

discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs and marital or familial status. Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-5881 (voice) or (202) 720-7808 (TDD).

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule is issued in conformance with Executive Order 12866. It has been determined to be neither significant nor economically significant for the purposes of E.O. 12866 and, therefore, has not been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of rulemaking with respect to the subject matter of this rule.

Executive Order 12372

These programs are not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Environmental Evaluation

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Paperwork Reduction Act

The amendment to 7 CFR parts 1487, 1491, 1492 and 1495 set forth in this final rule does not contain information collections that require clearance by the OMB under the provisions of 44 U.S.C. 35.

Executive Order 12778

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. The final rule would not have preemptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The rule would not have retroactive effect.

The Department of Agriculture is committed to carrying out its statutory and regulatory mandates in a manner that best serves the public interest. Therefore, where legal discretion permits, the Department actively seeks to promulgate regulations that promote economic growth, create jobs, are minimally burdensome, and are easy for the public to understand, use or comply with. In short, the Department is committed to issuing regulations that maximize net benefits to society and minimize costs imposed by those regulations.

Background

CCC published a proposed rule in the Federal Register on December 13, 1995, in response to the President's Regulatory Reform Initiative, that would amend Title 7 of the Code of Federal Regulations to remove the following parts:

- Part 1487—Noncommercial Risk Assurance Program (GSM-101);
- Part 1491—CCC Intermediate Credit Export Sales Program for Breeding Animals (GSM-201);
- Part 1492—CCC Intermediate Credit Export Sales Program for Foreign Market Development Facilities (GSM-301); and
- Part 1495—Disposition of Agricultural Commodities under the CCC Barter Program (Barter Program).

Reasons for Removal

CCC proposed to remove these parts for the following reasons:

- GSM-101—This risk assurance program, implemented in 1979, covered only non-commercial or political risk and became obsolete when the CCC Export Credit Guarantee Program (GSM-102) was introduced in 1980 to cover political and commercial risk. The GSM-101 program was last used in 1981.
- GSM-201—This direct credit program has been used only once (a transaction for livestock exports to Spain in 1979). The terms available under the program—3 to 10 year direct credits—could be made available under a modified GSM-5 Program (7 CFR Part 1488) Financing of Sales of Agricultural Commodities Program.
- GSM-301—This direct credit program was intended to facilitate commodity exports which would be sold to generate funds to finance the construction of a market development project. The program was used only once (in connection with a bulk grain discharge and storage facility developed at Ashdod, Israel). That project began in 1978 and was completed in the early 1980's. For a number of years, funding

has not been made available for this program.

- Barter Program—From 1950 through 1973, CCC exchanged CCC-owned agricultural commodities for strategic and critical materials for the National Defense Stockpile. The program could also be used to obtain foreign-produced supplies and services used in Department of Defense construction projects and Agency for International Development projects. The program was terminated in 1973 when CCC stocks were depleted. The National Defense Stockpile is now liquidating many strategic materials. Also, CCC has authority, which it has at times used, to enter into direct barter arrangements under the CCC Charter Act in order to obtain strategic materials for defense stock piles.

Comments

The deadline for submitting comments on the proposed rule was January 12, 1996. CCC did not receive any comments on this proposed rule. CCC has determined to make the changes to 7 CFR Part 1487, Part 1491, Part 1492, and Part 1495 as proposed.

List of Subjects

7 CFR Part 1487

Agricultural commodities, Exports, Insurance, Reporting and recordkeeping requirements.

7 CFR Part 1491 and 1492

Exports, Livestock, Loan programs—agriculture, Reporting and recordkeeping requirements.

7 CFR Part 1495

Agricultural commodities, Exports, Government procurement, Strategic and critical materials.

PARTS 1487, 1491, 1492, 1495— [REMOVED]

For the reasons set out in the preamble under the authority at 5 U.S.C. Section 552(a)(1)(E), 7 CFR Chapter XIV is amended by removing and reserving parts 1487, 1491, 1492 and 1495.

Signed at Washington, DC, on February 27, 1996.

Christopher E. Goldthwait,
General Sales Manager and Vice President,
Commodity Credit Corporation.

[FR Doc. 96-4953 Filed 3-1-96; 8:45 am]

BILLING CODE 3410-10-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 95-NM-118-AD; Amendment 39-9525; AD 96-05-01]

Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-9-80 series airplanes, that currently requires inspection and replacement of certain suspect horizontal stabilizer primary trim motors. That AD was prompted by an analysis which revealed that certain incorrectly manufactured motor shafts could fail prematurely and, in turn, cause the primary trim motor to fail. The actions specified in that AD are intended to prevent such failures of the primary trim motor, which could ultimately result in reduced controllability of the airplane. This amendment expands the applicability of the existing AD to include additional affected airplanes.

DATES: Effective April 3, 1996.

The incorporation by reference of certain other publications listed in the regulations is approved by the Director of the Federal Register as of April 3, 1996.

The incorporation by reference of McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated August 4, 1994, was approved previously by the Director of the Federal Register as of April 3, 1996 (60 FR 15034, March 22, 1995).

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60); or from Sundstrand Aerospace, 4747 Harrison Avenue, P.O. Box 7002, Rockford, Illinois 61125-7002. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Walter Eierman, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5336; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 95-06-04, amendment 39-9174 (60 FR 15034, March 22, 1995), which is applicable to McDonnell Douglas Model DC-9-80 series airplanes, was published in the Federal Register on September 26, 1995 (60 FR 49525). That action proposed to continue to require the current inspections and replacement of certain suspect horizontal stabilizer primary trim motors. That action also proposed to expand the applicability of the current AD to include additional affected airplanes.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Three commenters support the proposal.

One commenter requests that the proposal be revised to allow operators to conduct a records search, rather than a visual inspection, to determine if the subject motor is installed on the airplane. This commenter, an operator of affected airplanes, states that it tracks the subject motors by the manufacturer's serial number, which enables it to identify quickly the location of any of the subject motors at any given time. Therefore, the commenter considers that, in lieu of requiring it (and possibly other operators) to apply for an alternative method of compliance with the AD, the final rule should provide for this alternative action.

The FAA concurs with the commenter's request. The final rule has been revised to provide for the option of conducting a records search to determine if the motor installed on the airplane is identified with one of the suspect serial numbers.

Two commenters request that the proposed AD be revised to preclude operators from having to reinspect for units that were previously modified and re-identified (i.e., in accordance with Sundstrand Service Bulletin 9590-27-012). One of these commenters points out that these units require an overhaul every 3,500 hours; at that time they are removed from the airplane and, after overhaul, may be installed on a different airplane or placed in spare status

(pending installation on another airplane). One commenter points out that the proposed AD does not take into account the situation where a unit originally installed on an airplane subject to AD 95-06-04 may be removed from that airplane and later installed on another airplane that is subject to the proposed AD. If this situation occurs, the commenter is concerned that operators will be required to duplicate inspections and other actions unnecessarily.

The FAA concurs that some clarification is necessary. As for motors modified (and re-identified) in accordance with Sundstrand Service Bulletin 9590-27-012, the final rule allows for their installation on airplanes that are subject to either AD 95-06-04 or this new AD. If a modified unit is installed on any of these airplanes no further action, including any duplicating "re-identification," is required by the AD. In order to make this eminently clear, the FAA has revised paragraphs (a) and (b) of the final rule to specify that, if the trim motor installed on the airplane has been modified previously in accordance with the applicable Sundstrand service bulletin, no further action is required.

As for the possibility of suspect units being installed as spares, the FAA is not certain that this possibility would occur, since the FAA has been advised that apparently all motors affected by AD 95-06-04 have been modified. However, the FAA has added paragraph (c) to the final rule to preclude the future installation, on any airplane, of a motor having one of the suspect serial numbers.

As for duplicating inspections, as discussed above, the FAA has revised the final rule to allow operators to conduct a records search, in lieu of a visual inspection, to determine if the suspect motor is installed. A records search would expedite the determination as to whether or not a suspect unit is installed; it would also be far less expensive to accomplish than a visual inspection of the airplane.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 142 Model DC-9-80 series airplanes of the affected design in the worldwide fleet. The FAA estimates that a total of 73 airplanes of

U.S. registry will be affected by this proposed AD.

The inspection of the horizontal stabilizer primary trim motor is expected to 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 of this requirement is estimated to be \$60 per airplane.

The inspection specified in this rule previously was required by AD 95-06-04, which was applicable to approximately 13 U.S.-registered airplanes. Based on the figures discussed above, the cost impact of the current inspection requirements of that AD on U.S. operators of those 13 airplanes is estimated to be \$780. In consideration of the compliance time and effective date of AD 95-06-04, the FAA assumes that the operators of the 13 airplanes subject to that AD have already initiated the required actions. This new AD action will add no new costs associated with those airplanes.

This new AD is applicable to approximately 60 additional airplanes. Based on the figures discussed above, the new (inspection) costs to U.S. operators that will be imposed by this new AD are estimated to be \$3,600. This figure is based on assumptions that no operator of these additional airplanes 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.

Should an operator elect to replace a suspect motor, that action will require 5 work hours to accomplish, at an average labor rate of \$60 per work hour. Required parts will be provided by Sundstrand Electric Power Systems (the manufacturer of the horizontal stabilizer primary trim motors) at no charge to operators. Based on these figures, the cost impact on U.S. operators for the replacement of a suspect motor is estimated to be \$300 per airplane.

Should an operator elect to modify a suspect motor, that action will require 4 work hours to disassemble, modify, reassemble, and test the motor (excluding removal and reinstallation of the motor from the airplane). The average labor rate is \$60 per work hour. Required parts will be provided by Sundstrand at no charge to operators. Based on these figures, the cost impact on U.S. operators for the modification of a suspect motor is estimated to be \$240 per airplane.

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 39-9174 (60 FR 15034, March 22, 1995), and by adding a new airworthiness directive (AD), amendment 39-9525, to read as follows:

96-05-01 McDonnell Douglas: Amendment 39-9525. Docket 95-NM-118-AD. Supersedes AD 95-06-04, Amendment 39-9174.

Applicability: Model DC-9-80 series airplanes; as listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated August 4, 1994, and in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, Revision 1, dated May 15, 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 (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.

Note 2: Paragraph (a) of this AD merely restates the requirements of paragraph (a) of AD 95-06-04, amendment 39-9174. As allowed by the phrase, "unless accomplished previously," if those requirements of AD 95-06-04 have already been accomplished, this AD does not require that those actions be repeated.

To prevent failure of the horizontal stabilizer primary trim motor, accomplish the following:

(a) For airplanes listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated August 4, 1994: Within 6 months after April 21, 1995 (the effective date of AD 95-06-04, amendment 39-9174), conduct either a visual inspection of the horizontal stabilizer primary trim motor or a records search to determine if the motor is identified with one of the suspect serial numbers listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated August 4, 1994, or Revision 1, dated May 15, 1995. If a visual inspection is conducted, it must be performed in accordance with the procedures specified in the service bulletin.

(1) If the horizontal stabilizer primary trim motor is not identified with a suspect serial number; or if the horizontal stabilizer primary trim motor has been modified previously in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; no further action is required by this AD.

(2) If the horizontal stabilizer primary trim motor is identified with a suspect serial number and has not been modified previously in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; prior to further flight, accomplish either paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Replace the motor in accordance with the McDonnell Douglas alert service bulletin. Or

(ii) Modify the motor in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; and install the modified motor in accordance with the McDonnell Douglas alert service bulletin.

(b) For airplanes listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, Revision 1, dated May 15, 1995, and not subject to paragraph (a) of this AD: Within 6 months after the effective date of this AD, conduct either a visual inspection of the horizontal stabilizer primary trim motor or a records search to determine if the motor is identified with one of the suspect serial numbers listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, Revision 1, dated May 15, 1995. If a visual inspection is conducted, it must be performed in accordance with the procedures specified in that service bulletin.

(1) If the horizontal stabilizer primary trim motor is not identified with a suspect serial number; or if the horizontal stabilizer primary trim motor has been modified previously in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; no further action is required by this AD.

(2) If the horizontal stabilizer primary trim motor is identified with a suspect serial number and has not been modified previously in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; prior to further flight, accomplish either paragraph (b)(2)(i) or (b)(2)(ii) of this AD.

(i) Replace the motor in accordance with the McDonnell Douglas alert service bulletin. Or

(ii) Modify the motor in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; and install the modified motor in accordance with the McDonnell Douglas alert service bulletin.

(c) As of six months after the effective date of this AD, no person shall install, on any airplane, a horizontal stabilizer primary trim motor identified with one of the suspect serial numbers listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated August 4, 1994, or Revision 1, dated May 15, 1995; unless that motor has been modified in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995.

(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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

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

(e) 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.

(f) The inspection and replacement shall be done in accordance with McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated August 4, 1994; and McDonnell Douglas MD-80 Alert Service Bulletin A27-342, Revision 1, dated May 15, 1995, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1-5, 7-10	1	May 15, 1995.
6	Original	Aug. 4, 1994.

The modification shall be done in accordance with Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995. The incorporation by reference of McDonnell Douglas MD-80 Alert Service Bulletin A27-342, dated

August 4, 1994, 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 April 21, 1995 (60 FR 15034, March 22, 1995). The incorporation by reference of McDonnell Douglas MD-80 Alert Service Bulletin A27-342, Revision 1, dated May 15, 1995; and Sundstrand Service Bulletin 9590-27-012, dated August 8, 1995; 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60); or from Sundstrand Aerospace, 4747 Harrison Avenue, P.O. Box 7002, Rockford, Illinois 61125-7002. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on April 3, 1996.

Issued in Renton, Washington, on February 22, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-4508 Filed 3-1-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 94-NM-122-AD; Amendment 39-9527; AD 96-05-02]

Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, that requires modification of a certain galley; repetitive inspections to detect damage and to determine the clearance of generator wires in the auxiliary power unit (APU); and repair or replacement of the damaged wires. This amendment is prompted by reports indicating that, during an unscheduled removal of a galley from the production line, the insulation of one of the generator wires of the APU was found damaged due to inadequate clearance with the adjacent structure. The actions specified by this AD are intended to prevent such damage, which could result in a short in the electrical wiring of the APU and, thus, pose a potential fire hazard.

DATES: Effective April 3, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 3, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2141; fax (206) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 0100 series airplanes was published in the Federal Register on December 9, 1994 (59 FR 236). That action proposed to require modification of a Nordskog Galley Model 1-871galley. It also proposed to require repetitive inspections to detect damage and determine the clearance of generator wires in the auxiliary power unit (APU); and repair or replacement of the damaged wires.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter requests that the rule be revised to delete proposed paragraph (a)(2)(i), which would require operators to conduct repetitive inspections if the initial inspection shows that no damage to the feeder cables exists and that the cables adequately clear the adjacent structure. This commenter, an operator, states that it has conducted a boroscope inspection of the APU generator cables on all of its airplanes, and has found nothing anywhere near the cables that could cause damage to them. This operator notes that its initial inspection, which was conducted using a flexible boroscope from the cockpit, provided an excellent view of both the cables and the drain enclosure. The inspection revealed that there is a clearance between the wiring and adjacent structure (drain screws) on the order of six inches.