

(ii) Within 300 hours time-in-service or 100 landings, whichever occurs later, following the immediately preceding visual inspection accomplished in accordance with paragraph (a) of this AD.

(2) For Model 382E and 382G series airplanes having serial number 4561 through 5225 inclusive, other than those identified in paragraph (b)(1) of this AD: Accomplish the inspection at the earlier of the times specified in paragraphs (b)(2)(i) and (b)(2)(ii) of this AD.

(i) Prior to the accumulation of 15,000 total hours time-in-service, or within 90 days after the effective date of this AD, whichever occurs later. Or

(ii) Within 300 hours time-in-service or 100 landings, whichever occurs later, following the immediately preceding visual inspection accomplished in accordance with paragraph (a) of this AD.

(c) If no cracking is detected during the inspection required by paragraph (b) of this AD, repeat the inspection thereafter at intervals not to exceed 5,200 hours time-in-service.

(d) If any cracking is detected during the inspection required by paragraph (b) of this AD: Prior to further flight, accomplish the requirements of either paragraph (d)(1) or (d)(2) of this AD.

(1) Replace the truss mount assembly with a new assembly having part number 360013-15, -19, or -23 (for the outboard truss mounts of the No. 1 engine), or part number 360017-15, -19, or -23 (for the inboard truss mounts of the No. 4 engine), as applicable, in accordance with Hercules Structural Repair Manual (SRM), Document Number SMP 583. Prior to the accumulation of 15,000 hours time-in-service after installation of the engine truss mount assembly, perform an ultrasonic inspection as specified in paragraph (b) of this AD. Repeat that inspection thereafter at intervals not to exceed 5,200 hours time-in-service. Or

(2) Replace the truss mount assembly with part number 360013-31 or subsequent (for the truss mounts in the No. 1 outboard engine), or part number 360017-31 or subsequent (for the truss mounts of the No. 4 inboard engine), as applicable, in accordance with SMP 583. Such replacement constitutes terminating action for the requirements of this AD.

(e) 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, Atlanta ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

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

(f) 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.

(g) The ultrasonic inspection shall be done in accordance with Hercules Service Bulletin

382-71-20, dated March 18, 1994. 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. The general visual inspections shall be done in accordance with Lockheed Alert Service Bulletin A382-71-19/A82-687, dated December 23, 1993. The incorporation by reference of this document 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 February 18, 1994 (59 FR 5078, February 3, 1994). Copies may be obtained from Lockheed Aeronautical Systems Support Company, Field Support Department, Dept. 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, Campus Building, Suite 2-160, 1701 Columbia Avenue, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on July 15, 1996.

Issued in Renton, Washington, on June 3, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-14383 Filed 6-7-96; 8:45 am]

BILLING CODE 4910-13-U

Office of the Secretary

14 CFR Part 302

[Docket No. OST-96-1436]

RIN 2105-AC26

Revised Filing Procedures for the OST Docket

AGENCY: Office of the Secretary (OST), DOT.

ACTION: Final rule.

SUMMARY: The Office of the Secretary (OST) is revising its document filing requirements to reduce the number of copies filed and to conform to, and facilitate the scanning of documents into, its new electronic docket system. DOT is consolidating its nine separate docket facilities and converting from a paper-based system to an optical "imaging" system for more efficient storage, management, and retrieval of docketed information. These filing requirement changes will assist the new Docket Management Facility in completing its transition to the electronic docket system.

EFFECTIVE DATE: This rule is effective July 10, 1996.

ADDRESSES: The new Docket Management Facility is located on the Plaza Level of the Nassif Building at the

U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001.

FOR FURTHER INFORMATION CONTACT: Paulette Twine, Chief, Documentary Services Division, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone: (202) 366-9329.

SUPPLEMENTARY INFORMATION: The Secretary of Transportation has directed that the Office of the Secretary (OST) and eight of the DOT operating administrations consolidate their separate paper-based docket facilities into a single, central facility and convert to an electronic image-based system. These changes will enable the Department to provide better service and access to the public and to government users.

The Department plans to consolidate the docket facilities of the other DOT agencies sequentially into the new, centralized Docket Management Facility and to expand the capacity of the system as necessary to accommodate each DOT agency. The OST and Federal Transit Administration (FTA) docket facilities have already relocated to the new Docket Management Facility. The consolidation will eliminate duplication, improve records management, enhance docket security, and provide easier public access by creating a single point of entry.

The Department's phased transition from a paper-based docket system to storage of docket records in an electronic format will eliminate paper storage problems, provide users with quicker access to docketed information and more sophisticated search capabilities, and, eventually, provide more efficient electronic transmission of information to and from the Docket Management Facility. To meet the legal requirements that DOT maintain a record of all materials submitted to the dockets and produce certified true copies of docketed information, the docket staff is scanning documents (for OST and FTA at this time) and storing them as images on optical disks.

Read-only optical disks are permanent and unalterable, assuring 100 percent accuracy of the records. Each document page is a separate record in the system and will have its own unique identifying number. The system software relates the separate 20 records of a 20-page document to each other in sequence and gives the document an address reachable through the indexing system. The optical disk system allows more efficient storage and management of docketed information, because a single disk can store hundreds of

documents that are easily accessible through the index. The index provides users with the capability for rapid retrieval and more sophisticated cross-referencing and searching of docketed information. OST plans to backscan existing paper dockets that are currently open and a limited amount of necessary historical or precedential material to optical disks that can be indexed for research purposes.

As part of this transition, the Docket Management Facility will eventually be "networked" to Department offices to optimize the document flow within the Department through electronic transmission. Eventually, we plan to encourage and expand electronic filing by public users and provide the capability for remote public access to the electronic docket. We now have computer work stations with an easy-to-use interface available in the new Docket Management Facility for the public to access the electronically stored information. Also, we have placed many OST orders and certain rulemaking documents on the Department's internet web site (<http://www.dot.gov/geninfo>). The timing of adding electronic filing and remote access capability will depend upon the readiness of the new system and its staff to handle them and upon budgetary considerations.

At this time, the Department's Docket Management Facility will continue to accept only paper filings for an original document. However, to facilitate review and processing by internal offices, a formal paper filing may be accompanied by a 3½ inch disk in one of the following formats: Microsoft Word (or RTF), WordPerfect, Excel, Lotus 1 2 3, or ASCII. We are not scanning into the new system documents for which confidential treatment has been requested. We will continue to store confidential documents in hard copy in a secure location and will place a cross-reference to them in the new docket system. Access to these documents will be granted or denied by Department order, as is done now. If we later decide to scan confidential documents, we will publish a Federal Register notice that describes how the system will ensure the confidentiality of and restrict access to these documents and provides an opportunity for public comment.

To ensure that the highest quality image is captured during the scanning process, revised section 302.3(b)(1) provides that documents must be typed double-spaced on 8½ by 11 inch white paper with dark type (not green) to provide adequate contrast for photographic reproduction. With one exception, original documents must be unbound, without tabs, to reduce

possible damage during removal of pins and staples and to facilitate the use of a high-speed feeder mechanism for automated scanning. Documents of more than one page may be clipped with a removable clip or similar device. In cases assigned by order to an Administrative Law Judge for hearing, the filing requirements with respect to tabbing and binding and the number of copies required will be set by order. We prefer that filers provide one-sided original documents to speed the physical scanning process, but we have the software capability to sort double-sided copies.

We recognize that some filings or submissions may not conform to these requirements (e.g., tabbed original exhibit needed by ALJ.) The Docket Management Facility staff has developed procedures for scanning non-conforming documents or storing unscannable documents or exhibits (e.g., rocks, huge blueprints) and cross-referencing them in the system. Since nonconforming documents and materials require special handling, they may take a little longer to show up on the system.

Revised section 302.3(b)(2) requests filers to provide certain information for more rapid and complete indexing of their documents. Many filers already include much of this information in their documents. The Docket Management Facility also has an Expedited Processing Sheet that filers can use to assist in index input, a current copy of which is available on our internet site or from the Docket Management Facility address listed on the first page.

The revisions to section 302.3 are designed to implement the optical scanning and electronic filing of docketed materials and to establish that when the Department produces an electronic scanned record, it is the official docket copy of the document. The new specifications for document filing will allow the prompt scanning of filed materials and thereby reduce the need to retain paper records. Not only should this effort result in a much more efficient use of space, personnel, equipment, and expertise, but it should save the public and the government time and money in analyzing information submitted to the docket.

To relieve a burden on public docket users during this transition period, the rule reduces the generic twelve copies plus original required for all OST proceedings to the number of copies actually needed for the particular type of proceeding. When we have completed our conversion to a networked system that allows routine

internal electronic access to the electronic docket, we will consider further reducing the number of required copies. The future transition to electronic filing also will reduce our need for copies.

This rule is being issued as a final rule because it concerns agency practice and procedure and, therefore, is exempt from prior notice and comment requirements under section 553 (b) (3) (A) of the Administrative Procedure Act (APA).

Regulatory Process Matters

This final rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866, and therefore it was not reviewed by the Office of Management and Budget. This rule is not considered significant under the Department's regulatory policies and procedures.

The economic impact of this rule is so minimal that further analysis is unnecessary. The changes will provide benefits to the public in increased availability of electronic information, more rapid document processing and review, and fewer copies to file to the docket. This rule does not impose unfunded mandates or requirements that will have any impact on the quality of the human environment.

Executive Order 12612

The Department has analyzed this rule under the principles and criteria contained in Executive Order 12612 ("Federalism") and has determined that the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

I certify this rule will not have a significant economic impact on a substantial number of small entities. Most filers already meet the specifications of this rule. The rule will provide a minor benefit to affected small entities by reducing the number of copies that they have to file to the docket.

Paperwork Reduction Act

This rule contains no reporting or recordkeeping requirements.

List of Subjects in 14 CFR Part 302

Administrative practice and procedure, Air carriers.

For the reasons set forth above, 14 CFR part 302 is amended as follows.

PART 302—RULES OF PRACTICE IN PROCEEDINGS

1. The authority citation for part 302 is revised to read as follows:

Authority: 5 U.S.C. 551 *et seq.*, 49 U.S.C. 40101 *et seq.*

2. Section 302.3 is amended by revising paragraphs (b) and (c) and adding paragraph (f) to read as follows:

§ 302.3 Filing of documents.

* * * * *

(b) *Formal specifications of documents.*

(1) Documents filed under this part must be on white paper not larger than 8½ by 11 inches, including any tables, charts and other documents that may be included. Ink must be dark enough (but may not be green) to provide substantial contrast for scanning and photographic reproduction. Text must be double-spaced (except for footnotes and long quotations, which may be single-spaced), using type not smaller than 12 point. The left margin must be at least 1½ inches; all other margins must be at least 1 inch. The title page and first page must bear a clear date and all subsequent pages must bear a page number and abbreviated heading. In order to facilitate automated processing in document sheet feeders, documents of more than one page should be held together with removable metal clips or similar retainers. Original documents may not be bound in any form or include tabs, except in cases assigned by order to an Administrative Law Judge for hearing, in which case the filing requirements will be set by order. Section 302.31 contains additional requirements as to the contents and style of briefs.

(2) To facilitate indexing, a filer should include in or provide with each document: the docket title and subject; the relevant operating administration before which the application or request is filed; the identity of the filer; the title of the specific action being requested; and the name and address of the designated agent, and so identified, on file for official service. The Docket Management Facility has an Expedited Processing Sheet that filers can use to assist in this index input.

(3) * * *

(c) *Number of copies.* Unless otherwise specified, an executed original, along with the number of true copies set forth below for each type of proceeding, must be filed with the Docket Management Facility. The copies filed need not be signed, but the name of the person signing the original document, as distinguished from the firm or organization he or she represents, must also be typed or printed on all copies below the space provided for the signature.

Airport Fees.....9 copies
Agreements

International Air Transport
Association (IATA)6 copies
Other (under 49 USC 41309).....9 copies
Complaints
Enforcement5 copies
Mail Contracts4 copies
Rates, Fares and Charges in Foreign
Air Transportation6 copies
Unfair Practices in Foreign Air
Transportation (49 USC 41310)7 copies
Employee Protection Program (14
CFR 314)7 copies
Exemptions
Computer Reservation Systems (14
CFR 255)8 copies
Other (under 49 USC 40109).....7 copies
Tariffs (under 49 U.S.C. Chapter 415
or 14 CFR 221).....5 copies
Foreign Air Carrier Permits/
Exemptions.....7 copies
International Authority for U.S. Air
Carriers (certificates, exemptions,
allocation of limited frequencies or
charters).....7 copies
Mail Rate Proceedings.....4 copies
Name Change/Trade Name
Registrations.....4 copies
Suspension of Service (14 CFR 323)
.....4 copies
Tariff Justifications to exceed
Standard International Fare Levels
.....6 copies
U.S. Air Carrier Certificates (involving
Initial or Continuing Fitness)6 copies
Other matters.....3 copies

Filers are encouraged to submit one of the required true copies (except for counterparts of Agreement CAB 18900) in electronic form on a 3½ inch floppy disk, labeled to show the filer's and representative's names, the docket number (if known) or space for it, and document title. The electronic submission must be in one of the following formats: Microsoft Word (or RTF), WordPerfect, Excel, Lotus 123, or ASCII text. The disk must be accompanied by a signed certification that it is a true copy of the executed original document.

* * * * *

(e) Reserved.

(f) *Official docket copy.* With respect to all documents filed under this part that are scanned, the electronic scanned record produced by the Department shall thereafter be the official docket copy of the document and any subsequent copies generated by the Department's electronic records system will be usable for admission as record copies in any proceeding before the Department.

Issued in Washington, DC, on 31 May, 1996, under the authority of 49 CFR part 1.
Charles A. Hunnicutt,
Assistant Secretary for Aviation and International Affairs.

[FR Doc. 96-14614 Filed 6-7-96; 8:45 am]

BILLING CODE 4910-62-P

14 CFR Part 373

RIN 2105-AC52

Implementation of the Equal Access to Justice Act

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule: removal.

SUMMARY: This action removes a regulation concerning payment of attorneys fees under the Equal Access to Justice Act that was adopted by the now-defunct Civil Aeronautics Board. These procedures are covered by a Department-wide regulation. This action is taken in response to the President's Regulatory Reinvention Initiative in order to remove a duplicative and outdated rule.

EFFECTIVE DATE: July 10, 1996.

FOR FURTHER INFORMATION CONTACT: Alexander J. Millard, Office of the General Counsel, Room 4102, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, or by telephone at (202) 366-9285.

SUPPLEMENTARY INFORMATION: 14 CFR Part 373, *Implementation of the Equal Access to Justice Act*, was promulgated by the now-defunct Civil Aeronautics Board in 1982 (47 FR 16007, April 14, 1982). The Civil Aeronautics Board issued this regulation to provide for the award of attorney fees and other expenses to eligible individuals and entities that were parties to certain administrative proceedings before that agency. On January 1, 1985, however, the Civil Aeronautics Board was sunsetted and its remaining statutory authority was transferred to the Department of Transportation. See Civil Aeronautics Board Sunset Act of 1984, Public Law 98-443, 98 Stat. 1703. The Department of Transportation has a nearly identical regulation governing the award of these fees and expenses. This regulation is codified at 49 CFR Part 6. Consequently, there is no need to retain the Civil Aeronautics Board's duplicative regulation and it is being removed.

The Department finds notice and comment unnecessary and contrary to the public interest because the rule is merely removing an obsolete procedural regulation in favor of the Departmental rule. This final rule is considered to be a nonsignificant rulemaking under DOT's regulatory policies and procedures, 44 FR 11034. The final rule was not subject to review by the Office of Information and Regulatory Affairs pursuant to Executive Order 12866. The rule will have no economic impact, and accordingly no regulatory evaluation