of the Code of Federal Regulations is amended to read as follows:

## PART 620—DISCLOSURE TO SHAREHOLDERS

1. The authority citation for part 620 continues to read as follows:

**Authority:** Secs. 5.17, 5.19, 8.11 of the Farm Credit Act (12 U.S.C. 2252, 2254, 2279aa–11); sec. 424 of Pub. L. 100–233, 101 Stat. 1568, 1656.

## Subpart D—Association Annual Meeting Information Statement

2. Section 620.21 is amended by revising the heading and paragraphs (c)(3), (d)(1), (d)(3), (d)(5), and (d)(6) to read as follows:

**§ 620.21 Contents of the information statement and other information to be furnished in connection with the annual meeting.**

* * * * *

(c) * * *

(3) If any director resigned or declined to stand for reelection since the last annual meeting because of a policy disagreement with the board, and if the director has furnished a letter requesting disclosure of the nature of the disagreement, state the date of the director's resignation and summarize the director's description of the disagreement contained in the letter. If the institution holds a different view of the disagreement, the institution's view may be summarized.

* * * * *

(d) * * *

(1) If directors are nominated by region, describe the regions and state the number of voting shareholders entitled to vote in each region. Any nominee from the floor must be an eligible candidate for the director position for which the person has been nominated.

* * * * *

(3) State that nominations shall be accepted from the floor.

(i) If the annual meeting is to be held in more than one session and mail balloting will be conducted upon the conclusion of all sessions, state that nominations from the floor may be made at any session or, if the association's bylaws so provide, state that nominations from the floor shall be accepted only at the first session.

(ii) If shareholders will not vote solely by mail ballot upon conclusion of all sessions, state that nominations from the floor may be made only at the first session.

* * * * *

(5) For each nominee who is not an incumbent director, except a nominee from the floor, provide the information referred to in § 620.5 (j) and (k) and § 620.21(d)(4). If shareholders will vote by mail ballot upon conclusion of all sessions, each floor nominee must provide the information referred to in § 620.5 (j) and (k) and § 620.21(d)(4) in writing to the association within the time period prescribed by the association's bylaws. If the association's bylaws do not prescribe a time period, state that each floor nominee must provide the written disclosure to the association within 5 business days of the nomination. The association shall ensure that the information is distributed to the voting shareholders with the mailing of the ballots for the election of directors in the same format as the comparable information contained in the association's annual meeting information statement. If shareholders will not vote by mail ballot upon conclusion of all sessions, each floor nominee must provide the information referred to in § 620.5 (j) and (k) and § 620.21(d)(4) in writing at the first session at which voting is held.

(6) No person may be a nominee for director who does not make the disclosures required by this subpart.

* * * * *

Dated: April 13, 1995.

**Floyd Fithian,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. 95–10008 Filed 4–21–95; 8:45 am]

BILLING CODE 6705–01–P

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 39

**[Docket No. 94–NM–91–AD; Amendment 39–9200; AD 95–08–11]**

## Airworthiness Directives; Boeing Model 767 Series Airplanes Equipped With Off-Wing Escape Slides

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, that requires replacement of the currently installed door opening actuators of the emergency off-wing escape system with new, improved actuators. This amendment is prompted by reports indicating that the requirements of a previously issued AD do not adequately preclude leakage from these actuators. The actions specified by this AD are intended to prevent failure of the escape slide to deploy due to failure of the door opening/snubbing actuator, which could delay and possibly jeopardize successful emergency evacuation of an airplane.

**DATES:** Effective May 24, 1995.

The incorporation by reference of Boeing Service Bulletin 767–25–0216, dated February 3, 1994, as listed in regulations, is approved by the Director of the Federal Register as of May 24, 1995.

The incorporation by reference of certain other publications listed in the regulations was approved previously by the Director of the Federal Register as of November 25, 1992 (57 FR 47987, October 21, 1992).

**ADDRESSES:** The service information referenced in this AD may be obtained from OEA Aerospace, Inc., P.O. Box KK, Highway 12, Explosive Technology Road, Fairfield, California 94533–0659; and Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Jayson Claar, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2784; fax (206) 227–1181.

**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 Boeing Model 767 series airplanes was published in the **Federal Register** on August 30, 1994 (59 FR 44672). That action proposed to require replacement of the currently installed door opening actuators of the emergency off-wing escape system on Model 767 series airplanes with new, improved actuators.

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

### Response to Comments

One commenter supports the proposed rule.

One commenter requests that the name and address for obtaining service information from OEA Aerospace, Inc., be corrected. The FAA concurs. Since the issuance of the proposal, OEA has changed its name from OEA, Inc., to

OEA Aerospace, Inc., and has relocated from Colorado to California. Therefore, the **ADDRESSES** section and paragraph (g) of the final rule have been revised accordingly.

One commenter requests that all references in the proposal to the escape system for Model 747 series airplanes be revised to ''the door opening thrusters of the two-piece off-wing escape ramp and slide system.'' The commenter notes that this change in nomenclature would clearly differentiate the escape system installed on Model 747 series airplanes from those installed on Model 767 series airplanes. The FAA does not concur. Since this rule is applicable only to Model 767 series airplanes, the FAA finds that the broad, generic references to the escape systems cannot and has not created confusion for the operators. Therefore, no change to the final rule is necessary.

One commenter requests that the description of the unsafe condition be edited to specify that the unsafe condition would exist during certain flight configurations or during certain failure modes. The commenter states that the description should include the fact that only one door opening/snubbing actuator is necessary to open the door when the airplane is at a level altitude, and that two door opening/snubbing actuators are necessary to open the slide compartment door on the upward facing side when the airplane is at an adverse roll. The FAA does not concur that a revision to the description is necessary. According to § 39.1 (''Airworthiness Directives'') of the Federal Aviation Regulations (14 CFR 39.1), the issuance of an AD is based on the finding that an unsafe condition exists or is likely to develop in aircraft of a particular type design. While the FAA's intent is to describe as specifically as possible the addressed unsafe condition that has prompted an AD, the FAA considers that it would be virtually impossible to list every potential flight configuration or failure mode for when the unsafe condition may exist or occur. To do so would add little value, and would make for an especially long, complex, and cumbersome regulation.

Two commenters request that the proposed compliance time of 2 years to accomplish the replacement of door opening actuators with new, improved actuators be extended to 4 years. One of the commenters asserts that safety of the fleet would be ensured in the interim with the repetitive inspections (weighing program) currently required by AD 92–16–17, amendment 39–8327 (57 FR 47987, October 21, 1992), which are restated in proposed paragraph (a). The other commenter notes that the suggested 4-year compliance time would allow operators to amortize these costs over a longer period of time, which would significantly minimize the economic impact of having to purchase and install the new actuators. Two other commenters point to a potential parts availability problem due to the large number of airplanes that will be affected by the proposed rule.

The FAA does not concur with these commenters' request. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the manufacturer's recommendation as to an appropriate compliance time, the availability of required parts, and the practical aspect of replacing the actuators within a maximum interval of time allowable for all affected airplanes to continue to operate without compromising safety. The FAA has been advised that replacement actuators are readily available; therefore, obtaining them within the proposed compliance time should not pose a problem for any affected operator. Further, the FAA took into account the 2-year compliance time recommended by the manufacturer, as well as the number of days required for the rulemaking process; in consideration of these factors, the FAA finds that 2 years after the effective date of this final rule is consistent with the time recommended by the manufacturer. However, under the provisions of paragraph (e) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.

Two commenters request that the proposed requirement of paragraph (c) to replace the actuators be optional rather than mandatory. These commenters state that safety of the fleet could be ensured in the interim with the repetitive inspections required by paragraph (a) of the proposal. The FAA does not concur. Paragraph (a) merely restates the requirements of AD 92–16–17, which proved to be unreliable in accurately determining the fluid level in the actuators. Therefore, the FAA has determined that these fluid-filled actuators must be replaced with new, improved actuators that are gas-filled.

One commenter requests that proposed paragraph (d) be revised to correct a typographical error in the reference to the Boeing part number. (The OEA part number was correctly referenced in the proposal. The Boeing part number was provided only for purposes of cross-referencing the OEA part number. It is only this cross-referenced Boeing part number that contained a typographical error.) The FAA concurs. Paragraph (d) of the final rule has been revised accordingly to correct this typographical error.

One commenter requests that the reference to airplanes in proposed paragraph (d) be revised to specify that the old oil-filled actuators may not be installed on Model 767 series airplanes equipped with off-wing emergency escape systems. The FAA does not concur. Since the rule is applicable to Boeing Model 767 series airplanes equipped with off-wing escape slides, the reference to airplanes clearly refers to Boeing Model 767 series airplanes equipped with off-wing escape slides. Repeating the applicability statement for this paragraph of the final rule would only be redundant and would not add to the clarity of the rule. Conversely, repeating the applicability for this paragraph may introduce confusion by leading the reader to deduce that the remaining paragraphs are applicable to other models or configurations.

Two commenters request that the cost of the proposed replacement action be partially borne by Boeing and partially by OEA. These commenters point to the faulty design of the OEA actuators that caused the initial problem (oil leakage from the actuators). Therefore, these commenters contend that OEA should assume partial financial responsibility for its faulty design, and that Boeing should assume partial financial responsibility for this problem since it chose to use these actuators on its airplanes.

The FAA cannot concur with this request. According to § 39.1 of the Federal Aviation Regulations (14 CFR 39.1), the issuance of an AD is based on the finding that an unsafe condition exists or is likely to develop in aircraft of a particular type design. The FAA has the authority to issue an AD when it is found that an unsafe condition is likely to exist or develop on other products of the same type design. In accordance with § 39.3 (14 CFR 39.3), operators whose products are subject to an AD must operate those products in accordance with the requirements of that AD. While the subject of this AD relates to a problem with the escape slides, this AD eliminates the unsafe condition by requiring replacement of the door opening actuators with new, improved actuators. The AD is the appropriate vehicle for mandating such actions. The FAA's authority in part 39 does not extend to whether or how those costs are negotiated. However, operators may negotiate the costs

associated with accomplishing those actions with manufacturer.

**Other Changes to the Final Rule**

The FAA has recently reviewed the figures it has used over the past several years in calculating the economic impact of AD activity. In order to account for various inflationary costs in the airline industry, the FAA has determined that it is necessary to increase the labor rate used in these calculations from $55 per work hour to $60 per work hour. The economic impact information, below, has been revised to reflect this increase in the specified hourly labor rate.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been added to this final rule to clarify this long-standing requirement.

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

**Economic Impact**

There are approximately 460 Model 767 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 173 airplanes of U.S. registry will be affected by this AD.

The inspections and modification currently required by AD 92–16–17, and retained in this AD, take approximately 12 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will cost approximately $510 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $212,790, or $1,230 per airplane.

The replacement will take approximately 2 work hours per airplane at an average labor rate of $60 per work hour. Required parts will cost approximately $6,400 per airplane. Based on these figures, the total cost impact of the replacement on U.S. operators is estimated to be $1,127,960, or $6,520 per airplane.

The total 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.

A full cost-benefit analysis has not been accomplished for this proposed AD. As a matter of law, in order to be airworthy, an aircraft must conform to its type design and be in a condition for safe operation. The type design is approved only after the FAA makes a determination that it complies with all applicable airworthiness requirements. In adopting and maintaining those requirements, the FAA has already made the determination that they establish a level of safety that is cost-beneficial. When the FAA, as in this AD action, makes a finding of an unsafe condition, this means that this cost-beneficial level of safety is no longer being achieved and that the required actions are necessary to restore that level of safety. Because this level of safety has already been determined to be cost-beneficial, a full cost-benefit analysis for this AD action would be redundant and unnecessary.

**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 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 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

**§ 39.13 [Amended]**

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

**95–08–11 Boeing:** Amendment 39–9200. Docket 94–NM–91–AD.

*Applicability:* Model 767 series airplanes equipped with off-wing escape slides, 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 (e) 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 escape slide to deploy, which could delay and possibly jeopardize successful emergency evacuation of an airplane, accomplish the following:

(a) Within 18 months after November 25, 1992 (the effective date of AD 92–16–17, amendment 39–8327), inspect the off-wing escape slide door opening/snubbing actuators in accordance with OEA Service Bulletin 3092100–25–002, dated July 26, 1991. Repeat this inspection thereafter at intervals not to exceed 20 months until the replacement required by paragraph (c) of this AD is accomplished. For operators that have previously accomplished this inspection in accordance with AD 92–16–17: This paragraph requires that the next scheduled inspection be performed within 20 months after the last inspection performed in

accordance with paragraph (b)(1) of AD 92–16–17.

(b) Within 18 months after November 25, 1992 (the effective date of AD 92–16–17, amendment 39–8327), inspect and modify the escape slide compartment door latching mechanism in accordance with Boeing Alert Service Bulletin 767–25A0174, dated August 15, 1991. Accomplishment of the actions required by this paragraph prior to the effective date of this AD terminates the actions required by paragraph (b)(2) of AD 92–16–17.

(c) Within 2 years after the effective date of this AD, replace the currently installed door opening actuator of the emergency off-wing escape system with a new, improved actuator, in accordance with Boeing Service Bulletin 767–25–0216, dated February 3, 1994. Accomplishment of this replacement terminates the repetitive inspection requirements of paragraph (a) of this AD.

(d) As of 2 years after the effective date of this AD, only door opening actuators of the emergency off-wing escape system having OEA part number 5262100 (Boeing part number S416T208–12) shall be installed on any airplane.

(e) 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, Seattle 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, Seattle ACO.

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

(f) 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.

(g) The replacement shall be done in accordance with Boeing Service Bulletin 767–25–0216, dated February 3, 1994. This incorporation by reference is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The inspections and modification shall be done in accordance with OEA Service Bulletin 3092100–25–002, dated July 26, 1991, and Boeing Alert Service Bulletin 767–25A0174, dated August 15, 1991; as applicable. The incorporation by reference of these documents 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 November 25, 1992 (57 FR 47987, October 21, 1992). Copies may be obtained from OEA Aerospace, Inc., P.O. Box KK, Highway 12, Explosive Technology Road, Fairfield, California 94533–0659; and Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected 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.

(h) This amendment becomes effective on May 24, 1995.

Issued in Renton, Washington, on April 10, 1995.

**S.R. Miller,**

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

[FR Doc. 95–9341 Filed 4–21–95; 8:45 am]

BILLING CODE 4910–13–U

## 14 CFR Part 39

**[Docket No. 94–CE–30–AD; Amendment 39–9202; AD 95–08-13]**

## Airworthiness Directives; B. Grob Flugzeugbau Model G109B Gliders

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to B. Grob Flugzeugbau (Grob) Model G109B gliders. This action requires replacing the elevator inner hinges with hinges of improved design. Two occurrences where the elevator inner hinges separated from the elevator prompted the required action. The actions specified by this AD are intended to prevent failure of these hinges because of delamination or corrosion, which, if not detected and corrected, could lead to loss of control of the glider.

**DATES:** Effective June 2, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 2, 1995.

**ADDRESSES:** Service information that applies to this AD may be obtained from B. Grob Flugzeugbau, D–8939 Mattsies, Germany. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, 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. Herman Belderok, Project Officer, Gliders, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426–2169.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Grob Model G109B gliders was published in the **Federal Register** on January 10, 1995 (59 FR 2555). The action proposed to require replacing the elevator inner hinges with hinges of improved design. Accomplishment of the proposed action would be in accordance with Grob Repair Instructions No. 817–25 for Service Bulletin TM 817–25, dated November 9, 1987.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

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 minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD or add any additional burden upon the public than was already proposed.

The unsafe condition referenced in this AD is caused by both stress loads and corrosion. Stress loads are a direct result of glider usage. Corrosion can then develop regardless of whether the glider is utilized in flight or is on the ground. With this in mind, the FAA has determined that the compliance time of this AD should be in both calendar time and hours time-in-service (TIS).

The FAA estimates that 30 gliders in the U.S. registry will be affected by this proposed AD, that it will take approximately 8 workhours per glider to accomplish the required action, and that the average labor rate is approximately $60 an hour. Parts will be provided by the manufacturer at no cost to the operator. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $14,400. This figure is based on the assumption that no affected glider owner/operator has accomplished the proposed replacement of the elevator inner hinges.

Grob has informed the FAA that approximately 20 of the affected gliders already have the required replacement incorporated. With this in mind, the cost impact upon the public of the required action would be reduced from $14,400 to $5,280.

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