, 1998, Customs will issue another document.

Comments submitted will be available for public inspection in accordance with