

Marketing Agreement Regulating the Handling of Milk in Certain Marketing Areas

The parties hereto, in order to effectuate the declared policy of the Act, and in accordance with the rules of practice and procedure effective thereunder (7 CFR Part 900), desire to enter into this marketing agreement and do hereby agree that the provisions referred to in paragraph I hereof as augmented by the provisions specified in paragraph II hereof, shall be and are the provisions of this marketing agreement as if set out in full herein.

I. The findings and determinations, order relative to handling, and the provisions of §§ _____¹ to _____, all inclusive, of the order regulating the handling of milk in the (_____ Name of order _____) marketing area (7 CFR PART _____²) which is annexed hereto; and

II. The following provisions: § _____³ Record of milk handled and authorization to correct typographical errors.

(a) Record of milk handled. The undersigned certifies that he/she handled during the month of December 1994, _____ hundredweight of milk covered by this marketing agreement.

(b) Authorization to correct typographical errors. The undersigned hereby authorizes the Director, or Acting Director, Dairy Division, Agricultural Marketing Service, to correct any typographical errors which may have been made in this marketing agreement.

§ _____³ Effective date. This marketing agreement shall become effective upon the execution of a counterpart hereof by the Secretary in accordance with Section 900.14(a) of the aforesaid rules of practice and procedure.

In Witness Whereof, The contracting handlers, acting under the provisions of the Act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

Signature
By (Name) _____
(Title) _____
(Address) _____
(Seal) _____
Attest _____

[FR Doc. 95-19677 Filed 8-11-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-26-AD]

Airworthiness Directives; Jetstream Aircraft Limited Model 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Jetstream Aircraft Limited (JAL) Model 3201 airplanes. The proposed action would require repetitively inspecting the main landing gear (MLG) bay forward lower edge wing skin structure for cracks, replacing any cracked doubler with a joggled doubler of improved design to reinforce the area and prevent future cracking, and eventually incorporating these doublers on all affected airplanes. Cracking found at the MLG bay forward lower edge wing skin structure during fatigue testing of the JAL Model 3201 airplanes prompted the proposed action. The actions specified by the proposed AD are intended to prevent the MLG bay forward lower edge wing skin structure from cracking, which, if not detected and corrected, could cause failure of the wing structure and loss of control of the airplane.

DATES: Comments must be received on or before October 8, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-26-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond A. Stoer, Program Officer, Brussels Aircraft Certification Office,

FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (322) 513.3830; facsimile (322) 230.6899; or Mr. Marvin R. Nuss, Project Officer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No 95-CE-26-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-26-AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Civil Airworthiness Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain JAL Model 3201 airplanes. The CAA advises that cracks may develop in the MLG bay forward lower edge wing skin structure adjacent to the main spar. While

¹ First and last sections of order.

² Appropriate Part number.

³ Next consecutive section number.

undergoing fatigue tests of this airplane model. Jetstream discovered the tendency for cracking in this area.

JAL has issued Jetstream Service Bulletin (SB) 57-A-JA920540; Original Issue September 1, 1992, which specifies procedures for inspecting the MLG bay forward lower edge wing skin structure for cracks, and if cracks are found, replacing the cracked doubler with a new joggled doubler of an improved design.

In order to assure the continued airworthiness of these airplanes in the United Kingdom, the CAA classified this service bulletin as mandatory. The CAA classifying a service document as mandatory is the same for airplanes registered in the United Kingdom as the FAA issuing an AD for airplanes registered in the United States.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement between the United States and the United Kingdom.

Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop in other Jetstream Model 3201 airplanes of the same type design, the proposed AD would require repetitively inspecting the MLG bay forward lower edge wing skin structure adjacent to the main spar for cracks. If cracks are found, replace the cracked doubler with a joggled doubler of improved design to reinforce the area and prevent future cracking. Accomplishment of the proposed action would be in accordance with Jetstream Service Bulletin 57-A-JA920540; Original Issue September 1, 1992.

The proposed action would be consistent with the FAA's aging commuter-class aircraft policy. This policy simply states that reliance on critical repetitive inspections carries an unnecessary safety risk when a design change exists that could eliminate or, in certain instances, reduce the number of those critical inspections. Therefore, the proposed action, if incorporated as a final rule, would be consistent with the FAA's commuter-class aircraft policy.

The FAA estimates that 134 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 35 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts will be provided by the manufacturer at no cost to the owners/operators. Based on these figures, the total cost impact of the proposed AD on U.S. operator is estimated to be \$281,400. This figure is based on the assumption that all of the affected airplanes do not have the new joggled doublers installed and that none of the owners/operators of the affected airplanes have replaced the doublers.

Jetstream has informed the FAA that parts have been distributed to equip approximately 5 airplanes. Assuming that these distributed parts are incorporated on the affected airplanes, the cost of the proposed AD would be reduced by \$10,500 from \$281,400 to \$270,900.

The regulations proposed herein would 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 proposal would 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) if promulgated, 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 draft regulatory evaluation prepared for this action has been placed 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, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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); 40101, 40113, 44701.

§ 39.13 [AMENDED]

2. Section 39.13 is amended by adding a new AD to read as follows:

Jetstream Aircraft Limited: Docket No. 95-CE-26-AD.

Applicability: Model 3201 airplanes (serial numbers 790 through 969), 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) 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 airplane from the applicability of this AD.

Compliance: Required as indicated in the body of this AD, unless ready accomplished.

To prevent the main landing gear (MLG) bay forward lower edge wing skin structure from cracking, which, if not detected and corrected, could cause failure of the wing structure and loss of control of the airplane, accomplish the following:

(a) Upon accumulating 4,000 hours time-in-service (TIS) or within the next 200 hours TIS after the effective date of this AD, whichever occurs later, inspect the MLG bay forward lower edge wing skin structure adjacent to the main spar for cracks in accordance with the Accomplishment Instructions section of Jetstream Service Bulletin (SB) 57-A-JA920540, Original Issue September 1, 1992.

(1) If cracks are found, prior to further flight, replace the existing doublers with joggled doublers of improved design in accordance with the Accomplishment Instructions section of Jetstream SB 57-A-JA920540, Original Issue September 1, 1992.

(2) If no cracks are found, re-inspect the MLG bay forward lower edge wing skin structure at intervals not to exceed 600 hours TIS until modified as specified in paragraph (b) of this AD.

(b) Upon accumulating 9,000 hours TIS or within the next 200 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished as specified in paragraph (a)(1) of this AD, replace the existing doublers with joggled doublers of improved design in accordance

with the Accomplishment Instructions section of Jetstream SB 57-A-JA920540.

(c) Replacing the joggled doublers as required by paragraphs (a)(1) or (b) of this AD eliminates the repetitive inspection requirements of this AD.

(d) 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.

(e) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Office.

(f) All persons affected by this directive may obtain copies of the document referred to herein upon request to Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, D.C. 20041-6029; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on August 7, 1995.

Gerald W. Pierce,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-20004 Filed 8-11-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9, 60, 260, 262, 264, 265, 270, and 271

[IL-64-2-5807; FRL-5277-1]

Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; data availability.

SUMMARY: This notice announces the availability of additional data that are being considered by the EPA in revising the air emission standards for hazardous waste treatment, storage, and disposal

facilities (TSDF) that were published December 6, 1994 under the authority of the Resource Conservation and Recovery Act (RCRA), as amended (59 FR 62896). The additional data are available for public inspection at the EPA RCRA Docket Office.

DATES: Comments on these additional data will be accepted through October 13, 1995.

ADDRESSES: Docket. The additional data are available for public inspection and copying in the EPA RCRA Docket Office (5305), Room 2616, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. A reasonable fee may be charged for copying. Docket hours are 9 a.m. to 4 p.m. Monday through Friday excluding Federal holidays. Other RCRA docket numbers that pertain to the final rule are F-91-CESP-FFFFF, F-92-CESA-FFFFF, F-94-CESF-FFFFF, and F-94-CE2A-FFFFF.

Comments. Written comments regarding these data may be mailed to the Docket Clerk (5305), Room 2616, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Please send an original and two copies of all comments, and refer to Docket Number F-95-CE3A-FFFFF. Comments on the additional data will be accepted through October 13, 1995.

FOR FURTHER INFORMATION CONTACT: For general information about this action contact the RCRA Hotline at (703) 412-9877 or toll-free at 1-800-424-9346. For information on specific technical aspects of these data contact Ms. Michele Aston, Emissions Standards Division (MD-13), U.S. EPA, Research Triangle Park, N.C. 27711, telephone (919) 541-2363, telefax (919) 541-3470.

SUPPLEMENTARY INFORMATION: On December 6, 1994, the EPA published in the **Federal Register** (59 FR 62896) under authority of the Resource Conservation and Recovery Act (RCRA), as amended, standards requiring the use of air emission controls on certain tanks, surface impoundments, and containers at hazardous waste treatment, storage, and disposal facilities (TSDF). These standards are codified in 40 CFR parts 264 and 265 under subpart CC (referred to as the "subpart CC standards").

Since publication of these final standards, the EPA has been involved in a review of its standards to identify areas in which regulatory measures can be made less burdensome without compromising environmental benefits. For the subpart CC standards, this effort has identified certain requirements of the final standards for which less extensive regulatory requirements may suffice. The EPA is considering revising

the published standards to reflect the requirements described in the additional data. The sections of the published rule that are addressed by these additional data are: applicability, waste determination procedures, standards for tanks, standards for surface impoundments, standards for containers, inspection and monitoring requirements, recordkeeping requirements, and reporting requirements.

The EPA will consider these new data in the regulatory decision-making process for this regulation. Therefore, the new data are being placed into the RCRA docket for public inspection and review. To clearly distinguish these new data, they have been placed under a new docket number: F-95-CE3A-FFFFF. The EPA will consider all comments on the new data received by the close of the comment period when making a final regulatory determination on the regulatory requirements for this regulation.

These items are not the exclusive list of the provisions which the EPA is considering revising. The EPA is planning to publish a technical correction notice to the rule within the next two months, and may also propose additional changes to the rule in the near future.

List of Subjects

40 CFR Parts 264 and 265

Air pollution control, Container, Control device, Hazardous waste, Incorporation by reference, Inspection, Miscellaneous unit, Monitoring, Reporting and recordkeeping requirements, Standards, Surface impoundment, Tank, Waste determination.

Dated: August 9, 1995.

Richard Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 95-20003 Filed 8-11-95; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

Television Broadcasting Services; Bend, OR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; denial of petition.

SUMMARY: This document denies the petition for reconsideration filed by