

competition in the marketplace. Furthermore, the Department is required by law to fix and collect fees and charges to cover the Department's cost in operating the tobacco inspection program.

In addition, good cause has been found to make this rule effective less than 30 days after publication because it is necessary that the new fee be effective at the beginning of the marketing season which begins in mid-July. Therefore, in order to treat all types of tobacco on an equal basis, this final rule is made effective upon publication in the **Federal Register**.

List of Subjects in 7 CFR Part 29

Administrative practice and procedure, Advisory committees, Government publications, Imports, Pesticides and pests, Reporting and recordkeeping requirements, Tobacco.

For the reasons set forth in the preamble, the regulations at 7 CFR part 29 are amended as follows:

Part 29—Tobacco Inspection

1. The authority citation for part 29, subpart B continues to read as follows:

Authority: 7 U.S.C. 511m and 511r.

§ 29.123 [Amended]

2. In § 29.123 paragraph (a) is amended by removing the words "\$.0070 per pound" and adding in its place "\$.0083 per pound."

Dated: June 21, 1995.

Lon Hatamiya,
Administrator.

[FR Doc. 95-15625 Filed 6-26-95; 8:45 am]

BILLING CODE 3410-02-P

Animal and Plant Health Inspection Service

9 CFR Part 77

[Docket No. 93-058-1]

Tuberculosis in Cattle and Bison; State Designation

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the regulations concerning the interstate movement of cattle and bison because of tuberculosis by raising the designation of Kansas from a modified accredited State to an accredited-free State. We have determined that Kansas meets the criteria for designation as an accredited-free State.

DATES: Interim rule effective June 27, 1995. Consideration will be given only to comments received on or before August 28, 1995.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 93-058-1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 93-058-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room. **FOR FURTHER INFORMATION CONTACT:** Dr. Mitchell A. Essey, Senior Staff Veterinarian, Cattle Diseases and Surveillance Staff, VS, APHIS, USDA, 4700 River Road Unit 36, Riverdale, MD 20737-1231, (301) 734-7727.

SUPPLEMENTARY INFORMATION:

Background

The "Tuberculosis" regulations, contained in 9 CFR part 77 (referred to below as "the regulations"), regulate the interstate movement of cattle and bison because of tuberculosis. Bovine tuberculosis is the contagious, infectious, and communicable disease caused by *Mycobacterium bovis*. The requirements of the regulations concerning the interstate movement of cattle and bison not known to be affected with, or exposed to, tuberculosis are based on whether the cattle and bison are moved from jurisdictions designated as accredited-free States, modified accredited States, or nonmodified accredited States.

The criteria for determining the status of States (the term "State" is defined to mean any State, territory, the District of Columbia, or Puerto Rico) are contained in a document captioned "Uniform Methods and Rules—Bovine Tuberculosis Eradication," which has been made part of the regulations via incorporation by reference. The status of States is based on the rate of tuberculosis infection present and the effectiveness of a tuberculosis eradication program. A State must have no findings of tuberculosis in any cattle or bison in the State for at least 5 years to be designated as an accredited-free State.

Before publication of this interim rule, Kansas was designated in § 77.1 of the regulations as a modified accredited State. However, Kansas now meets the

requirements for designation as an accredited-free State. Therefore, we are amending the regulations by removing Kansas from the list of modified accredited States in § 77.1 and adding it to the list of accredited-free States in that section.

Immediate Action

The Administrator of the Animal and Plant Health Inspection Service has determined that there is good cause for publishing this interim rule without prior opportunity for public comment. Immediate action is warranted to change the regulations so that they accurately reflect the current tuberculosis status of Kansas as an accredited-free State. This will provide prospective cattle and bison buyers with accurate and up-to-date information, which may affect the marketability of cattle and bison since some prospective buyers prefer to buy cattle and bison from accredited-free States.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make it effective upon publication in the **Federal Register**. We will consider comments that are received within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

Cattle and bison are moved interstate for slaughter, for use as breeding stock, or for feeding. There are 40,100 herds in Kansas with approximately 5,950,000 cattle and bison. Approximately 90 percent of the herd owners would be considered small businesses. Changing the status of Kansas may affect the marketability of cattle and bison from the State, since some prospective cattle and bison buyers prefer to buy cattle and bison from accredited-free States. This may result in some beneficial economic impact on some small entities. However, based on our experience in similar designations of other States, the impact should not be significant.

Under these circumstances, the Administrator of the Animal and Plant

Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 77

Animal diseases, Bison, Cattle, Reporting and recordkeeping requirements, Transportation, Tuberculosis.

Accordingly, 9 CFR part 77 is amended as follows:

PART 77—TUBERCULOSIS

1. The authority citation for part 77 continues to read as follows:

Authority: 21 U.S.C. 111, 114, 114a, 115–117, 120, 121, 134b, and 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 77.1 [Amended]

2. In § 77.1, in the definition for “Modified accredited state”, paragraph (2) is amended by removing “Kansas,”.

3. In § 77.1, in the definition for “Accredited-free state”, paragraph (2) is amended by adding “Kansas,” immediately before “Kentucky,”.

Done in Washington, DC, this 20th day of June 1995.

Dale F. Schwindaman,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–15592 Filed 6–26–95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–ANE–33; Amendment 39–9288; AD 95–13–08]

Airworthiness Directives; Pratt & Whitney Canada Model PT6A–67D Turboprop Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Pratt & Whitney Canada (PWC) PT6A–67D turboprop engines, that currently requires inspections of the compressor turbine (CT) disk and blades for cracking and other irregularities using visual inspections and fluorescent penetrant inspections (FPI). That AD also requires amending the Beech Model 1900D Airplane Flight Manual (AFM) and installing a placard that alerts the pilot of a requirement to restrict continuous engine operation above 94.0% and below 97.1% N1 (Gas Generator RPM). In addition, that AD requires the installation of parts having an improved design including a CT stator assembly, a CT shroud housing, CT turbine blades, feather seals, and a small exit duct assembly. This amendment continues the requirements of the current AD and adds the requirements to remove the placard from the cockpit and to remove the amendment to the AFM after installation of the improved engine components. This amendment is prompted by reports from operators and the manufacturer stating that the engine RPM operating restriction is not required after installation of the improved engine components, and that this engine operating restriction can impact aircraft handling. The actions specified by this AD are intended to prevent aircraft handling problems due to imposition of the engine RPM restriction.

DATES: Effective July 12, 1995.

The incorporation by reference of certain publications listed in the regulations was approved by the Director of the Federal Register as of June 15, 1994.

Comments for inclusion in the Rules Docket must be received on or before August 28, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief

Counsel, Attention: Rules Docket No. 95–ANE–33, 12 New England Executive Park, Burlington, MA 01803–5299.

The service information referenced in this AD may be obtained from . This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Mark A. Rumizen, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7137, fax (617) 238–7199.

SUPPLEMENTARY INFORMATION: On May 16, 1994, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 94–10–02, Amendment 39–8909 (59 FR 25295, May 16, 1994), applicable to Pratt & Whitney Canada (PWC) PT6A–67D turboprop engines, to require deblading the compressor turbine (CT) disk; and inspecting the entire disk surface area and fir tree areas of the CT blades for cracking and the trailing edge of the blade airfoil section for irregularities, using visual inspections and fluorescent penetrant inspections (FPI). These inspections are required until installation of parts having an improved design turbine blades, feather seals, and a small exit duct assembly. That AD also requires amending the Beech Model 1900D Airplane Flight Manual (AFM) by inserting requirements that describe restricting continuous engine operation above 94.0% and below 97.1% N1 (Gas Generator RPM); and installing a placard that alerts the pilot of this restriction. That action was prompted by reports of CT blade failures due to high cycle fatigue (HCF) fractures in the fir tree area of the blade while exposed to normal engine vibrations and by the manufacturer developing new design improvements that will reduce the susceptibility of the CT blades to HCF damage. That condition, if not corrected, could result in aircraft handling problems due to imposition of the engine RPM restriction.

Since the issuance of that AD, operators of Beech 1900D aircraft and the manufacturer have stated that the engine RPM operating restriction is not required after installation of the improved engine components, and that the engine operating restriction can impact aircraft handling. The placard and AFM amendment currently restrict continuous engine operation above 94.0% and below 97.1% N1, where continuous operation is defined as time