

1991, has been accomplished; or that have been repaired in accordance with an FAA-approved repair procedure, as specified in paragraph (a)(3) of AD 91-24-09, amendment 39-8095; or on which the shroud assembly has been replaced with a serviceable part: Prior to the accumulation of 600 flight hours, or within 60 days after July 24, 1996 (the effective date AD 96-14-07, amendment 39-9691), whichever occurs later.

(2) For airplanes on which the modification specified in McDonnell Douglas Service Bulletin 28-22, dated September 24, 1991, has not been accomplished: Prior to the accumulation of 600 flight hours, or within 60 days since accomplishment of the last visual inspection in accordance with AD 91-24-09, amendment 39-8095; whichever occurs first.

(b) Condition 1. No Discrepancy Found. If no discrepancy is detected during any visual inspection required by paragraph (a) of this AD, accomplish either paragraph (b)(1) or (b)(2) of this AD.

(1) Condition 1. Option 1. Repeat the visual inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 600 flight hours or 60 days, whichever occurs later. Or

(2) Condition 1. Option 2. Prior to further flight, install a temporary phenolic support block assembly, shim, clamp, and bracket between the tail tank fuel pipe and station Y=2033.750 bulkhead, in accordance with Condition 1, Option 2, of McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996. Within 6 months after accomplishment of this installation, perform a one-time inspection to verify the correct position of the temporary support block assembly installation in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin.

(i) If the assembly is found to be positioned properly, repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(ii) If the assembly is found to be improperly positioned, prior to further flight, reposition the fuel pipe in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin. Repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(c) Condition 2. Discrepancy Found; O-Ring Not Exposed. If any discrepancy is detected, and the fuel pipe is found to be improperly positioned, but the O-ring is not exposed, during any visual inspection required by paragraph (a) of this AD, prior to further flight, accomplish either paragraph (c)(1) or (c)(2) of this AD.

(1) Condition 2. Option 1. Repeat the visual inspection in paragraph (a) of this AD thereafter at intervals not to exceed 600 flight hours or 60 days, whichever occurs later. Or

(2) Condition 2. Option 2. Prior to further flight, install a temporary phenolic support block assembly, shim, clamp, and bracket between the tail tank fuel pipe and station Y=2033.750 bulkhead; and reposition the fuel pipe assembly, as applicable; in accordance with Condition 2, Option 2, of McDonnell Douglas Alert Service Bulletin

MD11-28A082, dated May 14, 1996. Within 6 months after accomplishment of this installation, perform a one-time inspection to verify the correct position of the temporary support block assembly installation in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin.

(i) If the assembly is found to be positioned properly, repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(ii) If the assembly is found to be improperly positioned, prior to further flight, reposition the fuel pipe in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin. Repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(d) Condition 3. Discrepancy Found; O-Ring Exposed. If any discrepancy is detected, and the fuel pipe is found to be improperly positioned, and the O-ring is exposed, during any visual inspection required by paragraph (a) of this AD, prior to further flight, replace the O-ring with a new O-ring, and install a temporary phenolic support block assembly, shim, clamp, and bracket between the tail tank fuel pipe and station Y=2033.750 bulkhead, in accordance with McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996. Within 6 months after accomplishment of the replacement and installation, perform a one-time inspection to verify the correct position of the temporary support block assembly installation in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin.

(1) If the assembly is found to be positioned properly, repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(2) If the assembly is found to be improperly positioned, prior to further flight, reposition the fuel pipe in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin. Repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

New Requirements of this AD

(e) Within 24 months after the effective date of this AD, install a restraint on the tail tank fuel pipe in accordance with McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996. Accomplishment of the installation constitutes terminating action for the repetitive inspection requirements of this AD.

(f) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

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

(g) 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.

(h) The actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996; and McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996. The incorporation by reference of McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996, was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of July 24, 1996 (61 FR 35946, July 9, 1996). The incorporation by reference of McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996, is 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on March 14, 1997.

Issued in Renton, Washington, on January 30, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-2852 Filed 2-6-97; 8:45 am]

BILLING CODE 4910-13-p

14 CFR Part 71

[Airspace Docket No. 97-ANE-02]

Amendment to Class E Airspace; New Haven, CT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action modifies the Class E airspace at New Haven, CT (KHVN) by removing the Class E airspace extending upward from the surface, effective during the times when the Airport Traffic Control Tower (ATCT) is not operating. This action results from the lack of continuous weather reporting at Tweed-New Haven Municipal Airport.

DATES: Effective 0901 UTC, March 27, 1997.

Comments for inclusion in the Rules Docket must be received on or before March 10, 1997.

ADDRESSES: Send comments on the proposal to: Manager, Operations Branch, ANE-530, Federal Aviation Administration, Docket No. 97-ANE-02, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7530; fax (617) 238-7596. Comments may also be submitted electronically to the following Internet address: "9 ne airspace@faa.dot.gov" Comments must indicate Docket No. 97-ANE-02 in the subject line.

The official docket file may be examined in the Office of the Assistant Chief Counsel, New England Region, ANE-7, Room 401, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7050; fax (617) 238-7055.

An informal docket may also be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, Operations Branch at the first address listed above.

FOR FURTHER INFORMATION CONTACT: Raymond Duda, Operations Branch, ANE-530.3, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7533; fax (617) 238-7596.

SUPPLEMENTARY INFORMATION: On May 16, 1994, the FAA established Class E airspace at Tweed-New Haven Airport, New Haven, CT (59 FR 25301, effective June 23, 1994) based on the availability of continuous weather reporting and need for controlled airspace for aircraft operating under instrument flight rules (IFR) when the Airport Traffic Control Tower (ATCT) was closed. That Class E airspace extends upward from the surface, and is effective during the hours when the ATCT is closed.

The FAA has been advised that continuous surface weather observations are no longer available at Tweed-New Haven. While the FAA has selected Tweed-New Haven as a future site for fully automated weather observations using the Automated Surface Observing System (ASOS), the commissioning date for the New Haven ASOS is unknown at this time. Accordingly, the FAA must remove the Class E airspace area that extends upward from the surface during the times when the ATCT does not operate. This action does not affect the Class E airspace area that extends upward from 700 feet above the surface, which remains in place to provide adequate controlled airspace for those aircraft using the standard instrument approach procedures at Tweed-New Haven when the ATCT is closed.

Class E airspace designations for airspace areas extending upward from the surface of the earth are published in

paragraph 6002 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be removed subsequently from this Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment, and, therefore, issues it as a direct final rule. 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. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the Federal Register indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the Federal Register, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption "ADDRESSES." all communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments,

in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-ANE-02." The postcard will be date stamped and returned to the commenter.

Agency Findings

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.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as these routine matters will only affect air traffic procedures and air navigation. It is certified that these proposed rules 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

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (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, 24 FR 9565, 3 CFR, 1959-1963 Comp., p.389.

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation

Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 6002 Class E Airspace Areas Designated as a Surface Area for an Airport

* * * * *

ANE CT E2 New Haven, CT [Removed]

* * * * *

Issued in Burlington, MA, on January 31, 1997.

David J. Hurley,

Manager, Air Traffic Division, New England Region.

[FR Doc. 97-3073 Filed 2-6-97; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 96-ANE-29]

Amendment of Class E Airspace; Old Town, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; correction.

SUMMARY: This action corrects the longitude and latitude coordinates for Dewitt Field, Old Town Municipal Airport (KOLD) in the description of revised Class E airspace intended to provide for adequate controlled airspace for those aircraft using the new GPS RWY 12 and GPS RWY 30 Instrument Approach Procedures.

EFFECTIVE DATE: 0901 UTC, January 30, 1997.

FOR FURTHER INFORMATION CONTACT: Joseph A. Bellabona, Operations Branch, ANE-530.6, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7536; fax (617) 238-7596.

SUPPLEMENTARY INFORMATION:

History

On October 24, 1996, the FAA published in the Federal Register (61 FR 55091) a direct final rule revising Class E airspace at Old Town, ME. That action was necessary to provide adequate controlled airspace for aircraft using the new GPS RWY 12 and GPS RWY 30 Instrument Approach Procedures to Dewitt Field, Old Town Municipal Airport (KOLD). The FAA uses the direct final rulemaking procedure for non-controversial rules when the FAA believes that no adverse public comment will be received. On December 19, 1996, the FAA published in the Federal Register (61 FR 66910) confirmation that the FAA received no adverse comments to this direct final

rule, and that the effective date of the rule was December 5, 1996. Since publication of that confirmation, the FAA has determined that this action is necessary to correct the longitude and latitude coordinates for the Dewitt Field and the Old Town Non-Directional Beacon (NDB) that appear in the description of the revised Class E airspace at Old Town, ME.

Correction to the Final Rule

Accordingly, pursuant to the authority delegated to me, the geographic coordinates of Dewitt Field and the Old Town NDB contained in the description of Class E airspace at Old Town, ME, as published in the Federal Register on October 24, 1996 (61 FR 55091), Federal Register document 96-27184: page 55092, column 2; and the description in FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1; are corrected as follows:

§ 71.71 [Corrected]

Subpart E—Class E Airspace

* * * * *

ANE ME E5—Old Town, ME [Corrected]
Dewitt Field, Old Town Municipal Airport,
ME

By removing "(lat. 44°57'10" N, long. 68°40'25" W)" and substituting "(lat. 44°57'09" N, long. 68°40'28" W)," and Old Town NDB

By removing "(lat. 44°00'24" N, long. 68°38'00" W)" and substituting "(lat. 45°00'24" N, long. 68°38'00" W),"

* * * * *

Issued in Burlington, MA on January 31, 1997.

David J. Hurley,

Manager, Air Traffic Division, New England Region.

[FR Doc. 97-3072 Filed 2-6-97; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 96-ANE-28]

Amendment to Class E Airspace; Lebanon, NH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; correction.

SUMMARY: This document makes a correction to the amendment to the Class E airspace at Lebanon, NH (LEB) published in the Federal Register on September 10, 1996 (61 FR 47672). In the description of the airspace removed, the state identifier is incorrect, listing

Lebanon as in "ME" rather than "NH." This document corrects that typographical error.

EFFECTIVE DATE: February 7, 1997.

FOR FURTHER INFORMATION CONTACT: Raymond Duda, Operations Branch, ANE-530.3, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299; telephone: (617) 238-7533; fax (617) 238-7596.

SUPPLEMENTARY INFORMATION: On September 10, 1996, the FAA published in the Federal Register an amendment to the Class E airspace at Lebanon, NH removing the Class E airspace extending upward from the surface of the airport (61 FR 47672). A confirmation of the effective date for this amendment was published in the Federal Register on December 19, 1996 (61 FR 66910).

Correction to the Final Rule

Accordingly, pursuant to the authority delegated to me, the amendment to Class E airspace at Lebanon, NH as published in the Federal Register on September 10, 1996 (61 FR 47672), Federal Register document 96-23091: page 47673, column 1; and the description in FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1; are corrected by revising "ANE ME E2 Lebanon, NH [Removed]" to read "ANE NH E2 Lebanon, NH [Removed]"

Issued in Burlington, MA, on January 31, 1997.

David J. Hurley,

Manager, Air Traffic Division, New England Region.

[FR Doc. 97-3071 Filed 2-6-97; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 61

[CC Docket No. 96-187; FCC 97-23]

Implementation of Section 402(b)(1)(a) of the Telecommunications Act of 1996 (Tariff Streamlining Provisions for Local Exchange Carriers)

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In light of the passage of the Telecommunications Act of 1996 (1996 Act), which provides for streamlined tariff filings by local exchange carriers (LECs), the Commission is issuing this Report and Order to implement the