

rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is proposed to be amended as follows:

#### PART 301—[AMENDED]

1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.22, 2.80, and 371.2(c).

#### Subpart—Corn Cyst Nematode [Removed]

2. Subpart—Corn Cyst Nematode, consisting of §§ 301.90 and 301.90–1 through 301.90–10, would be removed.

Done in Washington, DC, this 9th day of July 1996.

Terry L. Medley,

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96–17918 Filed 7–15–96; 8:45 am]

BILLING CODE 3410–34–P

#### NUCLEAR REGULATORY COMMISSION

#### 10 CFR Part 34

#### Radiography Equipment Workshop

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Public workshop.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) staff plans to convene a public workshop with representatives of Agreement States, NRC radiography licensees, radiography equipment manufacturers and other interested persons to discuss and solicit comments and concerns relating to NRC regulations for radiography, specifically § 34.20. The purpose of the workshop is to establish whether there is a need for rulemaking related to design and control of radiography equipment.

**DATES:** The workshop will be held on August 29, 1996. The meeting time is: 8:30 am–5:00 pm or earlier if the

business of the workshop is concluded at an earlier time.

**ADDRESSES:** Holiday Inn & Hotel Suites, 7787 Katy Freeway (I–10 West), Houston, Texas 77024. Telephone 1–800–822–8373 or (713) 681–5000.

**FOR FURTHER INFORMATION CONTACT:** Cheryl A. Trottier, Office of Nuclear Regulatory Research, Mail Stop T–9C24, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001, Telephone: (301) 415–6232.

**SUPPLEMENTARY INFORMATION:** During the currently ongoing revision of NRC regulations on radiography, 10 CFR Part 34, numerous comments were received from NRC and Agreement State licensees and manufacturers of radiography devices that expressed concerns in regard to § 34.20 of the regulations entitled “Performance requirements for radiography equipment.” Many of these comments related to the proposed requirements on accessories, referred to in the regulation as “associated equipment,” to the labelling of the various components, and to the modification of radiography devices and components. In addition, the NRC has received and is requesting public comment on a petition for rulemaking filed by Amersham Corporation (61 FR 30837) Docket No. PRM–34–5, that requests that the NRC amend its regulations to remove reference to “associated equipment” from § 34.20. In light of this petition and comments received during the development of the Part 34 final rule, the NRC is re-evaluating the applicability of the standard ANSI N432–1980 to associated equipment.

**Conduct of the Meeting:** The workshop will be chaired by Cheryl A. Trottier. The workshop will be conducted in a manner that will expedite the orderly conduct of business. A transcript of the workshop will be available for inspection and copying for a fee at the NRC Public Document Room, 2120 L Street NW (Lower Level), Washington, DC 20555–0001 on or about September 30, 1996.

The following procedures apply to public attendance at the workshop:

1. Questions or statements from attendees other than participants will be entertained as time permits.
2. Seating for the public will be on a first come, first-served basis.

Dated at Rockville, Maryland on this 10th day of July, 1996.

For the Nuclear Regulatory Commission.

Bill M. Morris,

*Director, Division of Regulatory Applications, Office of Nuclear Regulatory Research.*

[FR Doc. 96–18006 Filed 7–15–96; 8:45 am]

BILLING CODE 7590–01–P

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95–NM–72–AD]

RIN 2120–AA64

#### Airworthiness Directives; de Havilland Model DHC–8–100 and –300 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to all deHavilland DHC–8–100 and –300 series airplanes, that currently requires repetitive inspections to detect loose bolts at the retract actuator support fitting of the main landing gear, and various follow-on actions, if necessary. That AD was prompted by a report of loose actuator supporting bolts and cracks in the relief radius of the boss at the forward surface of the fittings. This action would add a requirement to accomplish a new modification, which, when accomplished, would terminate the repetitive inspections. The actions specified by the proposed AD are intended to prevent loss of hydraulic systems and reduced controllability of the airplane due to loose actuator support bolts or cracks in the relief radius of the boss at the forward surface of the fittings.

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

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–72–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 Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Jon Hjelm, Aerospace Engineer, Airframe and Propulsion Branch, ANE–173, FAA, New York Aircraft Certification Office, Engine and

Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7523; fax (516) 568-2716.

#### 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 95-NM-72-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. 95-NM-72-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

On September 12, 1991, the FAA issued AD 91-20-12, amendment 39-8046 (56 FR 47901, September 23, 1991), applicable to all de Havilland Model DHC-8-100 and -300 series airplanes. That amendment superseded AD 91-15-51, amendment 39-8016 (56 FR 41928, August 26, 1991), to add de Havilland Model DHC-8-300 series airplanes to the applicability; to require repetitive inspections to detect loose bolts at the retract actuator support fitting of the main landing gear (MLG); and, if necessary, to require a magnetic particle inspection, replacement of loose bolts, and replacement of cracked fittings. That action was prompted by a

report of loose actuator supporting bolts and cracks in the relief radius of the boss at the forward surface of the fittings. The requirements of that AD are intended to prevent these conditions, which could result in loss of the hydraulic systems and reduced controllability of the airplane.

In the preamble to AD 91-20-12, the FAA indicated that inspections of the MLG's were considered "interim action" and that further rulemaking action was being considered. As a follow-on action from that determination, the FAA is now proposing additional, final action.

##### Explanation of Relevant Service Information

Since the issuance of AD 91-20-12, de Havilland has issued Service Bulletin S.B. 8-54-34, Revision 'A', dated July 21, 1995, which describes procedures for modification of the frame and the retraction actuator fitting of the MLG. This modification involves removing the enamel application from the interface surfaces of the frame and fitting.

This modification will allow the bracket to seat properly on the MLG frame and will prevent preload stress in the bracket.

De Havilland has also issued Service Bulletin S.B. 8-54-27, Revision 'B', dated August 22, 1994, which also describes procedures for modification of the frame and the retraction actuator fitting of the MLG. This modification involves installing modified brackets with improved fasteners. This modified bracket incorporates a material change to preclude hydrogen embrittlement cracking.

Accomplishment of these modifications eliminates the need for the repetitive inspections.

Transport Canada Aviation classified these service bulletins as mandatory and issued Canadian airworthiness directive CF-91-25R2 in order to assure the continued airworthiness of these airplanes in Canada.

##### FAA's Conclusions

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, reviewed all available information, and determined that AD

action is necessary for products of this type design that are certificated for operation in the United States.

##### Explanation of the Requirements of the Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede AD 91-20-12. The proposed AD would continue to require repetitive inspections to detect loose bolts at the retract actuator support fitting of the MLG; and, if necessary, to require a magnetic particle inspection, replacement of loose bolts, and replacement of cracked fittings. In addition, this new proposed AD would require modification of the frame and the retraction actuator fitting of the MLG, which would constitute terminating action for the repetitive inspection requirements. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Operators should also note that the applicability of the proposed rule differs from the current applicability of AD 91-20-12. The proposed AD would limit the applicability to include only those airplanes having serial numbers 3 through 400 inclusive, except serial number 391. The FAA points out that, during production, Modifications 8/1830 and 8/2049 were installed on Model DHC-8-100 and -300 series airplanes having serial number 400 and subsequent; therefore, these airplanes are not subject to the requirements of this AD.

##### Differences Between Proposed AD and Relevant Service Information

Operators should note that, unlike the effectivity listing specified in de Havilland Service Bulletin 8-54-27, Revision 'B', dated August 22, 1994, the proposed AD would require that the modification be accomplished on Model DHC-8-100 and -300 series airplanes, serial numbers 3 through 400 inclusive, except serial number 391. The FAA points out that de Havilland inadvertently excluded the serial numbers of some affected airplanes from the effectivity listing of its service bulletin.

##### Cost Impact

There are approximately 125 de Havilland Model DHC-8-100 and -300 series airplanes of U.S. registry that would be affected by this proposed AD.

The actions that are currently required by AD 91-20-12, and retained in this proposed AD, take approximately

1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures the cost impact on U.S. operators of the actions currently required is estimated to be \$7,500, or \$60 per airplane.

The installation of modified brackets with new fasteners that would be required by this proposal would take approximately 10 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$3,500 per airplane. Based on these figures, the cost impact of the modification requirement of this proposal on U.S. operators is estimated to be \$512,500 or \$4,100 per airplane.

The removal of the enamel application (Modification 8/1830) that would be required by this proposal would take approximately 5 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact on U.S. operators of the proposed requirements of this AD is estimated to be \$37,500, or \$300 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or proposed 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 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 U.S.C. 106(g), 40113, 44701.

##### **§ 39.13 [Amended]**

2. Section 39.13 is amended by removing amendment 39-8046 (56 FR 47901, September 23, 1991), and by adding a new airworthiness directive (AD), to read as follows:

De Havilland, Inc.: Docket 95-NM-72-AD, Supersedes AD 91-20-12, Amendment 39-8046.

*Applicability:* Model DHC-8-100 and -300 series airplanes, serial numbers 3 through 400 inclusive, except serial number 391; 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 (d) 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 loss of hydraulic systems and reduced controllability of the airplane due to loose actuator support bolt or cracks in the relief radius of the boss at the forward surface of the fittings, accomplish the following:

(a) For Model DHC-8-100 series airplanes: Within 24 hours after September 9, 1991 (the effective date of AD 91-15-51, amendment 39-8016), inspect the three actuator attachment fitting bolts on the right- and left-hand main landing gears (MLG) to detect loose bolts by applying a torque of not less than 10 foot-pounds to each bolt.

(1) If no loose bolt is found as a result of the inspection required by paragraph (a) of this AD, repeat this inspection thereafter at intervals not to exceed 500 landings.

(2) If any loose bolt is found as a result of the inspection required by paragraph (a) of this AD, accomplish paragraphs (a)(2)(i), (a)(2)(ii), and (a)(2)(iii) of this AD.

(i) Prior to further flight, replace the loose bolt with a new bolt of the same part number.

(ii) Within 250 landings after October 7, 1991 (the effective date of 91-20-12, amendment 39-8046) accomplish paragraphs (a)(2)(ii)(A) and (a)(2)(ii)(B) of this AD.

(A) Remove the associated support fitting having part number (P/N) 85410084.

(B) Perform a magnetic particle inspection to detect cracks throughout the fitting, paying particular attention to the relief radius at the forward surface boss. If any crack is detected as a result of this inspection, prior to further flight, replace the fitting with a serviceable part.

(iii) Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 500 landings.

(b) For Model DHC-8-300 series airplanes: Within 250 landings after October 7, 1991 (the effective date of AD 91-20-12, amendment 39-8046), inspect the three actuator attachment fitting bolts on the right- and left-hand MLG's to detect loose bolts by applying a torque of not less than 10 foot-pounds to each bolt.

(1) If no loose bolt is found as a result of the inspection required by paragraph (b) of this AD, repeat this inspection thereafter at intervals not to exceed 500 landings.

(2) If any loose bolt is found as a result of the inspection required by paragraph (a) of this AD, accomplish paragraphs (b)(2)(i), (b)(2)(ii), and (b)(2)(iii) of this AD.

(i) Prior to further flight, replace the loose bolt with a new bolt of the same part number.

(ii) Within 250 landings after October 7, 1991 (the effective date of AD 91-20-12, amendment 39-8046), accomplish (b)(2)(ii)(A) and (b)(2)(ii)(B) of this AD.

(A) Remove the associated support fitting (P/N 85410084 for Model DHC-8-301 airplanes, and P/N 85411701 for Model DHC-8-311 airplanes).

(B) Perform a magnetic particle inspection to detect cracks throughout the fitting, pay particular attention to the relief radius at the forward surface boss. If any crack is detected as a result of this inspection, prior to further flight, replace the fitting with a serviceable part.

(iii) Repeat the inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 500 landings.

(c) Within 90 days after the effective date of this AD, accomplish paragraphs (c)(1) and (c)(2), as applicable, of this AD.

Accomplishment of this paragraph constitutes terminating action for the inspections required by paragraphs (a) and (b) of this AD.

(1) For Model DHC-8-100 and -300 series airplanes, having serial numbers 3 through 400 inclusive, except serial number 391: Modify the frame and the retraction actuator fitting of the MLG, in accordance with de Havilland Service Bulletin S.B. 8-54-34, Revision 'A', dated July 21, 1995.

(2) For Model DHC-8-100 and -300 series airplanes, having serial number 3 through 332 inclusive: Modify the retraction actuator fitting of the MLG, in accordance with de Havilland Service Bulletin S.B. 8-54-27, Revision 'B', dated August 22, 1994.

(d) 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 Standardization Branch ANM-113.

(e) Special flight permits may be used in accordance with section 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. Any loose bolt found as a result of the inspections required by paragraph (a) or (b) of this AD, must be retorqued prior to application for a special flight permit. The upper bolt, P/N 81812-7-22, must be retorqued to 36-39 foot-pounds; the lower two bolts, P/N 81812-6-22, must be retorqued to 22-25 foot-pounds.

Issued in Renton, Washington, on July 10, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-17983 Filed 7-15-96; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 290

RIN 1076-AD14

#### Tribal Revenue Allocation Plans

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document modifies the preamble to a proposed rule published on June 7, 1996 regarding tribal revenue allocation plans. This correction clarifies that the proposed rule applies prospectively to plans submitted for approval from the effective date of the final rule.

**FOR FURTHER INFORMATION CONTACT:** Nancy Pierskalla, Management Analyst, Indian Gaming Management Staff Office, at 202-219-4068.

**SUPPLEMENTARY INFORMATION:** In proposed rule FR Doc 96-14061, beginning on page 29044 in the issue of Friday, June 7, 1996, make the following correction on page 29044:

1. In "Supplementary Information" add at the end of the second paragraph the following, "This rule applies to Tribal Revenue Allocation Plans submitted and approved after the

effective date of the final rule. Previously approved Tribal Revenue Allocation Plans need not be resubmitted for review and approval by the Bureau of Indian Affairs and continue to remain in effect. However, amendments to approved Tribal Revenue Allocation Plans will need to be submitted to the BIA for approval under the proposed regulation."

Dated: July 1, 1996

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

[FR Doc. 96-17430 Filed 7-15-96; 8:45 am]

BILLING CODE 4310-02-M

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 53

[Notice No. 831]

RIN 1512-AB42

#### Manufacturers Excise Taxes-Firearms and Ammunition (95R-055P)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Proposed rule; request for comments on temporary regulations.

**SUMMARY:** In the Rules and Regulations portion of this Federal Register, the Bureau of Alcohol, Tobacco and Firearms (ATF) is issuing temporary regulations to simplify the regulations in 27 CFR Part 53 relating to exemption certificates. The regulations are being revised to give taxpayers the option of using a preprinted document as exemption certificates and vendor(vendee) statements or designing their own certificates and statements using specified information. ATF is requesting comments on the temporary regulations before issuing the final regulations.

**DATES:** Written comments must be received on or before October 15, 1996.

**ADDRESSES:** Send written comments to: Chief, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20226-0221.

**FOR FURTHER INFORMATION CONTACT:** Mary Lou Blake, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Ave., NW, Washington, DC 20226; (202-927-8210).

## SUPPLEMENTARY INFORMATION:

### Executive Order 12866

It has been determined that this proposed rule is not a significant regulatory action as defined in E.O. 12866. Therefore, a regulatory assessment is not required.

### Regulatory Flexibility Act

It is hereby certified that this proposed regulation will not have a significant economic impact on a substantial number of small entities or impose or otherwise cause an increase in the reporting, recordkeeping or other compliance burdens on a substantial number of small entities. The factual basis for such certification is that this revision does not add any new requirement for reporting or recordkeeping. This revision serves only to clarify and streamline current regulatory requirements. Pursuant to section 7805(f) of the Internal Revenue Code, this proposed regulation has been submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

### Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Public Law 96-511, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1329, do not apply to this notice because there are no new reporting or recordkeeping requirements.

### Public Participation

ATF requests comments on the proposed regulations from all interested persons. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure.

Any interested person who desires an opportunity to comment orally at a public hearing should submit his or her request in writing, to the Director within the 60-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing is necessary.