

proper deployment of the ram air turbine (RAT) system, and replacement of the rotary actuator motor with a new or serviceable rotary actuator motor, if necessary. The alert service bulletin recommends that the repetitive operational tests be accomplished at intervals not to exceed 3,000 flight hours.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require repetitive operational tests to verify proper deployment of the ram air turbine (RAT) system, and replacement of the rotary actuator motor with a new or serviceable rotary actuator motor, if necessary. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Operators should note that, although the alert service bulletin recommends a repetitive interval of 3,000 flight hours for the operational tests, the proposed AD would require that the operational tests be accomplished at intervals not to exceed 1,000 flight hours. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the susceptibility of the rotary actuator motor to moisture accumulation when exposed to high cycling or humid conditions, which could lead corrosion of the rotary actuator motor. In consideration of these items, the FAA finds that operational tests conducted at intervals of 1,000 flight hours will better ensure that any detrimental effects associated with corrosion will be identified and corrected prior to the time that they could adversely affect the actuator motor.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

There are approximately 583 Boeing Model 767 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 197 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$11,820, or \$60 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.

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:

Boeing: Docket 95-NM-203-AD.

Applicability: All Model 767 series airplanes, 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 corrosion of the rotary actuator motors, which could result in failure of the RAT to deploy and subsequent loss of emergency hydraulic power to the flight controls in the event that power is lost in both engines, accomplish the following:

(a) Within 6 months after the effective date of this AD, perform an operational test to verify proper deployment of the ram air turbine (RAT) in accordance with Boeing Alert Service Bulletin 767-29A0080, dated October 12, 1995.

(1) If the RAT deploys properly, repeat the operational test thereafter at intervals not to exceed 1,000 flight hours.

(2) If the RAT deploys improperly, prior to further flight, replace the rotary actuator motor with a new or serviceable rotary actuator motor, in accordance with the service bulletin. Repeat the operational test thereafter at intervals not to exceed 1,000 flight hours.

(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, Seattle 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, Seattle ACO.

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

(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 15, 1996.

James V. Devany,
Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.
[FR Doc. 96-6808 Filed 3-20-96; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1304

[DEA Number 139P]

RIN Number 1117-AA33

Consolidation, Elimination, and Clarification of Various Regulations; Correction

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Proposed Rule; Correction.

SUMMARY: This document contains a correction to the Notice of Proposed Rulemaking (DEA Number 139P) which was published on March 5, 1996 (61 FR 8503). The proposed rule related to regulatory reinvention initiatives under the President's National Performance Review (NPR).

DATES: Written comments or objections must be received by July 3, 1996.

ADDRESSES: Comments and objections should be submitted in quintuplicate to the Deputy Administrator, Drug Enforcement Administration, Washington, D.C. 20537, Attention: DEA Federal Register Representative/CCR.

FOR FURTHER INFORMATION CONTACT:

G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, D.C. 20537, Telephone (202) 307-7297.

SUPPLEMENTARY INFORMATION: The proposed rule that is the subject of this correction is intended to consolidate, eliminate, and clarify many of DEA's regulations designed to detect and deter the diversion of controlled substances and chemicals. The proposed change to Section 1304.11(c), as published, retained the current regulatory language rather than the new amended language. The new rule will provide more flexibility for registrants by allowing them to conduct biennial inventories on any date within two years of the initial inventory or previous biennial inventory.

Accordingly, the publication on March 5, 1996, of the proposed regulations under NPR, which were the subject of FR Doc. 96-4663, is corrected as follows:

§ 1304.11 [Corrected]

On page 5824, in the first column, in Section 1304.11, paragraph (c), the words "The biennial inventory may be taken on the day of the year on which the initial inventory was taken or on any other fixed date which does not vary by more than 6 months from the biennial date that would otherwise apply. If the registrant elects to take the biennial inventory on another fixed date, he/she shall notify the Administration of this election and of the date on which the biennial inventory will be taken" is corrected to read "The biennial inventory may be taken on any date which is within two years of the previous biennial inventory date."

Dated: March 13, 1996.

Gene R. Haislip,

Deputy Assistant Administrator, Drug Enforcement Administration.

[FR Doc. 96-6606 Filed 3-20-96; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF THE TREASURY**Internal Revenue Service****26 CFR Parts 1 and 31**

[IA-03-94]

RIN 1545-AS79

Federal Tax Deposits by Electronic Funds Transfer

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing.

SUMMARY: In the Rules and Regulations section of this issue of the Federal Register, the IRS is issuing temporary regulations relating to the deposit of Federal taxes by electronic funds transfer under section 6302 of the Internal Revenue Code. The text of the temporary regulations also serves as the comment document for this notice of proposed rulemaking. This document also provides notice of a public hearing on these proposed regulations.

DATES: Written comments and outlines of topics to be discussed at the public hearing scheduled for July 16, 1996, beginning at 10 a.m., must be received by June 19, 1996.

ADDRESSES: Send submissions to: CC:DOM:CORP:R (IA-03-94), room 5228, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. In the alternative, submissions may be hand delivered between the hours of 8 a.m. and 5 p.m. to: CC:DOM:CORP:R (IA-03-94), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. The public hearing will be held in the Commissioner's Conference Room, room 3313, 1111 Constitution Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Concerning the regulations, Vincent G. Surabian, 202-622-6232 (not a toll-free number). Concerning submissions and the public hearing, Michael Slaughter, 202-622-7190 (not a toll-free number).

SUPPLEMENTARY INFORMATION:**Background**

The temporary regulations published in the Rules and Regulations section of

this issue of the Federal Register contain amendments to the Regulations on Employment Taxes and Collection of Income Tax at Source (26 CFR part 31) and an addition to the Income Tax Regulations (26 CFR part 1). These amendments relate to the deposit of Federal taxes by electronic funds transfer. The text of those temporary regulations also serves as the text of these proposed regulations. The preamble to the temporary regulations explains these proposed regulations.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in EO 12866. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these rules and, therefore, a Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, a copy of this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Comments and Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any written comments (a signed original and eight (8) copies) that are timely submitted to the IRS. All comments will be available for public inspection and copying.

A public hearing has been scheduled for July 16, 1996, beginning at 10 a.m. in the Commissioner's Conference Room, room 3313, Internal Revenue Building. Because of access restrictions, visitors will not be admitted beyond the building lobby more than 15 minutes before the hearing starts.

The rules of 26 CFR 601.601(a)(3) apply to the hearing.

Persons who wish to present oral comments at the hearing must submit written comments and an outline of the topics to be discussed and the time to be devoted to each topic (signed original and eight (8) copies) by June 19, 1996.

A period of 10 minutes will be allotted to each person for making comments.

An agenda showing the scheduling of the speakers will be prepared after the deadline for receiving outlines has passed. Copies of the agenda will be available free of charge at the hearing.