

For the months of June through August 1996, the percentage of pool milk used in Class I has increased over the average of the same months of 1993–95 by an average of 10.5 percentage points. The average increase has grown from 9.3 percentage points for June 1996 compared with June 1993–95, to 12.7 for August 1996 over August 1993–95. Although some of the increase in the Class I utilization percentage undoubtedly reflects the effect of customarily-pooled milk that was not pooled because of Class III and Class III–A pricing differences, these numbers still indicate that the supply of milk available to the fluid market has declined in recent months. This revision to increase the percentage of a supply plant's receipts that must be delivered to fluid milk plants to qualify a supply plant for pooling under the Iowa Federal milk order is necessary to attract an adequate supply of milk for fluid use due to the increasing percentage of milk used in Class I.

Although the proposed revision published September 4, 1996 (61 FR 46571) discussed the possibility of increasing the applicable percentage from 35 percent to 45 percent for the months of September through November 1996, the effective shipping percentage for that period previously had been lowered to 30 percent on October 12, 1990 (55 FR 41504). According to market data, however, it appears that a reinstatement of the 35-percent shipping percentage would be appropriate to bring forth an adequate supply of milk for fluid use. Such a percentage is also within the 10-percent revision limitation provided for within the order while the proposed 45 percent level would be greater than that allowable under the 10 percentage point increase limitation (§ 1079.7(b)(1)). Furthermore, the market data indicates that a 40 percent standard would provide an excess of Class I milk. Finally, the market data indicates that the need for increased Class I milk supplies will continue beyond November 1996 and so it is appropriate to increase the supply plant shipping percentages for December 1996 through March 1997.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) This revision is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area for the months of October and November, and for December 1996 through March 1997.

(b) This revision does not require of persons affected substantial or extensive

preparation prior to the effective date; and

(c) Notice of the proposed revision was given interested parties and they were afforded opportunity to file written data, views, or arguments concerning this revision.

Two comments supporting and one opposing the proposed revision were received.

Therefore, good cause exists for making this revision effective less than 30 days from the date of publication in the Federal Register.

#### List of Subjects in 7 CFR Part 1079

Milk marketing orders.

For the reasons set forth in the preamble, 7 CFR Part 1079, is amended as follows:

### PART 1079—MILK IN THE IOWA MARKETING AREA

1. The authority for 7 CFR Part 1079 continues to read as follows:

Authority: 7 U.S.C. 601–674.

#### § 1079.7 [Amended in Part]

2. In § 1079.7(b), the introductory text is amended by revising the words “30 percent” to read “35 percent,” effective October 1, 1996. This amendment applies as of October 1, 1996, through November 30, 1996, and for the months of September through November thereafter.

3. In § 1079.7(b), the introductory text is amended by revising the words “20 percent” to read “30 percent,” effective December 1, 1996, through March 31, 1997.

4. In § 1079.7(b), the introductory text is amended by revising the words “30 percent” to read “20 percent,” effective April 1, 1997.

Dated: October 23, 1996.

Richard M. McKee,  
Director, Dairy Division.

[FR Doc. 96–27723 Filed 10–28–96; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95–CE–82–AD; Amendment 39–9637; AD 96–11–12]

RIN 2120–AA64

### Airworthiness Directives; Beech Aircraft Corporation Model C90A Airplanes

AGENCY: Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This action makes a correction to Airworthiness Directive (AD) 96–11–12 concerning Beech Aircraft Corporation (Beech) Model C90A airplanes, which was published in the Federal Register on May 29, 1996 (61 FR 104). That publication incorrectly references two different effective dates for this AD. The AD currently requires two effective dates, June 24, 1996 and July 24, 1996. The intent of the AD is to require only one effective date. The Final Rule AD did not specify which effective date is required. This action corrects the AD to reflect this change.

**EFFECTIVE DATE:** July 24, 1996.

The incorporation by reference of certain publications listed in the regulations was approved previously by the Director of the Federal Register as of July 24, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Harvey E. Nero, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4137; facsimile (316) 9446–4407.

**SUPPLEMENTARY INFORMATION:** On May 22, 1996, the Federal Aviation Administration (FAA) issued AD 96–11–12, Amendment 39–9637 (61 FR 104, May 29, 1996), which applies to Beech Model C90A airplanes. This AD requires two effective dates (June 24, 1996 and July 24, 1996) and should only reflect one effective date for this AD.

#### Need for the Correction

The AD incorrectly references the wrong effective date at the end of the AD.

#### Correction of Publication

Accordingly, the publication of May 29, 1996 (61 FR 104) of Amendment 39–9637; AD 96–11–12, which was the subject of FR Doc. 96–13273, is corrected as follows:

#### § 39.13 [Corrected]

On page 26781, in the third column, paragraph (e), line 2, replace “effective on June 24, 1996.” with “effective on July 24, 1996.”

Action is taken herein to clarify this requirement of AD 96–11–12 and to add this AD correction to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13). The effective date is changed to July 24, 1996.

Issued in Kansas City, Missouri on October 22, 1996.

Michael Gallagher,  
Manager, Small Airplane Directorate, Aircraft  
Certification Service.

[FR Doc. 96-27677 Filed 10-28-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-CE-30-AD; Amendment 39-  
9800; AD 96-22-12]

RIN 2120-AA64

#### **Airworthiness Directives; Raytheon Aircraft Corp. (Formerly Beech Aircraft Corp.) Models 1900C, 1900D, and 2000 Airplanes**

AGENCY: Federal Aviation  
Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Corporation (Raytheon) Models 1900C, 1900D, and 2000 airplanes. This action requires inspecting (one-time) the fuel filter assemblies to detect any bypass valve that is glued shut. If a bypass valve is glued shut, the AD requires replacing the associated fuel filter assembly. Three in-flight occurrences in which the low fuel pressure light illuminated prompted this action. In each of the instances, a bypass valve on the affected airplane engine was glued shut with anaerobic thread lock adhesive and when the fuel filter became clogged, proper fuel flow to the engine was not obtained. The actions specified by this AD are intended to prevent lack of fuel to the engine and eventual engine shutdown caused by a clogged fuel filter and a contaminated fuel filter bypass valve.

**DATES:** Effective December 13, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 13, 1996.

**ADDRESSES:** Service information that applies to this AD may be obtained from the Raytheon Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-30-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Karl Schletzbaum, Aerospace Safety Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4146; facsimile (316) 946-4407.

#### **SUPPLEMENTARY INFORMATION:**

##### **Events Leading to the AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Raytheon Models 1900C, 1900D, and 2000 airplanes that were manufactured during the period when the fuel filter assembly bypass valves were susceptible to anaerobic thread lock adhesive contamination was published in the Federal Register on July 8, 1996 (61 FR 35695). The action proposed to require inspecting (one-time) the fuel filter assemblies to detect any bypass valve that is glued shut. If a bypass valve is glued shut, the proposal would require replacing the fuel filter assembly. Accomplishment of the inspection and replacement (if necessary) as specified in the notice of proposed rulemaking (NPRM) would be in accordance with Beechcraft Mandatory Service Bulletin (SB) No. 2677 (for Model 2000 airplanes), dated March, 1996; or Raytheon Mandatory SB No. 2678 (for Models 1900C and 1900D airplanes), dated June, 1996, as applicable.

Three in-flight occurrences in which the low fuel pressure light illuminated prompted the NPRM.

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

##### **Comment Disposition**

One commenter asks why the FAA is not mandating an inspection of the fuel filter bypass valves upon replacement to ensure that no valve is glued shut. This commenter is concerned that owners/operators of the affected airplanes may have defective fuel filter bypass valves utilized as spares and may replace the current valve with a defective valve at a later date. The FAA partially concurs. The FAA's Wichita Manufacturing and Inspection District Office (MIDO) and Aircraft Certification Office (ACO), in working with Raytheon, have identified all inventory of the suspect part and have determined that the one-time inspection of the fleet will detect any fuel filter bypass valves glued shut. However, as currently worded, the NPRM does not prevent these nonfunctional bypass valves from being reinstalled at a later date. The final rule

will contain a paragraph preventing reinstallation of a fuel filter bypass valve that was found nonfunctional while complying with this AD.

Another commenter agrees and supports the NPRM as written.

No comments were received on the FAA's determination of the cost impact upon the public.

##### **The FAA's Determination**

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for the addition to the AD that prevents reinstallation of defective bypass valves and minor editorial corrections. The FAA has determined that this addition and the minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

##### **Cost Impact**

The FAA estimates that 379 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 2 workhours per airplane to accomplish the required inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$45,480. This figure only takes into account the cost of the inspection and does not take into account the cost of replacing any fuel filter assembly found to have a nonfunctional bypass valve. A fuel filter assembly replacement will take approximately 1 workhour (possible two fuel filter assembly replacements per airplane) at approximately \$60 per hour. The manufacturer will provide parts at no cost to the owner/operator. The FAA knows of no affected airplane owner/operator who has already accomplished this action.

##### **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