

submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-CE-47-AD." The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

97-14-16. Raytheon Aircraft Company:
Amendment 39-10074; Docket No. 97-CE-47-AD.

Applicability: Model 1900, 1900C, and 1900D airplanes (all serial numbers), certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (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 upon the accumulation of 2,600 ground-air-ground (GAG) cycles or within the next 100 GAG cycles after the effective date of this AD, whichever occurs later, unless already accomplished within the last 2,500 GAG cycles, and thereafter at intervals not to exceed 2,600 GAG cycles.

Note 2: The compliance time of this AD takes precedence over the compliance time set out in the Raytheon Aircraft Safety Communiqué No. 137, dated May, 1997.

Note 3: If the owners/operators of the affected airplane have not kept track of GAG cycles, hours time-in-service (TIS) may be substituted by calculating 2 GAG cycles per hour TIS. For example, 2,600 GAG cycles would equal 1,300 hours TIS.

To prevent interference between the flap and the aileron, which could inhibit aileron movement and result in possible loss of control of the airplane, accomplish the following:

(a) Inspect the outboard flap attachment brackets and aft roller bearings on both wings for visible wear and elongation of the bracket holes in accordance with instructions 1 through 18 in Raytheon Aircraft (Raytheon) Safety Communiqué No. 137, dated May 1997.

(b) Prior to further flight, repair or replace any worn or damaged part in accordance with Temporary Revision No. 57-1 to the Raytheon Aircraft Beech 1900 Airliner Series Structural Repair Manual P/N 114-590021-9B, dated May 16, 1997; Reissued June 30, 1992.

(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.

(d) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the

Manager, Wichita Aircraft Certification Office, Room 100, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita Aircraft Certification Office.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita Aircraft Certification Office.

(e) The inspections and repairs required by this AD shall be done in accordance with Raytheon Aircraft Safety Communiqué No. 137, dated May, 1997 and Temporary Revision No. 57-1 to the Raytheon Aircraft Beech 1900 Airliner Series Structural Repair Manual P/N 114-590021-9B, dated May 16, 1997; Reissued June 30, 1992. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Raytheon Aircraft Company, 9709 E. Central, P. O. Box 85, Wichita, Kansas 67201-0085. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-10074) becomes effective on August 4, 1997.

Issued in Kansas City, Missouri, on July 3, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-18064 Filed 7-10-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-CE-24-AD; Amendment 39-10058; AD 97-14-01]

RIN 2120-AA64

Airworthiness Directives; Pilatus Britten-Norman Ltd. BN-2A and BN-2A Mk 111 Series Airplanes; Correction

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This document makes a correction to Airworthiness Directive (AD) 97-14-01, which was published in the **Federal Register** on July 2, 1997 (62 FR 35670), and is applicable to Pilatus Britten-Norman Ltd. (PBN) BN-2A and BN-2A Mk 111 series airplanes. This AD currently has an issue date and effective date of August 18, 1997. The AD currently requires inspecting the LH rudder bar assembly for wall thickness

of the slider tube unit and modifying the rudder bar assembly by replacing the LH slider tube with a new strengthened slider tube unit. This action changes the issue date of this AD to June 24, 1997 and leaves the effective date at August 18, 1997.

EFFECTIVE DATE: August 18, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. S.M. Nagarajan, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Discussion

On June 24, 1997, the FAA issued AD 97-14-01, Amendment 39-10058 (62 FR 35670, July 2, 1997), which applies to Pilatus Britten-Norman Ltd. (PBN) BN-2A and BN-2A Mk 111 series airplanes. This AD requires inspecting the left-hand (LH) rudder bar assembly for wall thickness of the slider tube unit and modifying the rudder bar assembly by replacing the LH slider tube with a new strengthened slider tube unit.

Need for the Correction

This AD currently has the wrong issue date of August 18, 1997. The last sentence of the AD reads "Issued in Kansas City, Missouri on August 18, 1997." This is the effective date of this AD and was repeated as the issue date by mistake.

Correction of Publication

Accordingly, the publication of July 2, 1997 (62 FR 35670), of Amendment 39-10058; AD 97-14-01, which was the subject of FR Doc. 97-17098, is corrected as follows:

§ 39.13 [Corrected]

In AD 97-14-01, the issue date before the signature block of the AD, **Federal Register** page number 35672, third column should read "Issued in Kansas City, Missouri on June 24, 1997".

Action is taken herein to correct this reference in AD 97-14-01 and to add this AD correction to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The effective date of the AD remains August 18, 1997.

Issued in Kansas City, Missouri on July 2, 1997.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-18139 Filed 7-10-97; 8:45 am]

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 101 and 122

[T.D. 97-64]

Customs Service Field Organization; Establishment of Sanford Port of Entry

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations pertaining to Customs field organization by establishing a new port of entry at Sanford, Florida, and deleting the Sanford Regional Airport from the list of user-fee airports. The new port of entry, designated Orlando-Sanford Airport, is located in Central Florida. This change will assist the Customs Service in its continuing efforts to achieve more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public.

EFFECTIVE DATE: November 10, 1997.

FOR FURTHER INFORMATION CONTACT: Harry Denning, Office of Field Operations, Resource Management Division (202) 927-0196.

SUPPLEMENTARY INFORMATION:

Background

In 1991 Sanford Regional Airport began operating as a user-fee airport. By 1993, a report prepared for the Central Florida Regional Airport Board, which manages the airport at Sanford, showed Sanford Regional Airport as the fastest growing airport for international passenger clearance services in Florida. Applying the criteria used by Customs since 1973 for establishing ports of entry (see, Treasury Decision (T.D.) 82-37 (47 FR 10137), as revised by T.D. 86-14 (51 FR 4559) and T.D. 87-65 (52 FR 16328)), to the figures projected by the Central Florida Regional Airport Board, Customs believed that sufficient justification existed for redesignating the airport facility from its user-fee status to that of a port of entry.

The report projected that in an approximate six-month period in 1996 the airport would process over 100,000 international passengers. (For 1996, the actual number of international passengers processed exceeded 272,000.) As Customs criteria specify a minimum annual workload of 15,000 international air passengers for establishment of a port of entry, the Sanford airport facility clearly met that criterion. The modes of transportation serving the port of entry and the

minimum population base within the immediate service area also are adequate to establish a port of entry at Sanford. Accordingly, Customs proposed to establish the port of entry in the belief that such a designation would help Customs achieve the more efficient use of its personnel, facilities, and resources, and provide better services to carriers, importers, and the public in Central Florida.

On June 17, 1996, Customs published a notice of proposed rulemaking in the **Federal Register** (61 FR 30552) that solicited comments concerning a proposal to amend § 101.3(b), Customs Regulations (19 CFR 101.3), by establishing a new port of entry at Sanford, Florida, and § 122.15(b), by removing the Sanford Regional Airport from the list of user-fee airports.

The public comment period for the proposed amendments closed July 9, 1996.

Discussion of Comments

Five comments were received: Two in favor and three against. A discussion of the comments follows:

Comment: Two commenters argue that there is no present legal authority or existing procedure that allows Customs to force any airport to become a port of entry against its desire, *i.e.*, without the airport itself initiating the request for a change in status, and the third commenter argues that since there has been no such request made, Customs decision to change the status constitutes an arbitrary determination. One of the commenters further argues that the statute providing for the rearranging of customs districts (19 U.S.C. 2) appears to permit the establishment of ports of entry only in connection with replacing another port or ports that have been discontinued.

One of the commenters (a private terminal operator) also states that it decided to develop its new international terminal facility at Sanford based on that facility remaining a user-fee airport; that to change the airport's designation to that of a port of entry could completely undermine the operator's legitimate business expectations regarding a development project backed by millions of private investment dollars, and would frustrate the operator's ability to use its facility for the only purpose for which it is economically viable. In short, the commenter believes that the establishment of a port of entry at the Sanford airport and the termination of the airport's user-fee status would be grossly and patently unfair and, without compensation by the government,