

without negative consequences to producers.

Suspension of the foregoing provisions on Order 2 and 4 producers would facilitate more efficient milk assembly and transportation in a geographic area characterized by a significant overlap of milksheds and pool plants, proponents claim.

Several handlers (cooperative and proprietary) who market the milk of dairy farmers under Orders 2 and 4 requested the suspension. Proponents ask that the provisions be suspended for the months of May through September 1996.

In support of the action, proponents stated that the State of Pennsylvania has become a common milkshed for Orders 2 and 4. In June 1995 there were 3,836 Pennsylvania dairy farmers pooled on Order 2 and 3,717 Pennsylvania producers pooled on Order 4. These dairy farmers represented 37 percent of the total producers on Order 2 and 73 percent of the total producers on Order 4. They produced 27 percent of the Order 2 pool milk and 67 percent of the Order 4 producer receipts. There is significant overlap of producers supplying the two markets in the Pennsylvania counties of Lancaster, Lebanon, Chester, and Berks, proponents stated.

Proponents also indicated in their request that a large percentage of the milk that is picked up in the common supply area of Pennsylvania is delivered to Order 4 fluid milk plants located at Wawa, Sunbury and Fort Washington, Pennsylvania and Florence, New Jersey. Some of the milk produced in this same area is delivered to the Order 2 pool plants located at Lansdale and Reading.

Two proponent cooperatives (Atlantic Dairy Cooperative and Milk Marketing, Inc.) and a proprietary handler, (Dietrich's Milk Products) also a proponent of the suspension, have made plans to combine their milk routes in Pennsylvania to assemble and haul the milk from farms that are most advantageously located to plants where the milk is needed for processing. The commingling of the milk supply of these three handlers is scheduled to begin on May 1, 1996, which is the first month the suspension is to be effective.

Accordingly, it may be appropriate to suspend the aforesaid provisions from May 1, 1996 through September 30, 1996.

List of Subjects in 7 CFR Parts 1002 and 1004

Milk marketing orders.

The authority citation for 7 CFR Parts 1002 and 1004 continues to read as follows:

Authority: 7 U.S.C. 601-674.

Dated: March 27, 1996.

Kenneth C. Clayton,

*Acting Administrator.*

[FR Doc. 96-7900 Filed 4-1-96; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 92-NM-71-AD]

#### Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, that would have required reinforcing the lower right-hand wing skin at the fueling adapter. That proposal was prompted by results of tests, which revealed that fatigue cracks can develop in the lower right-hand wing skin at the attachment bolt holes of the fueling adapter. This action revises the proposed rule by citing the latest service information. This action also revises the applicability of the proposed AD. The actions specified by this proposed AD are intended to prevent reduced structural capability of the wing and fuel leakage.

**DATES:** Comments must be received by April 26, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 92-NM-71-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Ruth E. Harder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate,

1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1721; fax (206) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92-NM-71-AD." The postcard will be date stamped and returned to the commenter.

##### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 92-NM-71-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the Federal Register on June 4, 1992 (57 FR 23552). That NPRM would have required reinforcing the lower right-hand wing skin at the fueling adapter. That NPRM was prompted by results of tests, which revealed that fatigue cracks can develop in the lower right-hand wing skin at the attachment bolt holes of the fueling adapter. That condition, if not corrected, could result in reduced

structural capability of the wing and fuel leakage.

Since the issuance of that NPRM, Fokker issued Service Bulletin SBF100-57-008, Revision 1, dated March 29, 1992, and Revision 2, dated September 22, 1995. (The original issue of the service bulletin, dated November 1, 1991, was cited in the NPRM as the appropriate source of service information.) Revision 1 of the service bulletin provides procedures for reinforcing the lower right-hand wing skin at the fueling adapter that are significantly revised beyond the procedures specified in the original issue of the service bulletin. Revision 2 of the service bulletin provides additional procedures for reinforcement that include installation of eight hilok bolts and cold sleeve expansion of the fueling adapter attachment holes. In addition, the effectivity of Revision 2 has been revised to include additional airplanes that are subject to the addressed unsafe condition; certain other airplanes have been removed from the effectivity listing.

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, classified these service bulletins as mandatory, and issued Dutch airworthiness directive BLA 1991-131/3 (A), dated October 31, 1995, in order to assure the continued airworthiness of these airplanes in the Netherlands.

The FAA examined the findings of the RLD and reviewed the revised service information. The FAA finds that the NPRM must be revised to require that the reinforcement be accomplished in accordance with Revision 2 of the service bulletin. Paragraph (a) of this supplemental NPRM has been revised accordingly. In addition, a note has been added to this supplemental NPRM to specify that no further action is required for airplanes on which the reinforcement has been accomplished in accordance with Revision 1 of the service bulletin prior to the effective date of this proposed AD.

In addition, the applicability of the proposed AD has been revised to include additional airplanes that are subject to the addressed unsafe condition and to remove certain other airplanes.

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

The FAA also has revised the economic impact information, below, to reflect the current number of airplanes of U.S. registry that would be affected

by this proposed AD. This information also has been revised to reflect an increase in the cost for required parts from \$880 to \$950 per airplane based on the latest information from the manufacturer. Additionally, the labor rate used in these calculations has been increased from \$55 per work hour to \$60 per work hour to account for the various inflationary costs in the airline industry.

The FAA estimates that 18 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 20 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$950 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$38,700, or \$2,150 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

However, the FAA has been advised that 14 U.S.-registered airplanes have already been modified in accordance with the requirements of this proposed AD. Therefore, the future economic cost impact of this proposed rule on U.S. operators is now only \$8,600.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket.

A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

## List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

## The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 USC 106(g), 40113, 44701.

### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Fokker: Docket 92-NM-71-AD.

*Applicability:* Model F28 Mark 0100 series airplanes; serial numbers 11244 through 11286 inclusive, 11289, 11290 through 11293 inclusive, 11295, 11297, 11300, 11303, 11306, 11308, 11310, and 11312; 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 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 reduced structural capability of the wing and fuel leakage, accomplish the following:

(a) Prior to the accumulation of 12,000 total landings, or within 60 days after the effective date of this AD, whichever occurs later, reinforce the lower right-hand wing skin at the fueling adapter by installing a new stringer and new internal and external doubler plates, in accordance with Fokker Service Bulletin SBF100-57-008, Revision 2, dated September 22, 1995.

Note 2: Accomplishment of the reinforcement in accordance with Fokker Service Bulletin SBF100-57-008, Revision 1, dated March 29, 1992, prior to the effective date of this AD is acceptable for compliance with the requirement of paragraph (a) of this AD.

(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, Standardization Branch, ANM-113, FAA,

Transport 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, Standardization Branch, ANM-113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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.

Issued in Renton, Washington, on March 27, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96-7985 Filed 4-1-96; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[PS-2-95]

RIN 1545-AT19

#### Distribution of Marketable Securities by a Partnership; Hearing Cancellation

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed regulations.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations relating to the treatment of a distribution of marketable securities by a partnership.

**DATES:** The public hearing originally scheduled for Wednesday, April 3, 1996, beginning at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Christina Vasquez of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7190, (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is proposed regulations under section 731 of the Internal Revenue Code. A notice of proposed rulemaking and notice of public hearing appearing in the Federal Register for Tuesday, January 2, 1996 (61 FR 28), announced that the public hearing on proposed regulations under section 731 of the Internal Revenue Code would be held on Wednesday, April 3, 1996, beginning at 10 a.m., in the IRS Auditorium Internal Revenue

Building, 1111 Constitution Avenue, NW., Washington, D.C.

The public hearing scheduled for Wednesday, April 3, 1996, is cancelled.

Cynthia E. Grigsby,

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

[FR Doc. 96-8019 Filed 3-28-96; 4:40 pm]

BILLING CODE 4830-01-M

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 925

[SPATS No. MO-029-FOR]

#### Missouri Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Missouri regulatory program (hereinafter the "Missouri program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed Amendment consists of revisions to the Missouri statutes pertaining to requirements and procedures for adoption of new or amended rules. The amendment is intended to revise the Missouri program to be consistent with the corresponding Federal regulations and SMCRA.

**DATES:** Written comments must be received by 4:00 p.m., c.d.t., May 2, 1996. If requested, a public hearing on the proposed amendment will be held on April 29, 1996. Requests to speak at the hearing must be received by 4:00 p.m., c.d.t., April 17, 1996.

**ADDRESSES:** Written comments and requests to speak at the hearing should be mailed or hand delivered to Brent Wahlquist, Regional Director, Mid-Continent Regional Coordinating Center, at the address listed below.

Copies of the Missouri program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Mid-Continent Regional Coordinating Center. Brent Wahlquist, Regional Director, Mid-Continent Regional Coordinating

Center, Office of Surface Mining Reclamation and Enforcement, Alton Federal Building, 501 Belle Street, Alton, Illinois, 62002, Telephone: (618) 463-6460.

Missouri Department of Natural Resources, Land Reclamation Program, 205 Jefferson Street, P.O. Box 176, Jefferson City Missouri, 65102, Telephone: (573) 751-4041.

**FOR FURTHER INFORMATION CONTACT:** Brent Wahlquist, Regional Director, Mid-Continent Regional Coordinating Center, Telephone: (618) 463-6460.

#### SUPPLEMENTARY INFORMATION:

##### I. Background on the Missouri Program

On November 21, 1980, the Secretary of Interior conditionally approved the Missouri program. General background information on the Missouri program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Missouri program can be found in the November 21, 1980, Federal Register (45 FR 77017). Subsequent actions concerning Missouri's program and program amendments can be found at 30 CFR 925.12, 925.25 and 925.16.

##### II. Description of the Proposed Amendment

By letter dated March 20, 1996 (Administrative Record No. MO-637), Missouri submitted a proposed amendment to its program pursuant to SMCRA. Missouri submitted the proposed amendment at its own initiative. The proposed amendment concerns changes to the Missouri Surface Coal Mining Law contained in Senate Bill No. 3. The provisions of the Revised Statutes of Missouri (RSMo) that Missouri proposes to amend are discussed below.

##### 1. RSMo 444.800.5 Rules May Be Suspended and Reinstated

Missouri proposes to remove the provision at RSMo 444.800.5 concerning the authority of the joint committee on administrative rules to suspend and reinstate a rule based upon specified circumstances.

##### 2. RSMo 444.810.2 Powers of Commission

Missouri proposes to remove the existing provisions at RSMo 444.810.2 through 8 concerning requirements and procedures for adoption of new or amended rules and to add the following new provision at RSMo 444.810.2.

No rule or portion of a rule promulgated under the authority of sections 444.800 to 444.970 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.