

(2) That a majority of growers who vote in the referendum vote in favor of continuation, and that the growers so voting marketed 65 percent or more of the total quantity of pistachios marketed in the preceding production year by all of the growers who vote in the referendum.

(c) The Committee shall consider all petitions from growers submitted to it for termination of this part. It may recommend that the Secretary conduct a special referendum upon receipt of a petition signed by 15 percent of the growers by number who produced not less than 15 percent of the volume in the immediately preceding season. If a referendum meets the preceding criteria, then procedures would follow paragraph (b) of this section.

(d) The Secretary shall terminate the provisions of this part at the end of any production year whenever the Secretary finds by referendum or otherwise that such termination is favored by a majority of the growers of pistachios in the production area: *Provided*, That such majority have, during the production year, produced more than 50 percent of the volume of the pistachios produced for market within the production area. Such termination shall become effective only if announced by the Secretary on or before June 1.

(e) The provisions of this part, as well as any amendments, shall become effective at such time as the Secretary may declare, and shall continue in force until terminated or suspended in one of the ways specified in this section.

(f) The provisions of this part shall, in any event, terminate whenever the provisions of the Act authorizing them cease to be in effect.

§ 983.83 Procedure upon termination.

(a) Upon the termination of this part, the members of the Committee then functioning shall continue as joint trustees, for the purpose of liquidating the affairs of the Committee, continue as trustee of all funds, and property then in its possession, and under its control, including claims for any funds unpaid or property not delivered at the time of such termination. Action by such trustees shall require the concurrence of a majority of said trustees.

(b) The said trustees shall:

(1) Continue in such capacity until discharged by the Secretary;

(2) From time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the Committee and the joint trustees, to such persons as the Secretary may direct; and

(3) Upon the request of the Secretary, execute such assignments or other

instruments necessary or appropriate to vest in such person full title and right to all the funds, properties, and claims vested in the Committee or the joint trustees, pursuant thereto.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the Committee or the joint trustees, pursuant to this section, shall be subject to the same obligations imposed upon the members of said Committee and upon said joint trustees.

§ 983.84 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this part or of any regulation issued pursuant thereto, or the issuance of any amendments to either thereof, shall not:

(a) Affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise, in connection with any provision of this part or any regulation issued thereunder;

(b) Release or extinguish any violation of this part or any regulation issued thereunder; and

(c) Affect or impair any rights or remedies of the Secretary, or of any other persons, with respect to any such violations.

§ 983.85 Personal liability.

No member or alternate member of the Committee, nor any employee, representative, or agent of the Committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person, for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate member, employee, representative, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 983.86 Separability.

If any provision of this part is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 983.87 Derogation.

Nothing contained in this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the Act or otherwise, or (b), in accordance with such powers, to act in the premise whenever such action is deemed advisable.

§ 983.88 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

§ 983.89 Agents.

The Secretary may, by a designation in writing, name any person, including any officer or employee of the United States Government, or name any, division or agency in the United States Department of Agriculture, to act as the Secretary's agent or representative in connection with any of the provisions of this part.

*** § 983.90 Counterparts.**

Handlers may sign an agreement with the Secretary indicating their support for the marketing order. This agreement may be executed in multiple counterparts by each handler. If fifty percent of the handlers, weighted by the volume of pistachios handled during a representative period, enter into such an agreement, then a marketing agreement shall exist for the pistachio marketing order.

*** § 983.91 Additional parties.**

After the marketing order becomes effective, any handler may become a party to the marketing agreement if a counterpart is executed by him or her and delivered to the Secretary.

*** § 983.92 Order with marketing agreement.**

Each signatory handler hereby requests the Secretary to issue, pursuant to the Act, an order providing for regulating the handling of pistachios in the same manner as is provided for in this agreement.

Dated: July 26, 1996.

Lon Hatamiya,

Administrator.

[FR Doc. 96-19550 Filed 7-29-96; 9:14 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter I

[Summary Notice No. PR-96-3]

Petition for Rulemaking; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for rulemaking received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR Part 11), this notice contains a summary of certain petitions requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations and of denials or withdrawals of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received September 30, 1996.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Ave., SW., Washington, DC 20591; telephone (202) 267-3132. Comments may also be sent electronically to the following Internet address: nprmcmts@mail.hg.faa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. D. Michael Smith, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7470.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C. on July 26, 1996.

Donald P. Byrne,
Assistant Chief Counsel for Regulations.

Petitions for Rulemaking

Docket No: 28620.

Petitioner: National Air Transportation Association.

Regulations Affected: 14 CFR 119.9(b).

Description of Rulechange Sought: To permit a part 121 or 135 operator to display on its aircraft the certificate holder's air carrier or operating certificate number, as appropriate, rather than the name of the certificate holder operating the aircraft.

Petitioner's Reason for the Request:

The petitioner feels that, in representing its part 135 on-demand member operators, the requirements of § 119.9(b) will adversely affect the security and privacy of their current operations, as well as infringe on the rights of the aircraft owners, who in many cases are not the operators.

[FR Doc. 96-19504 Filed 7-30-96; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 96-AAL-19]

Proposed Revision of Class E Airspace; Aniak, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action will revise Class E airspace at Aniak, AK. The development of a Global Positioning System (GPS) instrument approach to RWY 10 at Aniak Airport, AK, has made this action necessary. The area would be depicted on aeronautical charts for pilot reference. The intended effect of this proposal is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Aniak, AK.

DATES: Comments must be received on or before September 17, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, System Management Branch, AAL-530, Docket No. 96-AAL-19, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Alaskan Region at the same address.

An informal docket may also be examined during normal business hours in the Office of the Manager, System Management Branch, Air Traffic Division, at the address shown above.

FOR FURTHER INFORMATION CONTACT: Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5863.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions

presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-AAL-19." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the System Management Branch, Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the System Management Branch, AAL-530, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace at Aniak, AK, due to the creation of a GPS instrument approach to RWY 10. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1 (58 FR 36298; July 6, 1993). The Class E airspace designation listed in