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DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Revision of Delegations of Authority

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This document revises the delegations of authority from the Secretary of Agriculture and general officers of the Department to delegate to the Under Secretary for Natural Resources and Environment, to be exercised only with the concurrence of the General Counsel, the authority vested in the Secretary pursuant to Executive Order No. 12580, as amended by Executive Order No. 13016, to take enforcement action, including the issuance of administrative orders, under sections 106(a) and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9606(a), 9622.

EFFECTIVE DATE: June 18, 1999.

FOR FURTHER INFORMATION CONTACT:

Terry Harwood, Executive Director, Hazardous Materials Policy Council, United States Department of Agriculture, 324 25th Street, Ogden, Utah 84401, telephone (801) 625-5196.

SUPPLEMENTARY INFORMATION: Pursuant to section 106(a) of CERCLA, 42 U.S.C. 9606(a), when the President determines that there may be an imminent and substantial endangerment to the public health or welfare or the environment because of an actual or threatened release of hazardous substance, the President, after notice to the affected State, may take such action as may be necessary, including issuance of administrative orders, to protect public health and welfare and the environment. Pursuant to section 122 of CERCLA, 42 U.S.C. 9622, the President

may enter into an agreement with any person to perform any response action if the President determines that such action will be done properly by such person. Executive Order No. 12580, as amended by Executive Order 13016 (61 FR 45871, Aug. 30, 1996), delegated the functions vested in the President by sections 106(a) and 122 (except subsection (b)(1)) of CERCLA to the Secretary of Agriculture with respect to any release or threatened release affecting natural resources under the Secretary's trusteeship or a vessel or facility subject to the Secretary's custody, jurisdiction, or control. This document amends the formal delegations of authority by the Secretary of Agriculture and General Officers of the Department to reflect the previous internal delegation by the Secretary to the Under Secretary for Natural Resources and Environment, to be exercised only with the concurrence of the General Counsel, of the authority to take enforcement action, including the issuance of administrative orders, under sections 106(a) and 122 of CERCLA.

This rule relates to internal agency management. Therefore pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required. Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order Nos. 12866 and 12988. In addition, this action is not a rule as defined by the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., and, thus, is exempt from the provisions of that Act. Accordingly, as authorized by section 808 of the Small Business Regulatory Flexibility Act of 1996, Public Law 104-121, this rule may be made effective upon publication in the **Federal Register**.

List of Subjects in 7 CFR Part 2

Authority delegations (Government agencies).

Accordingly, 7 CFR part 2 is amended as follows:

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

1. The authority citation for part 2 continues to read as follows:

Authority: 7 U.S.C. 6912(a)(1); 5 U.S.C. 301; Reorganization Plan No. 2 of 1953; 3 CFR, 1949-1953 Comp., p. 1024.

Subpart C—Delegations of Authority to the Deputy Secretary, the Under Secretaries and Assistant Secretaries

2. In § 2.20, paragraph (a)(1)(vii) is added to read as follows:

§ 2.20 Under Secretary for Natural Resources and Environment.

(a) * * *

(1) * * *

(vii) Take such action as may be necessary, including issuance of administrative orders, and enter into agreements with any person to perform any response action under sections 106(a) and 122 (except subsection (b)(1)) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9606(a), 9622), pursuant to sections 4(c)(3) and 4(d)(3) of Executive Order No. 12580, as amended by Executive Order No. 13016, to be exercised only with the concurrence of the General Counsel.

* * * * *

Dated: June 11, 1999.

Dan Glickman,

Secretary of Agriculture.

[FR Doc. 99-15368 Filed 6-17-99; 8:45 am]

BILLING CODE 3410-14-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-CE-23-AD; Amendment 39-11197; AD 99-13-04]

RIN 2120-AA64

Airworthiness Directives; Cessna Aircraft Company Models 206H and T206H Airplanes

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Cessna Aircraft Company (Cessna) Models 206H and T206H airplanes. This AD requires inspecting the left and right wing aileron control bellcrank stop bolts and lock nuts for flush and tight contact with the surface of the threaded boss on each end of the yoke assemblies, and accomplishing follow-on and corrective actions, as applicable. This AD is the result of an inspection on one of the

affected airplanes that showed that the aileron control bellcrank stop bolt had partially backed out of the threaded boss. The actions specified by this AD are intended to detect and correct loose aileron control bellcrank stop bolts, which could result in restricted movement of the ailerons with possible partial or complete loss of aileron control.

DATES: Effective July 13, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 13, 1999.

Comments for inclusion in the Rules Docket must be received on or before August 13, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-23-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from the Cessna Aircraft Company, P.O. Box 7706, Wichita, Kansas 67277-7706; telephone: (316) 517-5800; facsimile: (316) 942-9066. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-23-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Shane Bertish, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas, 67209, telephone: (316) 946-4156; facsimile: (316) 946-4407.

SUPPLEMENTARY INFORMATION:

Discussion

The FAA has received information from an inspection of a Cessna Model 206H airplane that reveals that the aileron control bellcrank stop bolt had partially backed out of the threaded boss on one end of a yoke assembly. This restricted the movement of both ailerons, which could result in partial or complete loss of aileron control.

Both the Cessna Models 206H and T206H airplanes with the following serial numbers have aileron system designs where the above-referenced situation could exist:

Models	Serial numbers
T206H	T20608002 through T20608015; T20608017 through T20608023; and T20608025 through T20608028

Relevant Service Information

Cessna has issued Special Service Project SSP99-27-02, which specifies procedures for inspecting the left and right wing aileron control bellcrank stop bolts and lock nuts for flush and tight contact with the surface of the threaded boss on each end of the yoke assemblies, and accomplishing follow-on and corrective actions, as applicable.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, including the relevant service information, the FAA has determined that:

- the actions referenced in the service information should be accomplished on the Cessna Models 206H and T206H airplanes; and
- AD action should be taken to detect and correct loose aileron control bellcrank stop bolts, which could result in restricted movement of the aileron with possible partial or complete loss of aileron control.

Explanation of the Provisions of the AD

Since an unsafe condition has been identified that is likely to exist or develop in other Cessna Models 206H and T206H airplanes of the same type design, the FAA is taking AD action. This AD requires inspecting the left and right wing aileron control bellcrank stop bolts and lock nuts for flush and tight contact with the surface of the threaded boss on each end of the yoke assemblies, and accomplishing follow-on and corrective actions, as applicable.

Accomplishment of the actions specified in this AD are required in accordance with the instructions in Cessna Special Service Project SSP99-27-02, dated May 18, 1999.

Compliance Time of This AD

Although the aileron control bellcrank stop bolts and lock nuts not being flush and in tight contact with the surface of the threaded boss on each end of the yoke assemblies is only unsafe while the airplane is in flight, this condition is not a result of the number of times the airplane is operated. The chance of this situation existing is the same for an airplane with 200 hours time-in-service (TIS) as it is for an airplane with 3,000 hours TIS. In addition, the usage levels of the affected airplane vary immensely.

Some operators may accumulate 25 hours TIS in a matter of days, where other operators may only utilize their airplanes a few hours in a month.

For these reasons, the FAA has determined that a compliance based on calendar time and hours TIS (with the prevalent one being that which occurs first) should be utilized in this AD in order to assure that the unsafe condition is addressed on all affected airplanes in a reasonable time period without inadvertently grounding certain airplanes. The compliance time of the inspection required by this AD will be as follows:

“Within the next 10 hours TIS after the effective date of this AD or within the next 60 calendar days after the effective date of this AD, whichever occurs first.”

Determination of the Effective Date of the AD

Since a situation exists (possible partial or complete loss of aileron control) that requires the immediate adoption of this regulation, it is found that notice and opportunity for public prior 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 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.

Models	Serial numbers
206H ...	20608002 through 20608026.

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. 99-CE-23-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 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 (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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:

99-13-04 Cessna Aircraft Company:

Amendment 39-11197; Docket No. 99-CE-23-AD.

Applicability: The following airplane model and serial number airplanes, certificated in any category:

Models	Serial numbers
206H ... T206H	20608002 through 20608026. T20608002 through T20608015; T20608017 through T20608023; and T20608025 through T20608028.

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 (e) 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 in the body of this AD, unless already accomplished.

To detect and correct loose aileron control bellcrank stop bolts, which could result in restricted movement of the aileron with possible partial or complete loss of aileron control, accomplish the following:

(a) Within the next 10 hours time-in-service after the effective date of this AD or within the next 60 calendar days after the effective date of this AD, whichever occurs first, inspect the left and right wing aileron control bellcrank stop bolts and lock nuts for flush and tight contact with the surface of the threaded boss on each end of the yoke assemblies. Accomplish this inspection in accordance with the INSPECTION/MODIFICATION INSTRUCTIONS section of Cessna Special Service Project SSP99-27-02, dated May 18, 1999.

(b) If the bolts and nuts are flush and tight, or loose but flush after tightening, prior to further flight, accomplish the following actions in accordance with the INSPECTION/MODIFICATION INSTRUCTIONS section of Cessna Special Service Project SSP99-27-02, dated May 18, 1999:

- (1) Loosen nuts;
- (2) Clean threads (bolt and nut);
- (3) Wick Loctite 290 into threads; and
- (4) Torque nut.

(c) If the bolts and nuts are not flush, prior to further flight, accomplish the following actions in accordance with the INSPECTION/MODIFICATION INSTRUCTIONS section of Cessna Special Service Project SSP99-27-02, dated May 18, 1999:

- (1) Remove nut and stop bolt;

- (2) Spotface boss;
- (3) Clean threads (boss, bolt, and nut);
- (4) Apply Loctite 242;
- (5) Adjust stop bolt; and
- (6) Torque bolt.

Note 2: Paragraphs (b) and (c) of this AD present a basic outline of the follow-on work to be accomplished. The detailed procedures to accomplish these actions are included in the INSPECTION/MODIFICATION INSTRUCTIONS section of Cessna Special Service Project SSP99-27-02, dated May 18, 1999.

(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) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 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 ACO.

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

(f) The inspections and follow-on actions required by this AD shall be done in accordance with Cessna Special Service Project SSP99-27-02, dated May 18, 1999. 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 Cessna Aircraft Company, P.O. Box 7706, Wichita, Kansas 67277-7706. 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.

(g) This amendment becomes effective on July 13, 1999.

Issued in Kansas City, Missouri, on June 10, 1999.

Michael K. Dahl,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-15220 Filed 6-17-99; 8:45 am]

BILLING CODE 4910-13-P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1700

Final Rule: Requirements for Child-Resistant Packaging; Household Products Containing Methacrylic Acid

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.