

contained in these regulations and the appeal provisions promulgated by the Board of Contract Appeals, 7 CFR part 24, subtitle A, must be exhausted before any action for judicial review may be brought.

#### Environmental Evaluation

This action is not expected to have a significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

#### National Performance Review

This regulatory action is being taken as part of the National Performance Review Initiative to eliminate unnecessary or duplicative regulations and improve those that remain in force.

#### Background

Prior to enactment of the 1996 Act, CAT coverage was offered through approved insurance providers and through local offices of the Farm Service Agency, USDA on a nationwide basis. The 1996 Act amended the Federal Crop Insurance Act to require the USDA to phase in a single delivery of CAT coverage unless the Secretary of Agriculture determines that the number of private insurers in a State (or a portion of a State) is insufficient to provide the coverage. In response to the legislative elimination of the delivery of CAT through county Farm Service Agency offices, except in those areas where there are insufficient approved private insurance providers to provide CAT coverage to producers, FCIC must amend this regulation to update and clarify the obligations of participating insurance companies.

#### List of Subjects in 7 CFR Part 400

Crop insurance.

#### Final Rule

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. § 1501 *et seq.*), the Federal Crop Insurance Corporation hereby amends General Administrative Regulations, 7 CFR part 400, subpart L, effective for the 1997 and succeeding reinsurance years, as follows:

### PART 400—GENERAL ADMINISTRATIVE REGULATIONS

#### Subpart L—Reinsurance Agreement—Standards for Approval; Regulations for the 1997 and Subsequent Reinsurance Years

1. The authority citation for 7 CFR part 400, subpart L is revised to read as follows:

Authority: 7 U.S.C. 1506(l), 1506(p).

2. Paragraphs (b) and (c) of § 400.168 are revised to read as follows:

#### § 400.168 Obligations of participating insurance company.

(b) The Company shall make available to all eligible producers in the areas designated in its plan of operations as approved by the Corporation:

(1) The crop insurance plans for the crops designated in its plan of operation in those counties within a State, or a portion of a State, where the Secretary of Agriculture has determined that insurance is available through local offices of the United States Department of Agriculture; and

(2) Catastrophic risk protection, limited, and additional coverage plans of insurance for all crops, for which such insurance is made available by the Corporation, in all counties within a state, or a portion of State, where the Secretary of Agriculture has determined that insurance is no longer available through local offices of the United States Department of Agriculture.

(c) The Company shall provide the Corporation, on forms approved by the Corporation all information that the Corporation may deem relevant in the administration of the Agreement, including a list of all applicants determined to be ineligible for crop insurance coverage in accordance with subpart U of part 400 and all insured producers cancelled or terminated from insurance, along with the reason for such action, the crop program, and the amount of coverage for each.

Signed in Washington, D.C., on June 26, 1996.

Kenneth D. Ackerman,  
Manager, Federal Crop Insurance Corporation.

[FR Doc. 96-16794 Filed 6-27-96; 12:36 pm]

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### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-NM-268-AD; Amendment 39-9685; AD 96-14-03]

RIN 2120-AA64

#### Airworthiness Directives; de Havilland Model DHC-8-301, -311, and -315 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain de Havilland Model DHC-8-301, -311, and -315 series airplanes, that currently requires modification of the airspeed limitations placard and revision of the Airplane Flight Manual to specify operating at lower airspeeds when the airplane is operating at full flaps. That action also provides for the optional termination of the requirements of the AD for certain airplanes. That action was prompted by a report that incorrect rivets were installed on the outboard flaps assemblies of these airplanes. The actions specified by that AD are intended to prevent structural failure of the outboard flaps of the wings due to the installation of incorrect rivets in the flap assemblies, which could result in reduced controllability of the airplane. This new amendment requires the installation of the previously optional terminating modification on certain airplanes.

**DATES:** Effective August 6, 1996.

The incorporation by reference of de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995; and DHC-8 Model 301 Flight Manual, PSM 1-83-1A, Flight Manual Revision 57, dated September 26, 1995; as listed in the regulations, was approved previously by the Director of the Federal Register as of February 27, 1996 (61 FR 5277, February 12, 1996).

**ADDRESSES:** Service information referenced in this amendment may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. Copies may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Franco Pieri, Aerospace Engineer, Airframe Branch, ANE-171, FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7526; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 95-26-17, amendment 39-9475 (61 FR 5277, February 12, 1996), which is applicable to certain de Havilland Model DHC-8-

301, -311, and -315 series airplanes, was published in the Federal Register on April 23, 1996 (61 FR 17855).

For Model DHC-8-301 series airplanes, the action proposed to continue to require modification of the airspeed limitations placard and revision of the airplane flight manual (AFM) to specify operating at lower airspeeds when the airplane is operating at full flaps.

For Model DHC-8-311 and -315 series airplanes, the action proposed to require that the previously optional terminating modification (Modification 8/2066) be installed within two years. Once that modification is installed, the currently-required airspeed limitations placard and AFM revision may be removed. Additionally, the action proposed to require that Modification 8/2066 be installed on certain outboard flap assemblies prior to their installation on these airplanes.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

#### Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

There are approximately 18 de Havilland Model DHC-8-301, -311, and -315 series airplanes of U.S. registry that will be affected by this proposed AD.

The actions that are currently required by AD 95-26-17 (modification of the airspeed limitations placard and revision of the Airplane Flight Manual) affect all 18 U.S.-registered airplanes. Those actions take approximately .5 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. The cost of required parts is negligible. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$540, or \$30 per airplane.

The new actions that are required by this new AD (installation of the terminating modification) will affect 14 U.S.-registered Model DHC-8-311 and -315 series airplanes. The required actions will take approximately 60 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact on U.S. operators of the new requirements of this AD is estimated to be \$50,400, or \$3,600 per airplane.

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

#### 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.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### 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 removing amendment 39-9475 (61 FR 5277, February 12, 1996), and by adding

a new airworthiness directive (AD), amendment 39-9685, to read as follows:

96-14-03 de Havilland, Inc.: Amendment 39-9685. Docket 95-NM-268-AD. Supersedes AD 95-26-17, Amendment 39-9475.

*Applicability:* Model DHC-8-301, -311, and -315 series airplanes; as listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995; 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 (f) 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 structural failure of the outboard flaps of the wings due to the installation of incorrect rivets in the flap assemblies, which could result in reduced controllability of the airplane, accomplish the following:

(a) Within 30 days after February 27, 1996 (the effective date of AD 95-26-17, amendment 39-9475), accomplish the modification of the airspeed limitation placards (Modification 8/2498) in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995.

(b) Prior to further flight following accomplishment of the modification required by paragraph (a) of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) by accomplishing either paragraph (b)(1) or (b)(2) of this AD, as applicable; and operate the airplane in accordance with those limitations.

(1) For Model DHC-8-301 series airplanes: Include the information specified in DHC-8 Model 301 Flight Manual, PSM 1-83-1A, Flight Manual Revision 57, dated September 26, 1995, which specifies a lower airspeed limitation at full flaps. This may be accomplished by inserting a copy of Flight Manual Revision 57 into the AFM.

(2) For Model DHC-8-311 and -315 series airplanes: Include the following statement in section 2, paragraph 2.4.1.2., of the AFM. This may be accomplished by inserting a copy of this AD in the AFM.

"Flap extended speed ( $V_{FE}$ ): Flaps 35 degrees 130 knots IAS"

(c) For Model DHC-8-311 and -315 series airplanes: Within 2 years after the effective date of this AD, install Modification 8/2066 in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995. Such installation constitutes terminating action for the

requirements of paragraphs (a) and (b) of this AD. Following accomplishment of Modification 8/2066, the airspeed limitations placard (Modification 8/2498) required by paragraph (a) of this AD and the AFM limitation required by paragraph (b) of this AD may be removed.

(d) Except as required by paragraph (e) of this AD: As of February 27, 1996 (the effective date of AD 95-26-17, amendment 39-9475), Modification 8/2498 must be accomplished in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995, prior to installation of any outboard flap assembly having a part number and serial number that is listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995.

(e) For Model DHC-8-311 and -315 series airplanes: As of two years after the effective date of this AD, prior to the installation of any outboard flap assembly having a part number and serial number that is listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995, install Modification 8/2066 on the affected flap assembly in accordance with that service bulletin. Installation of this modification terminates the requirements specified in paragraphs (a), (b), and (d) of this AD.

(f) 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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

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

(g) 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.

(h) The modifications shall be done in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995. The AFM revision may be done in accordance with DHC-8 Model 301 Flight Manual, PSM 1-83-1A, Flight Manual Revision 57, dated September 26, 1995. The incorporation by reference of these two documents was approved previously by the Director of the Federal Register, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, as of February 27, 1996 (61 FR 5277, February 12, 1996). Copies may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on August 6, 1996.

Issued in Renton, Washington, on June 26, 1996.

S.R. Miller,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-16807 Filed 7-1-96; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 177

[Docket No. 93F-0167]

#### Indirect Food Additives: Polymers

**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 Nylon 46 resins, which are manufactured by the condensation of 1,4-butanediamine and adipic acid, in membrane filters intended to contact beverages containing not more than 13 percent alcohol. This action responds to a petition filed by DSM Engineering Plastics.

**DATES:** Effective July 2, 1996; written objections and requests for a hearing by August 1, 1996.

**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:** Julius Smith, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3091.

**SUPPLEMENTARY INFORMATION:** In a notice published in the Federal Register of June 17, 1993 (58 FR 33447), FDA announced that a petition (FAP 3B4374) had been filed by DSM Engineering Plastics, 501 Crescent Ave., Reading, PA 19512-5051 (currently c/o Keller and Heckman, 1001 G St. NW., suite 500 West, Washington, DC 20001). The petitioner proposed to amend the food additive regulations in § 177.1500 *Nylon resins* (21 CFR 177.1500) to provide for the safe use of Nylon 46 resins, which are manufactured by the condensation of 1,4-butanediamine and adipic acid, in membrane filters intended to contact alcoholic beverages.

FDA has evaluated the data in the petition and other relevant material. The

agency concludes that the proposed use of the additive is safe and that § 177.1500 should therefore be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before August 1, 1996, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 177

Food additives, Food packaging.