

• The obligation to comply with the current version of the Master Minimum Equipment List (MMEL), Revision 11, or later approved revisions is not affected by this limitation."

(2) For Model SAAB 340B series airplanes: Insert the following sub-section in the Limitations Section of the AFM:

"IGNITION SYSTEM

During each engine shutdown, perform a check of the auto-ignition system.

• Adjust Ng to approximately 75%–77%; minimum is 75%.

• Shut down the engines (CL to FUEL OFF).

• Verify the IGN lights in the Flight Status Panel (FSP) illuminate while Ng is above 62%. In bright sunlight, shade the FSP to ensure that lights are visible when illuminated.

• If an IGN light fails to illuminate, the auto-ignition system is considered to be inoperative.

• Retard PLs to GND IDLE.

If the auto-ignition system is inoperative:

• BEFORE ENTERING ICING

CONDITIONS, SET IGNITION TO CONT.

Maintain ignition in CONT until touchdown, even if icing conditions cease to exist."

• The obligation to comply with the current version of the Master Minimum Equipment List (MMEL), Revision 11, or later approved revisions is not affected by this limitation.

(3) For all airplanes: Insert the following in the Limitations Section of the AFM, under Icing Conditions:

"For engine anti-ice system activation, icing conditions exist when visible moisture in any form is present (such as clouds, fog with visibility of one mile or less, rain, snow, sleet, ice crystals) or standing water, slush, or snow (hard packed snow excluded) is present on the ramps, taxiways, or runways and the OAT or SAT is +10 degrees C and below during ground and flight operation.

For all airplane operations other than engine anti-ice, icing conditions exist when visible moisture in any form is present (such as clouds, rain, snow, sleet, ice crystals) or standing water, slush, or snow (hard packed snow excluded) is present on the ramps, taxiways or runways and the OAT or SAT is +5 degrees C and below during ground and flight operation."

(4) For all airplanes: Insert the following in the Normal Procedures Section of the AFM, under Operation in Icing Conditions:

"CAUTION

Engine power interruptions may occur at ISA to ISA +20 degrees Celsius temperature and in light (or undetected) icing conditions, or shortly after exiting these conditions. Engine function will normally be recovered by the auto-ignition system before any serious loss of power. To aid in avoidance of these occurrences:

• Engine anti-ice systems must be activated prior to entering icing conditions, and maintained ON for at least 5 minutes after exiting icing conditions."

(b) For Model SAAB 340B series airplanes: If an auto-ignition system is found to be inoperative, prior to further flight, perform an

Np overspeed test to ensure that the Np overspeed system is operative, in accordance with the procedures specified in General Electric Maintenance Manual SEI-576. If the Np overspeed system is found to be inoperative, prior to further flight, repair in accordance with the procedures specified in General Electric Maintenance Manual SEI-576.

(c) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

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.

(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) This amendment becomes effective on May 10, 1996.

Issued in Renton, Washington, on April 19, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-10210 Filed 4-24-96; 8:45 am]

BILLING CODE 4910-13-P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1500 and 1507

Large Multiple-tube Fireworks Devices; Correction

AGENCY: Consumer Product Safety Commission (CPSC).

ACTION: Final rule; correction.

SUMMARY: CPSC is correcting errors in its amendment to the fireworks regulations under the Federal Hazardous Substances Act that appeared in the Federal Register on March 26, 1996 (61 FR 13084). Those amendments will require that large multiple-tube fireworks devices that have any tube with an inner diameter of 1.5 inches (3.8 cm) or greater not tip over when inclined at an angle of 60 degrees from the horizontal.

EFFECTIVE DATE: March 26, 1997.

FOR FURTHER INFORMATION CONTACT: Samuel B. Hall, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207-0001; telephone (301) 504-0400, ext. 1371.

SUPPLEMENTARY INFORMATION: On March 26, 1996, the CPSC published an amendment to the fireworks regulations under the Federal Hazardous Substances Act (61 FR 13084). Those amendments will require that large multiple-tube fireworks devices that have any tube with an inner diameter of 1.5 inches (3.8 cm) or greater not tip over when inclined at an angle of 60 degrees from the horizontal. This requirement is intended to reduce the risk of injury posed when these fireworks devices tip over during firing. If they tip over, subsequent tubes may discharge in the direction of spectators or others in the vicinity. The amendment will become effective March 26, 1997.

The errors occur in new paragraph 16 CFR 1500.17(a)(12)(i), at page 13095 of the Federal Register document of March 26, 1996. One of the errors correctly stated that the requirement would apply to the subject devices that first enter commerce or are imported on or after the date that is 1 year after publication. However, that paragraph should instead have stated the actual date (March 26, 1997).

The second error is that the reference to the minimum tip angle as "greater than 60 degrees" should have read "less than 60 degrees".

Accordingly, the following correction is made in the listing of banned hazardous substances at 16 CFR 1500.17(a)(12)(i) published in the Federal Register on March 26, 1996 (61 FR 13084):

1. Section 1500.17(a)(12)(i) on page 13095, column 3, is correctly revised to read as follows:

§ 1500.17 Banned hazardous substances

(a) * * *

(12)(i) Large multiple-tube devices. Multiple-tube mine and shell fireworks devices that first enter commerce or are imported on or after March 26, 1997, that have any tube measuring 1.5 inches (3.8 cm) or more in inner diameter, and that have a minimum tip angle less than 60 degrees when tested in accordance with the procedure of § 1507.12 of this part.

* * * * *

Dated: April 17, 1996.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 96-9995 Filed 4-24-96; 8:45 am]

BILLING CODE 6355-01-P

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****23 CFR Parts 710, 712, 720, and 740**

[FHWA Docket No. 95-18]

RIN 2125-AC17

Right-of-Way Program Administration; Removal of Obsolete and Redundant Regulations**AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Interim final rule; request for comments.

SUMMARY: This document removes regulations concerning right-of-way program administration which are obsolete and/or redundant. This action is in response to the President's Regulatory Reinvention Initiative. The removed regulatory provisions are duplicated or addressed elsewhere in FHWA/DOT regulations or are unnecessary for current programs.

DATES: This interim rule is effective May 28, 1996. Comments are due on or before June 24, 1996.

ADDRESSES: Submit written, signed comments to FHWA Docket No. 95-18, Federal Highway Administration, Room 4232, HCC-10, Office of the Chief Counsel, 400 Seventh Street, SW., Washington, D.C. 20590. All comments received will be available for examination at the above address between 8:30 a.m. and 3:30 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert A. Johnson, Office of Real Estate Services, (202) 366-2020, or Mr. Reid Alsop, Attorney, Office of Chief Counsel, HCC-31, (202) 366-1371. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: On November 6, 1995, the FHWA published in the Federal Register (60 FR 56004) an advance notice of proposed rulemaking (ANPRM) requesting comment on the content of 23 CFR parts 710 through 740. Twenty comments were received from individuals (2), private groups or organizations (2), and State transportation agencies (16).

Based on the responses to the ANPRM and other factors, the FHWA concludes that a comprehensive revision of the Right-of-Way related regulations is required. While such a revision is appropriate, several other regulatory

revisions are currently underway that will, either directly or indirectly, affect right-of-way considerations. The FHWA will coordinate development of a notice of proposed rulemaking (NPRM) governing right-of-way/real estate programs with other related regulations now under review governing new administrative procedures and environmental issues to ensure that maximum consistency with current practice is achieved.

In the interim, the FHWA has identified numerous provisions that are no longer needed and should be removed from the regulations. Four whole parts or subparts identified during the review of the regulations as no longer needed are removed by this rule. These four include:

(1) 23 CFR part 710, subpart D—Civil Rights. This subpart of the regulations contains provisions relating civil rights under Title VI of the Civil Rights Act of 1964 to the right-of-way acquisition function. This subpart was published in 1974 and was based on provisions contained in 49 CFR part 21 issued in 1970. Since the original issuance, subchapter C—Civil Rights was added to 23 CFR. Subchapter C provides guidance and policy for implementing Title VI program requirements throughout FHWA and addresses State highway agency responsibilities in this regard. The provisions in 49 CFR part 21 and 23 CFR subchapter C contain the more current provisions relating to Civil Rights matters and are the sections of the regulations used to assess compliance. The older provisions in 23 CFR part 710, subpart D, while still relevant as guidance, are no longer needed, having been replaced by the more comprehensive provisions in 23 CFR subchapter C.

(2) 23 CFR part 712, subpart H—Land Service Facilities. This subpart contains policy guidance on Federal participation associated with land service facilities designed for access to properties affected by a highway improvement. The full control of access features associated with the Interstate system, along with the cost-to-complete funding basis for that system, necessitated regulations to assure that land service facilities (construction items) incorporated in project design were either clearly beneficial to the public or economically justified if beneficial solely to an individual property owner. The policy had existed as guidelines prior to adoption as a regulation in 1977, and has since been adopted within most State highway agencies— design development processes. The FHWA recognizes that most States now have policies meeting

the basic intent of this subpart. Current funding programs are no longer based on cost-to-complete but are limited to fixed allocations. Our program emphasis is not directed at new limited access facilities. Therefore, no current interest is served by retaining this subpart.

(3) 23 CFR part 720—Appraisal. The content in this part covers employment and contracting provisions for acquiring agencies using fee appraiser and specialist services. The current content in this part is the residual portion of regulations originally issued in 1973 that covered appraisal documentation and contracting standards. The appraisal documentation standards were incorporated into 49 CFR part 24 in 1989 as part of the effort to develop a single government-wide rule implementing the Uniform Act (Pub. L. 91-646). The employment and contracting provisions contained in this part, while still considered good practice, are no longer needed to address our current programs. States have developed their own set of procedures on how to handle contracting for services under government-wide rules issued by OMB as implemented within DOT by 49 CFR part 18.

(4) 23 CFR part 740—Relocation Assistance. This part of the regulations is a residual of a larger set originally issued in 1976 governing the implementation of the relocation program under the Uniform Act. The main portion of the regulations related to this topic was incorporated in 49 CFR part 24 in 1989. What was retained at that time was participation, organization and contracting requirements. The contracting provisions found in this part are no longer appropriate as they either duplicate similar provisions found elsewhere in 23 CFR or can be addressed through implementation of the government-wide rules on contracting for services covered by 49 CFR part 18. The participation and organizational sections in this part are also either covered elsewhere in 23 CFR or no longer relate to current programs.

The removal of the above parts and subparts is not considered a major or significant change in the basic programs of FHWA and should not be considered as a relaxation of preexisting standards, or an expansion of Federal participation limits that pertained to the subjects contained therein. The removal is solely to reduce redundancy and eliminate prescriptive portions of existing regulations that have been adopted as standardized procedures over time by State highway agencies.

Rulemaking Analyses and Notices

The FHWA is waiving prior notice and opportunity for public comment on this rule because it is considered unnecessary within the meaning of section 4(b)(3)(B) of the Administrative Procedures Act, 5 USC 553(b)(3)(B). Removal of the identified sections is unlikely to engender public comment. The FHWA believes that the promulgation of this interim rule will eliminate obsolete provisions in the CFR enhancing the ease with which these regulations can be understood by the public. Nevertheless, the FHWA is opening a public docket for this rule and providing 60 days for receipt of public comment. The FHWA will consider all comments received during this 60 day period in determining whether any revision is necessary to the rule published today.

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FHWA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866 or significant within the meaning of Department of Transportation regulatory policies and procedures. Since this Interim Final Rule reduces obsolete regulatory language it will not have an adverse annual effect on the economy, interfere with the work of another agency, materially alter the budget impact of grantees, or raise novel legal or policy issues inconsistent with the principles set forth in this Executive Order. It is anticipated that the economic impact of this rulemaking will be minimal; therefore, a full regulatory evaluation is not required.

Regulatory Flexibility Act

This rule eliminates obsolete regulatory language used in the administration of right-of-way programs, and in so doing does not add to the burdens imposed on a substantial number of small entities.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Number 20.205 Highway Planning and Construction. The

regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

National Environmental Policy Act

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Parts 710, 712, 720, and 740

Grant programs—transportation, Highways and roads, Real property acquisition, Relocation assistance, Rights-of-way.

For the reasons set out in the preamble, and under the authority of 23 U.S.C. 315 and 49 CFR 1.48, title 23, Code of Federal Regulations, is amended as set forth below.

Issued on: April 18, 1996.
Rodney E. Slater,
Federal Highway Administrator.

In consideration of the foregoing, the FHWA amends chapter I of title 23, Code of Federal Regulations, as follows:

PART 710—RIGHT-OF-WAY—GENERAL

1. The authority citation for part 710 continues to read as follows:

Authority: 23 U.S.C. 101(a) and 315; 42 U.S.C. 2000d *et seq.*, 4633, 4651–4655; 49 CFR 1.48 (b) and (cc) and parts 21 and 24; 23 CFR 1.32.

§§ 710.401 through 710.405 (Subpart D)—Civil Rights [Removed]

2. In part 710, subpart D, consisting of §§ 710.401 through 710.405, is removed.

PART 712—THE ACQUISITION FUNCTION

3. The authority citation for part 712 continues to read as follows:

Authority: 23 U.S.C. 101(a), 107, 108, 111, 114, 204, 210, 308, 315, 317, and 323; 42 U.S.C. 2000d–1, 4633, 4651–4655; 49 CFR 1.48 (b) and (cc) and part 24; 23 CFR 1.32.

§§ 712.801, 712.803, and 712.805 (Subpart H)—Land Service Facilities [Removed]

4. In part 712, subpart H, consisting of §§ 712.801, 712.803, and 712.805 is removed.

PART 720—APPRAISAL [REMOVED]

5. Part 720 of chapter I is removed.

PART 740—RELOCATION ASSISTANCE [REMOVED]

6. Part 740 of chapter I is removed.
[FR Doc. 96–10207 Filed 4–24–96; 8:45 am]
BILLING CODE 4910–22–P

National Highway Traffic Safety Administration

23 CFR Part 1309

[NHTSA Docket No. 82–18; Notice 14]

RIN 2127–AG22

Incentive Grant Criteria for Alcohol Traffic Safety Programs

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This final rule removes Part 1309 from title 23 of the Code of Federal Regulations (CFR). Part 1309 established criteria for awarding incentive grants to States that implemented effective programs to reduce drunk driving and driving under the influence of a controlled substance, in accordance with section 408 of title 23, United States Code. The regulation is being removed because it is unnecessary and obsolete. Funds for the section 408 program have not been authorized since FY 1994.

EFFECTIVE DATE: May 28, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Marlene Markison, Office of State and Community Services, National Highway Traffic Safety Administration, 400 7th Street, SW., Washington, DC 20590, telephone (202) 366–2121; or Ms. Heidi L. Coleman, Office of Chief Counsel, Room 5219, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590, telephone (202) 366–1834.