

postponing indefinitely the original July 1, 1996, effective date for the Order provisions and the Rules and Regulations concerning the collection and remittance of assessments. Also, the Department plans to conduct a second nationwide referendum among eligible producers, feeders, and importers on a date to be announced.

It is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice or to engage in further public procedure prior to putting this action into effect, and that good cause exists for not postponing the effective date of this action until 30 days after publication, because: (1) producers, feeders, importers of sheep and sheep products, and other collecting persons are aware of this action because it was announced in a press release issued by the Secretary on May 17, 1996; (2) this action postpones the imposition of regulatory requirements on producers, feeders, and importers by suspending the provisions of the Order and the certification and nomination procedures, and by postponing indefinitely the effective date for the Order provisions and the Rules and Regulations for the collection and remittance of assessments; and (3) no useful purpose would be served by delaying this action.

Therefore, (1) the effective date of July 1, 1996, for the Rules and Regulations governing the assessment collection and remittance procedures, published on May 9, 1996, at 61 FR 21053, and for § 1280.224–§ 1280.228 of the Order published on May 2, 1996, at 61 FR 19514, is postponed indefinitely, and (2) all sections of the Order, except § 1280.224–§ 1280.228, published on May 2, 1996, at 61 FR 19514, and all sections of the Certification and Nomination Regulations published on May 9, 1996, at 61 FR 21049 are being suspended indefinitely.

#### List of Subjects in 7 CFR Part 1280

Administrative practice and procedure, Advertising, Agricultural research, Marketing agreements, Sheep and sheep products, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR Part 1280 is amended as follows:

#### **PART 1280—SHEEP PROMOTION, RESEARCH, AND INFORMATION**

1. The authority citation for Part 1280 continues to read as follows:

Authority: 7 U.S.C. 7101–7111.

2. In part 1280:

(A) The effective date of July 1, 1996 for §§ 1280.224 through 1280.228 in Subpart A, is postponed indefinitely, and in Subpart A, § 1280.101 through § 1280.126, §§ 1280.201 through 1280.223, §§ 1280.229 through 1280.235 and §§ 1280.240 through 1280.246, is suspended indefinitely;

(B) The effective date of July 1, 1996 for Subpart B, §§ 1280.301 through 1280.318, is postponed indefinitely; and

(C) Subpart C, §§ 1280.400 through 1280.414, is suspended indefinitely.

Dated: June 25, 1996.

James R. Baker,

*Acting Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 96–16578 Filed 6–27–96; 8:45 am]

BILLING CODE 3410–02–P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 95–NM–159–AD; Amendment 39–9678; AD 96–13–10]

RIN 2120–AA64

#### **Airworthiness Directives; Jetstream Model 4101 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Jetstream Model 4101 airplanes, that requires modification of the existing diaphragms on the surround structure of the Type II emergency exit. This amendment is prompted by a report indicating that, during fatigue tests on a Model 4101 test article, fatigue-related cracking was found in the surround structure of a Type II emergency exit. The actions specified by this AD are intended to prevent such cracking in the surround structure, which could result in reduced structural integrity of the fuselage pressure vessel.

**DATES:** Effective August 2, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 2, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from A.I.R. American Support, Inc., 13850 McLaren Road, Herndon, Virginia 22071. This information may be examined at the Federal Aviation Administration (FAA), Transport

Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2141; fax (206) 227–1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Jetstream Model 4101 airplanes was published in the Federal Register on January 19, 1996 (61 FR 1300). That action proposed to require modification of the existing diaphragms on the surround structure of the Type II emergency exit.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

#### **Support for the Proposal**

One commenter supports the proposal.

#### **Request to Revise Applicability of Proposal**

One commenter requests that the applicability of the proposed rule be revised to eliminate airplanes on which the modification of the surround structure was accomplished during production.

The FAA concurs. Since issuance of the notice, Jetstream has issued Revision 1 of Service Bulletin J41–53–014, dated February 9, 1996. In its technical content, this revision is essentially identical to the original issue (which was referenced in the notice as the appropriate source for service information). However, the effectivity listing of Revision 1 specifies only those airplanes on which the modification was not accomplished during production. Those airplanes have serial numbers 41004 through 41044, inclusive; the modification was installed during production on airplanes beginning with serial number 41045.

Accordingly, the FAA has revised the final rule to make it applicable only to airplanes having serial numbers 41004 through 41044, inclusive. Additionally, the FAA has revised the final rule to reference Revision 1 of the Jetstream service bulletin as an additional source of service information.

## Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

## Cost Impact

There are approximately 41 Jetstream Model 4101 airplanes of the affected design in the worldwide fleet. The FAA estimates that 19 airplanes of U.S. registry will be affected by this AD, that it will take approximately 35 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$39,900, or \$2,100 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. However, the FAA has been advised that at least 5 airplanes of U.S. registry already have been modified; therefore, the future cost impact of this AD is reduced by at least \$10,500.

## 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.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 the following new airworthiness directive:

96-13-10 Jetstream Aircraft Limited:

Amendment 39-9678. Docket 95-NM-159-AD.

**Applicability:** Model 4101 airplanes; having serial numbers 41004 through 41044, inclusive; 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 use the authority provided in paragraph (b) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent fatigue-related cracking in the surround structure of the Type II emergency exit, which could result in reduced structural integrity of the fuselage pressure vessel, accomplish the following:

(a) Prior to the accumulation of 7,200 total landings, or within 1,400 landings after the effective date of this AD, whichever occurs later, modify the existing diaphragms on the surround structure of the Type II emergency exit in accordance with Jetstream Service Bulletin J41-53-014, dated July 24, 1995; or Revision 1, dated February 9, 1996.

(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, 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.

(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) The modification shall be done in accordance with Jetstream Service Bulletin J41-53-014, dated July 24, 1995; or Jetstream Service Bulletin J41-53-014, Revision 1, dated February 9, 1996, which contains the following list of effective pages:

| Page No.      | Revision level shown on page | Date shown on page |
|---------------|------------------------------|--------------------|
| 1, 3 .....    | 1 .....                      | Feb. 9, 1996.      |
| 2, 4-13 ..... | Original ....                | July 24, 1995.     |

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 A.I.R. American Support, Inc., 13850 McLaren Road, Herndon, Virginia 22071. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on August 2, 1996.

Issued in Renton, Washington, on June 17, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-15956 Filed 6-27-96; 8:45 am]

BILLING CODE 4910-13-P

## 14 CFR Part 39

[Docket No. 96-NM-129-AD; Amendment 39-9677; AD 96-13-09]

RIN 2120-AA64

## Airworthiness Directives; Jetstream Model 4101 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to all Jetstream Model 4101