

modification or accomplished the inspection.

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 copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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 a new airworthiness directive (AD) to read as follows:

96-03-12 Glasflugel: Amendment 39-9509; Docket No. 93-CE-02-AD.

*Applicability:* Model Mosquito Sailplanes (all serial numbers), certificated in any category.

Note 1: This AD applies to each sailplane 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 sailplanes 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 (f) 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 sailplane from the applicability of this AD.

*Compliance:* Required as indicated in the body of this AD.

To prevent canopy system failure, which could result in loss of control of the sailplane, accomplish the following:

(a) Within the next 30 calendar days after the effective date of this AD, unless already accomplished, and thereafter at the intervals not to exceed 100 hours time-in-service (TIS), inspect the mounting studs on the canopy lifting/tilting frame for evidence of wear and diameter specifications in accordance with the *Actions* section in Glasflugel Technical Note (TN) 303-18, dated March 1, 1991.

(b) If during any of the inspections required by paragraph (a) of this AD, the mounting stud is found worn or the diameter measures less than 5 mm (0.2 inch), prior to further flight, increase the diameter to 6 mm (0.24 inch) in accordance with paragraph 1 of the *Actions* section in Glasflugel TN 303-18, dated March 1, 1991.

(c) Within the next 30 calendar days after the effective date of this AD, unless already accomplished, incorporate the following language on page 19, paragraph 3.3 of the Mosquito flight manual:

"Whenever the canopy emergency jettison knob is pulled and prior to each flight, if no locking thread is used, it should be ensured that the Pip pins are fully pushed home, so that the locking balls are clear of and behind their fittings."

(d) Incorporating the flight manual revision as required by paragraph (c) of this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the sailplane's records showing compliance with this AD in accordance with section 43.11 of the Federal Aviation Regulations (14 CFR 43.11).

(e) 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 sailplane to a location where the requirements of this AD can be accomplished.

(f) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety, may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be

obtained from the Small Airplane Directorate.

(g) The inspections, modifications, and installations required by this AD shall be done in accordance with Glasflugel Technical Note 303-18, dated March 1, 1991. 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 Glasflugel c/o Hansjorg Streifeneder, Glasfaser-Flugzeug Service, Hofener Weg, D 72582 Grabenstetten, Germany, telephone number 49.73.82.10.32. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

(h) This amendment (39-9509) becomes effective on April 1, 1996.

Issued in Kansas City, Missouri on February 1, 1996.

John R. Colomy,

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

[FR Doc. 96-2682 Filed 2-21-96; 8:45 am]

BILLING CODE 4910-13-P

## 14 CFR Part 71

[Airspace Docket No. 95-ANE-61]

### Amendment to Class E Airspace; Worcester, MA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes Class E airspace at Worcester, MA (ORH). With the commissioning of the Automated Surface Observation System (ASOS) at the Worcester Municipal Airport, weather reporting is now continuously available at that airport. This action is necessary to establish controlled airspace extending upward from the surface for aircraft operating under instrument flight rules (IFR) to and from the Worcester Municipal Airport during the times when the air traffic control tower is closed.

**EFFECTIVE DATE:** 0901 UTC, April 25, 1996.

**FOR FURTHER INFORMATION CONTACT:** Raymond Duda, System Management Branch, ANE-533, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7533; fax (617) 238-7596.

#### SUPPLEMENTARY INFORMATION:

##### History

On December 20, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a Class E surface

area at the Worcester Municipal Airport, Worcester, MA (ORH). Since the air traffic control tower (ATCT) at Worcester does not operate continuously, aircraft operating under instrument flight rules (IFR) to and from Worcester did not have the benefit of weather reports from the airport during the times when the tower is closed. That lack of continuous weather reporting required that the controlled airspace for Worcester could not extend to the surface. Recently, however, an Automated Surface Observation System (ASOS) was commissioned at Worcester, making weather reporting now available continuously. As result, this action is necessary to establish controlled airspace extending from the surface for those aircraft operating to and from Worcester under IFR during the times when the ATCT is closed.

Interested parties were invited to participate in this rulemaking by submitting written comments on the proposal to the FAA. One comment was received from the National Oceanic and Atmospheric Administration's Charting Division which noted a typographic error in the description of the airspace as published. The FAA has corrected that error. Class E airspace designations for airspace areas extending upward from the surface of the earth in the vicinity of airports are published in paragraph 6002 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in this Order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at ORH. The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore this regulation (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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact will be so minimal. Since this routine matter will only affect air traffic procedures and air navigation, it is certified that this rule will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—[AMENDED]**

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854.

**§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

**Subpart E—Class E Airspace**

\* \* \* \* \*

*Paragraph 6002 Class E surface areas extending upward from the surface of the earth.*

\* \* \* \* \*

ANE MA E2 Worcester, MA [New]

Worcester Municipal Airport, MA (Lat. 42°16'02"N, long. 71°52'32"W)

That airspace extending upward from the surface within a 4.2-mile radius of Worcester Municipal Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in Burlington, MA, on February 13, 1996.

Eileen Seaman,

*Acting Manager, Air Traffic Division, New England Region.*

[FR Doc. 96-3863 Filed 2-21-96; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF THE TREASURY**

**Customs Service**

**19 CFR Parts 10, 18 and 113**

[T.D. 96-18]

RIN 1515-AB67

**Warehouse Withdrawals; Aircraft Fuel Supplies; Pipeline Transportation in Bond of Merchandise**

**AGENCY:** Customs Service, Treasury.

**ACTION:** Notice of interim regulations, solicitation of comments.

**SUMMARY:** The amendments contained in this document are being published as interim regulations to implement certain statutory amendments to the Customs laws regarding recordkeeping for merchandise transported by pipeline and duty-free withdrawals from Customs bonded warehouses of aircraft turbine fuel. These statutory amendments are contained in the Customs modernization provisions of the North American Free Trade Agreement Implementation Act. Also, the interim regulations clarify the procedures applicable to aircraft turbine fuel which is withdrawn from a Customs bonded warehouse for certain duty-free use and is commingled with other lots of fuel before being so used.

**DATES:** Interim rule effective April 8, 1996; comments must be received on or before March 25, 1996.

**ADDRESSES:** Written comments (preferably in triplicate) must be submitted to U.S. Customs Service, ATTN: Regulations Branch, Franklin Court, 1301 Constitution Avenue, NW., Washington, D.C. 20229, and may be inspected at the Regulations Branch, 1099 14th Street, NW., Suite 4000, Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** William G. Rosoff, Office of Regulations and Rulings, (202-482-7040).

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 8, 1993, the President of the U.S. signed into law the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057). Title VI of this Act, popularly known as the Customs Modernization Act (the Act) amended certain Customs laws. Section 664 of the Act amended the Customs laws by the insertion of a new section 553a, Tariff Act of 1930 (19 U.S.C. 1553a), and section 665 of the Act amended section 557(a), Tariff Act of 1930, as amended (19 U.S.C. 1557(a)).

Under the new 19 U.S.C. 1553a, merchandise in Customs custody that is transported by pipeline may be accounted for on a quantitative basis. The term "merchandise in Customs custody," is meant to comprise bonded merchandise (e.g., merchandise which has not been entered for consumption, including merchandise transported in bond, merchandise from a Customs bonded warehouse, or merchandise from a foreign trade zone) (see legislative history for this provision in H.R.Rep.No. 103-361, 103d Cong., 1st Sess., Pt. 1, 150-151 (1993), and S.Rep.No. 103-189, 103d Cong., 1st Sess., 97 (1993)). Section 1553a