

surplus shall be distributed pro rata to the credit union's shareholders.

## PART 741—REQUIREMENTS FOR INSURANCE

6. The authority citation for part 741 continues to read as follows:

Authority: 12 U.S.C. 1757, 1766, and 1781–1790.

7. Section 741.204 is amended by revising the third sentence of paragraph (b) and adding a new paragraph (c) to read as follows:

### § 741.204 Maximum public unit and nonmember accounts, and low-income designation.

\* \* \* \* \*

(a) \* \* \*

(b) \* \* \* The designation will be made and reviewed by the state regulator on the same basis as that provided in § 701.34(a) of this chapter for federal credit unions. \* \* \*

(c) Receive secondary capital accounts only if the credit has a low-income designation pursuant to paragraph (b) of this section, and then only in accordance with the terms and conditions authorized for Federal credit unions pursuant to § 701.34 of this chapter and to the extent not inconsistent with applicable state law and regulation. State chartered federally insured credit unions offering secondary capital accounts must submit the plan required by § 701.34 to both the state supervisory authority and the NCUA Regional Director.

[FR Doc. 96–2018 Filed 2–1–96; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95–NM–12–AD; Amendment 39–9506; AD 96–03–09]

### Airworthiness Directives; De Havilland Model DHC–8–102, –103, –106, –301, –311, –314, and –315 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain de Havilland Model DHC–8 series airplanes, that requires modification of a certain battery temperature monitor. This amendment is prompted by reports of failure of the battery temperature monitor, which resulted in smoke in the

flight compartment. The actions specified by this AD are intended to prevent failure of the battery monitor, which could result in smoke in the flight compartment.

**DATES:** Effective March 4, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 4, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. 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 FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Peter Cuneo, Electrical Engineer, ANE–172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256–7506; fax (516) 568–2716.

**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 de Havilland Model DHC–8 series airplanes was published in the Federal Register on February 21, 1995 (60 FR 9647). That action proposed to require modification of a certain battery temperature monitor.

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

The commenter supports the proposed rule.

Since issuance of the NPRM, Transport Canada Aviation has issued Canadian airworthiness directive CF–94–22R1, dated June 30, 1995, which revises the effectivity of the original version of the Canadian airworthiness directive by adding Model DHC–8–315 series airplanes.

The FAA has revised the applicability of the final rule to include these additional airplanes. These additional airplanes currently are operated by non-U.S. operators under foreign registry; therefore, they are not affected directly

by this AD action. However, the FAA considers that the revision to the applicability of the rule is necessary to ensure that the unsafe condition is addressed in the event that these subject airplanes are imported and placed on the U.S. Register in the future.

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

The FAA estimates that 137 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. The cost of required parts will be nominal. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$8,220, or \$60 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.

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 USC 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96-03-09 De Havilland, Inc.: Amendment 39-9506. Docket 95-NM-12-AD.

*Applicability:* Model DHC-8-102, -103, -106, -301, -311, -314, and -315 series airplanes, serial numbers 003 through 389 inclusive; equipped with Ametek/Weston battery temperature monitor having part number (P/N) 522487; 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 use the authority provided in paragraph (c) 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 failure of the battery temperature monitor, which could result in smoke in the flight compartment, accomplish the following:

(a) Within 6 months after the effective date of this AD, modify the battery temperature monitor in accordance with de Havilland Service Bulletin S.B. 8-24-53, dated September 7, 1994.

(b) As of the effective date of this AD, no person shall install an Ametek/Weston battery temperature monitor, P/N 522487, on any airplane.

(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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance

Inspector, who may add comments and then send it to the Manager, New York ACO.

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

(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) The modification shall be done in accordance with de Havilland Service Bulletin S.B. 8-24-53, dated September 7, 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. Copies may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on March 4, 1996.

Issued in Renton, Washington, on January 25, 1996.

Darrell M. Pederson,  
*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96-1873 Filed 2-1-96; 8:45 am]  
BILLING CODE 4910-13-U

## 14 CFR Part 39

[Docket No. 95-NM-274-AD; Amendment 39-9507; AD 96-03-10]

### Airworthiness Directives; Boeing Model 747-400 Series Airplanes Equipped With Rolls Royce Engines

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747-400 series airplanes. This action requires an inspection for damage of the fuel tube located in the forward engine strut, and repair, if necessary; installation of a new support bracket and clamps on the power feeder conduit; and an inspection for proper positioning of the power feeder conduit in each engine strut, and adjustment, if necessary. This amendment is prompted by reports of worn fuel tubes that were caused by the power feeder conduit moving and touching the fuel tube. The actions specified in this AD are

intended to prevent wear of the fuel tube, which could result in a fuel leak in the engine strut and a consequent fire hazard.

**DATES:** Effective February 20, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 20, 1996.

Comments for inclusion in the Rules Docket must be received on or before April 2, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-274-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** Stephen S. Oshiro, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington; telephone (206) 227-2793; fax (206) 227-1181.

**SUPPLEMENTARY INFORMATION:** Two operators of Boeing Model 747-400 series airplanes equipped with Rolls Royce engines have reported five incidents of worn engine fuel feed tubes found in the engine struts. In each case, the worn tube was found to be touching the engine power feeder cable conduit in the front of the engine strut. This touching created worn (chafed) areas on the fuel tubes; the worn areas were between 0.0055 and 0.014 inch deep. Investigation revealed that the currently-installed bracket and clamps for the power feeder conduit allow the conduit to rotate and consequently come into contact with the engine fuel feed tube. If this is not prevented, the conduit can wear a hole in the fuel tube, which could result in a fuel leak in the forward strut area. A fuel leak such as this, if not corrected, could pose a fire hazard.

Boeing has issued Alert Service Bulletin 747-28A2190, dated March 23, 1995, which describes procedures for inspecting the fuel tube in each strut for wear or damage, and repairing it, if necessary. It also describes procedures for installing a new support bracket and two new clamps on the power feeder