

suspension will be for a one-year period.

Accordingly, it is appropriate to suspend the aforesaid provisions beginning April 1, 1996, through March 31, 1997.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) The suspension is necessary to reflect current marketing conditions and to assure orderly marketing conditions in the marketing area, in that such rule is necessary to permit the continued pooling of the milk of dairy farmers who have historically supplied the market without the need for making costly and inefficient movements of milk;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. No comments were received.

Therefore, good cause exists for making this order effective less than 30 days from the date of publication in the Federal Register.

List of Subjects in 7 CFR Part 1131

Milk marketing orders.

For the reasons set forth in the preamble, the following provisions in title 7, part 1131, are amended as follows:

PART 1131—MILK IN THE CENTRAL ARIZONA MARKETING AREA

1. The authority citation for 7 CFR Part 1131 continues to read as follows:

Authority: 7 U.S.C. 601-674.

§ 1131.7 [Temporarily Suspended in Part]

2. In § 1131.7(c), the words "50 percent or more of", "(including the skim milk and butterfat in fluid milk products transferred from its own plant pursuant to this paragraph that is not in excess of the skim milk and butterfat contained in member producer milk actually received at such plant)" and "or the previous 12-month period ending with the current month." are suspended for the months of April 1, 1996, through March 31, 1997.

Dated: April 16, 1996.

Michael V. Dunn,

Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 96-9826 Filed 4-19-96; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-102-AD; Amendment 39-9575; AD 95-26-16 R1]

Airworthiness Directives; Mooney Aircraft Corporation Model M20J Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the Federal Register an amendment adopting Airworthiness Directive (AD) 95-26-16 R1, which was sent previously to all known U.S. owners and operators of certain Mooney Aircraft Corporation (Mooney) Model M20J airplanes. This AD requires repetitively inspecting the alternate air door assembly to ensure a cotter pin exists and is secure, and replacing the cotter pin if it does not exist or is not secure. It also provides the option of incorporating an alternate air door plate assembly of improved design as terminating action for the repetitive inspections. Priority letter AD 95-26-16 R1 was prompted by a fatal accident involving one of the affected airplanes where the alternate air door became lodged in the air intake of the fuel injector causing engine failure. The actions specified by this AD are intended to prevent the alternate air door from separating from the airplane and restricting air flow to the engine. **DATES:** Effective May 16, 1996, to all persons except those to whom it was made immediately effective by priority letter AD 95-26-16 R1, issued January 5, 1996, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 16, 1996.

Comments for inclusion in the Rules Docket must be received on or before June 17, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-102-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information related to this AD may be obtained from the Mooney Aircraft Corporation, Box 72, Kerrville, Texas 78028; or may be examined at the Rules Docket at the address above, or at

the Office of the Federal Register, 800 North Capitol Street NW., 7th Floor, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Alma Ramirez-Hodge, Aerospace Engineer, FAA, Fort Worth ACO, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone (817) 222-5147; facsimile (817) 222-5960.

SUPPLEMENTARY INFORMATION: On

December 22, 1995, the FAA issued priority letter AD 95-26-16 to require repetitively inspecting the alternate air door assembly to ensure a cotter pin exists and is secure on certain Mooney Model M20J airplanes, and replacing the cotter pin with a part number MS 24665-132 if it does not exist or is not secure. A fatal accident involving a Mooney Model M20J airplane with reported engine failure in flight at 6,000 feet prompted the FAA to issue priority letter AD 95-26-16.

After the reported engine failure, the pilot attempted to vector the airplane to the nearest airport and crashed into a wooded lot. Investigation of the accident revealed that the alternate air door bolt separated from its fastener, which allowed the alternate air door to lodge in the air intake of the fuel injector, resulting in restricted air flow to the engine.

An FAA review of service history on Mooney Model M20J airplanes revealed four other incidents involving the alternate air door separating and becoming lodged in the intake of the fuel injector. These include two reports of rough engine operation while in flight with emergency landing, an aborted take-off because of engine power loss, and a service difficulty report found during a 100-hour time-in-service (TIS) inspection.

After the issuance of priority letter AD 95-26-16, Mooney developed an alternate air door plate assembly of improved design that, when incorporated on Mooney Model M20J airplanes, prevents the alternate air door assembly from separating from the airplane and restricting air flow to the engine. Mooney Service Bulletin (SB) M20-250B and SB M20-253A, both dated December 1995, specify procedures for modifying the alternate air door assembly on Mooney Model M20J airplanes. This modification consists of incorporating the following parts of improved design:

- Plate assembly, part number (P/N) 600355-507;
- Four rivets, P/N MS20426AD3;
- A cotter pin, P/N MS24665-132;
- A self-locking castellated nut, P/N MS17825-4; and
- A washer, P/N AN960-416.

After examining all information related to the subject accident and incidents, including the referenced service information, the FAA determined that (1) priority letter AD 95-26-16 should allow the option of incorporating an alternate air door plate assembly of improved design as terminating action for the repetitive inspections; and (2) AD action should be taken to prevent the alternate air door on certain Mooney Model M20J airplanes from separating and restricting air flow to the engine.

Since an unsafe condition has been identified that is likely to exist or develop on other Mooney Model M20J airplanes of the same type design, the FAA revised priority letter AD 95-26-16 to provide the option of incorporating the above-referenced modification as terminating action for the requirement of repetitively inspecting the alternate air door assembly.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make priority letter AD 95-26-16 R1 effective immediately by individual letters issued on January 5, 1996, to all known U.S. operators of certain Mooney Model M20J airplanes. These conditions still exist, and the AD is hereby published in the Federal Register as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should 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 will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of

the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD 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 No. 95-CE-102-AD." The postcard will be date stamped and returned to the commenter.

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. A copy of it, if filed, 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 adding a new airworthiness directive (AD) to read as follows:

95-26-16 R1 Mooney Aircraft Corporation: Amendment 39-9575; Docket No. 95-CE-102-AD. Revises priority letter AD 95-26-16, issued December 22, 1995.

Applicability: Model M20J airplanes (serial numbers 24-0001 through 24-3250 and 24-3252 through 24-3374), 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 (e) 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 prior to further flight after the effective date of this AD, except to those operators receiving this action by priority letter issued January 5, 1996, which made these actions effective immediately upon receipt.

To prevent the alternate air door from separating and restricting air flow to the engine, accomplish the following:

Note 2: The paragraph structure of this AD is as follows:

Level 1: (a), (b), (c), etc.

Level 2: (1), (2), (3), etc.

Level 3: (i), (ii), (iii), etc.

Level 2 and Level 3 structures are designations of the Level 1 paragraph they immediately follow.

(a) Inspect the alternate air door assembly in accordance with the procedures contained in the Appendix to this AD to ensure that the cotter pin exists and is secure. If the cotter pin exists and is secure, reinspect the alternate air door assembly in accordance with the procedures contained in the Appendix to this AD at intervals not to exceed 10 hours time-in-service (TIS) until the modification specified in paragraph (b)(2) of this AD is accomplished.

(b) If, during any of the inspections required by this AD, the cotter pin is found missing or is not secure, prior to further flight, accomplish one of the following:

(1) Replace the cotter pin with a part number MS 24665-132 cotter pin, and reinspect the alternate air door assembly at intervals not to exceed 10 hours TIS; or

(2) Modify the alternate air door assembly. Accomplish these actions in accordance with the INSTRUCTIONS section of Mooney Service Bulletin (SB) M20-250B or SB M20-253A, both dated December 1995, as applicable. This modification consists of incorporating the following parts of improved design:

(i) plate assembly, part number (P/N) 600355-507;

- (ii) four rivets, P/N MS20426AD3;
- (iii) a cotter pin, P/N MS24665-132;
- (iv) a self-locking castellated nut, P/N MS17825-4; and
- (v) a washer, P/N AN960-416.

Note 3: If the alternate air door assembly has been modified in accordance with Mooney SB M20-250A or SB M20-253, both dated May 10, 1992, then the only parts required to be incorporated are the following:

- A cotter pin, P/N MS24665-132;
- A self-locking castellated nut, P/N MS17825-4; and
- A washer, P/N AN960-416.

(c) Incorporating the modification specified in paragraph (b)(2) of this AD eliminates the requirement for the repetitive inspection requirement of this AD and may be incorporated at any time.

(d) 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.

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office (ACO), FAA, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth ACO.

(f) The modification required by this AD shall be done in accordance with Mooney Service Bulletin M20-250B or Mooney Service Bulletin M20-253A, both dated December 1995, as applicable. 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 the Mooney Aircraft Corporation, Box 72, Kerrville, Texas 78028. 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., 7th Floor, suite 700, Washington, DC.

(g) This AD (95-26-16 R1) revises priority letter AD 95-26-16.

(h) This amendment (39-9575) becomes effective on May 16, 1996, to all persons except those persons to whom it was made immediately effective by priority letter AD 95-26-16 R1, issued January 5, 1996, which contained the requirements of this amendment.

Appendix to AD 95-26-16 R1

I. INSPECTION PROCEDURES FOR AIRCRAFT PRIOR TO RETROFIT ACTION OF SERVICE BULLETINS M20-250, ORIGINAL ISSUE; M20-250, REVISION A; OR M20-253, ORIGINAL ISSUE.

1. Remove top cowl from aircraft per M20J Service and Maintenance manual, reference Section 71-11-00.

2. Remove the induction air filter from upper induction housing.

3. Use mirror and flashlight to inspect cotter pin security through threaded portion of bolt of the alternate air door.

4. Check security and condition of seal to alternate air door assembly, and replace the seal if cracked.

5. If cotter pin is in place and secure, replace cowl per Section 71-11-00 of Service and Maintenance manual.

6. If cotter pin is missing or not secure, replace with a part number MS 24665-132 cotter pin.

II. INSPECTION PROCEDURES FOR AIRCRAFT AFTER RETROFIT ACTION OF SERVICE BULLETINS M20-250, REVISION A; OR M20-253, ORIGINAL ISSUE.

1. Remove top cowl from aircraft per M20J Service and Maintenance manual, reference Section 71-11-00.

2. Looking up from bottom of engine compartment, use mirror and flashlight to inspect cotter pin security through castellated nut and threaded portion of bolt of the alternate air door spring-loaded assembly.

3. Check security and condition of seal to alternate air door assembly, and replace the seal if cracked.

4. If cotter pin is in place and secure, replace cowl per Section 71-11-00 of Service and Maintenance manual.

5. If cotter pin is missing or is not secure, replace with a part number MS 24665-132 cotter pin.

Issued in Kansas City, Missouri, on April 10, 1996.

John R. Colomy,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-9357 Filed 4-19-96; 8:45 am]

BILLING CODE 4910-13-P

Office of the Secretary

14 CFR Part 311

[Docket No. OST-96-1259; Notice 96-9]

RIN 2105-AC40

National Security Information; Removal of Regulations

AGENCY: Office of the Secretary, Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: DOT is removing regulations regarding National Security Information that it inherited from the Civil Aeronautics Board because they merely reference DOT's own rules on the same subject. This action is taken on the Department's initiative in response to the President's Regulatory Reinvention Initiative.

EFFECTIVE DATE: May 22, 1996.

FOR FURTHER INFORMATION CONTACT: Robert I. Ross, Office of the General Counsel, C-10, Department of

Transportation, Washington, DC 20590, telephone (202) 366-9156, FAX (202) 366-9170.

SUPPLEMENTARY INFORMATION: In 1985, the Civil Aeronautics Board (CAB) ceased to exist and many of its functions and resources were transferred to DOT. Since both CAB and DOT had administrative regulations on many common subjects, as a service to persons accustomed to using the CAB regulations, those regulations were revised to reference the DOT regulations. Enough time has passed that the duplicative references can be removed. This document removes 14 CFR Part 311, CAB's regulatory part covering classification and declassification of national security information and materials, in favor of DOT's at 49 CFR Part 8, to which Part 311 has referred for many years. As part of the President's Regulatory Reinvention Initiative, we will be removing other duplicative or obsolete parts in separate rulemakings. Because these changes are editorial in nature and do not change the substantive requirements, the Department finds that notice and comment are unnecessary and contrary to the public interest.

Analysis of Regulatory Impacts

This rule is not a "significant regulatory action" within the meaning of Executive Order 12866. It is also not significant within the definition in DOT's Regulatory Policies and Procedures, 49 FR 11034 (1979), in part because it does not involve any change in important Departmental policies. There is no economic impact as a result of this change. Moreover, I certify that this rule will not have a significant economic impact on a substantial number of small entities.

This rule does not significantly affect the environment, and therefore an environmental impact statement is not required under the National Environmental Policy Act of 1969. It has also been reviewed under Executive Order 12612, Federalism, and it has been determined that it does not have sufficient implications for federalism to warrant preparation of a Federalism Assessment.

Finally, the rule does not contain any collection of information requirements, requiring review under the Paperwork Reduction Act of 1980.

List of Subjects in 14 CFR Part 311

Classified information.