techniques to meet the needs of the marketplace. It argues that the suspension/termination would discourage producers from adopting production patterns that are needed to improve marketing efficiencies.

Mid-Am, a cooperative representing 451 producers who deliver milk to plants regulated under Order 46, contends Holland's claim that ''the base-excess plan limits its ability to obtain milk from new producers because these producers have no base,'' is no basis to suspend or terminate the base-excess plan under Order 46. Mid-Am states that the volume of milk that would become available during the base-paying months would be an insignificant amount and that there is no need for Holland to procure supplemental milk from producers located outside the region during the base-paying months because there is more than an adequate supply of local milk available.

Mid-Am also points out that many cooperative member-producers in the southern Indiana area are being paid on the basis of a base-excess plan. During March through June 1995, Mid-Am indicated, over one-third of its member-producers with milk pooled on Order 46 were paid base and excess prices. The cooperative states that all of its member-producers will be paid on the basis of a base-excess plan during 1996. Finally, it argues that the plan helps to limit a handler's ability to shift milk between orders during the base-paying months of March through June when additional milk is not needed by handlers regulated under Order 46.

The comments submitted in response to the proposed suspension/termination reveal that there is overwhelming support for the continuation of the Order 46 base-excess plan by producers whose milk is pooled under the order. The comments indicate that there is an adequate supply of local milk available to Holland which should prevent Holland from having to purchase supplemental supplies of milk from producers located outside the region. In this regard, market data indicate that for the past two years Class I utilization under Order 46 has generally been between 65 and 75 percent during the base-paying months of March through June. The comments also reveal that the base-excess plan under Order 46 is currently used to pay many cooperative association member-producers now and will be used to pay many more next year. Therefore, the proceeding to suspend or terminate the plan is terminated.

List of Subjects in 7 CFR Part 1046

Milk marketing orders.

The authority citation for 7 CFR part 1046 continues to read as follows:

Authority: 7 U.S.C. 601–674.

Dated: August 17, 1995.

Patricia Jensen,

Acting Assistant, Secretary Marketing and Regulatory Programs.

[FR Doc. 95–20969 Filed 8–23–95; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 93–ANE–08]

Airworthiness Directives; Teledyne Continental Motors IO–360, TSIO–360, LTSIO–360, IO–520, and TSIO–520 Series Reciprocating Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

SUMMARY: This notice revises a proposal to issue an airworthiness directive (AD), applicable to certain Teledyne Continental Motors (TCM) IO–360, TSIO–360, LTSIO–360, IO–520, and TSIO–520 series engines. Airworthiness directive 87–23–08 currently requires ultrasonic inspections for sub-surface fatigue cracks in crankshafts installed in TCM IO–520 and TSIO–520 series engines, and replacement of the crankshaft if a crack is found. The proposed AD would have superseded AD 87–23–08 by expanding the applicability of the AD to include IO–360, TSIO–360, LTSIO–360, and LTSIO–520 series engines, requiring the removal of all crankshafts manufactured using the airmelt process on all of the affected engine models, and replacement with crankshafts manufactured using the vacuum arc remelt (VAR) process. The proposed AD would have eliminated the ultrasonic inspections for the TCM IO–520 and TSIO–520 series engines. That proposed rule was prompted by reports of crankshaft failures due to sub-surface fatigue cracking on engines that had been inspected in accordance with the current AD. This action revises the proposed rule by superseding AD 87–23–08 and incorporating the ultrasonic inspection requirements in the proposed AD. The proposed action would still require removal of crankshafts manufactured using the airmelt process and replacement with crankshafts manufactured using the VAR process. The actions specified by this proposed AD are intended to prevent crankshaft failure and subsequent engine failure.

DATES: Comments must be received by October 23, 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. 93–ANE–08, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may be inspected at this location between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Teledyne Continental Motors, P.O. Box 90, Mobile, AL 36601; telephone (334) 438–3411. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Jerry Robinette, Aerospace Engineer, Atlanta Aircraft Certification Office, FAA, Small Airplane Directorate, Campus Building, 1701 Columbia Ave., Suite 2–160, College Park, GA 30337–2748; telephone (404) 305–7371, fax (404) 305–7348.

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 summarizing 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 Number 93–ANE–08.'' 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, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 93–ANE–08, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Teledyne Continental Motors (TCM) IO–360, TSIO–360, LTSIO–360, IO–520, TSIO–520, and LTSIO–520 series engines, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on July 23, 1993 (58 FR 39748). That proposal would have superseded AD 87–23–08, Amendment 39–5735 (52 FR 41937, October 30, 1987), which currently requires ultrasonic inspection of TCM IO–520 and TSIO–520 series engines for sub-surface cracks in the crankshaft, and replacement of the crankshaft, if a crack is found. The proposed AD would have eliminated the required ultrasonic inspections, but would have required removal of crankshafts that were manufactured using the airmelt process and required replacement with crankshafts that were manufactured using the vacuum arc remelt (VAR) process. The proposed AD would have also expanded the affected population of engines to add the TCM IO–360, TSIO–360, LTSIO–360, and LTSIO–520 series engines to the IO–520 and TSIO–520 series engines affected by AD 87–23–08. That proposal was prompted by reports of crankshaft failures due to subsurface fatigue cracking on engines that had been inspected in accordance with AD 87–23–08. That condition, if not corrected, could result in crankshaft failure and subsequent engine failure.

Since the issuance of that NPRM, the Federal Aviation Administration (FAA) has received numerous unfavorable comments, centering on the FAA's data and the economic impact of the proposed AD on small entities. The principal commenter, the Aeronautical Repair Station Association (ARSA), feels that the data presented by the FAA is not representative of the entire fleet. As a result, the FAA has decided to issue this Supplemental NPRM that revises the proposed AD and publishes additional data.

Teledyne Continental Motors has utilized two different processes in manufacturing crankshafts. Initially, TCM used an airmelt process, but later switched to the VAR process. The VAR process assures a better steel with less likelihood of impurities.

The crankshaft failures addressed by this AD are attributed to sub-surface fatigue cracks on engines with crankshafts having the three rear main bearing journal diameters as follows: for the 360 series engines 2.250 to 2.375 inches and for the IO/TSIO–520 series engines 2.375 to 2.625 inches. The FAA has received reports of crankshaft failures due to sub-surface fatigue cracks on 43 TCM IO–520 or TSIO–520 series engines and 9 IO–360 or TSIO–360 series engines. There are approximately 18,000 airmelt and 25,000 VAR TCM IO–520 or TSIO–520 series crankshafts in service as of February 1994. Between May 1986 and February 1994, on TCM IO–520 or TSIO–520 series engines, there were 40 failures of airmelt crankshafts and 3 failures of VAR crankshafts. In addition, there are approximately 5,000 airmelt and 10,800 VAR TCM IO–360 or TSIO–360 series crankshafts in service as of February 1994. During the same time frame there were 8 failures of airmelt crankshafts and 1 failure of a VAR crankshaft on TCM IO–360 or TSIO–360 series engines.

The Service Difficulty Report (SDR) database does not contain many of these failures and therefore was not used for this analysis. In addition, the SDR database contains the reports of service difficulties as submitted, and, therefore, a large number of those reports amount to the unconfirmed opinion of the submitter as to the cause of the failure. Further, the listings in the SDR database do not identify cracks as being sub-surface fatigue cracks, or, for example, cracks originating from manufacturing defects or resulting from propeller strikes. Lastly, the mix of VAR and airmelt crankshafts in service cannot be determined from the SDR database. The data used for this analysis, on the other hand, is gathered from sources such as FAA witnessed ''teardown'' reports and warranty claims, and pertains only to confirmed sub-surface fatigue cracks with the type crankshaft, VAR or airmelt, clearly identified.

The FAA has determined, however, that the ultrasonic inspections of crankshafts on TCM IO–520 and TSIO–520 series engines required by AD 87–23–08 should remain in order to continue to detect any sub-surface fatigue cracks that may occur in those crankshafts, regardless of manufacturing process. Therefore, this proposal will supersede AD 87–23–08 and would have the effect of making the repetitive ultrasonic inspection requirements applicable to all IO/TSIO/LTSIO–360 and IO/TSIO/LTSIO–520 series engines with small rear main bearing journals while requiring replacement of airmelt crankshafts with VAR crankshafts on all affected engine models at the next overhaul.

In addition, many commenters expressed general concern about the calculated economic impact of the proposed AD, and some specifically noted that they believe the price of the VAR crankshafts shown in the NPRM, $2,200, to be artificially low. The FAA disagrees. The FAA used the replacement cost of a crankshaft as reported by TCM, which has priced VAR crankshafts at a level to encourage owners to replace airmelt crankshafts with VAR crankshafts. TCM has also informed the FAA that the price will be competitively maintained; the FAA notes that TCM's last general price increase in May 1994 did not affect these crankshafts. While this price may differ significantly from the price that other manufacturers set for crankshafts on other engines, the FAA believes that $2,200 is a reasonable estimate of the replacement cost of a crankshaft on the affected engines.

The FAA has reviewed and approved the technical contents of TCM Mandatory Service Bulletin (SB) No. M92–16, dated September 29, 1992, that describes procedures for determining if crankshafts were manufactured using the airmelt process or VAR process.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of this same type design, the proposed AD would require determining if the crankshafts installed on certain TCM IO–360, TSIO–360, LTSIO–360, IO–520, and TSIO–520 series engines were manufactured using the airmelt or VAR process, and replacing all crankshafts manufactured using the airmelt process with serviceable crankshafts manufactured using the VAR process at the next engine overhaul. The proposed AD would also require repetitive ultrasonic inspections of certain VAR crankshafts, and replacement, if a crack is found.

Since this change revises significantly the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

The FAA estimates that 15,500 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per engine

to determine the type of crankshaft, and that the average labor rate is $60 per work hour. Required parts would cost approximately $2,200 per engine to replace the crankshaft. In addition, the FAA estimates that it would cost $200 to perform the ultrasonic inspection at crankshaft removal including the costs of shipping and handling. The FAA estimates that approximately 10% of the affected engines will be overhauled per year. Based on these figures, the total annual cost impact of the proposed AD on U.S. operators is estimated to be $3,813,000.

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 proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the 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 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, 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 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

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

Teledyne Continental Motors: Docket No. 93–ANE–08.

Applicability: Teledyne Continental Motors (TCM) I0–360, TSIO–360, LTSIO–360, IO–520, and TSIO–520 series engines built on or prior to December 31, 1980; rebuilt I0–360, TSIO–360, LTSIO–360, IO–520, and TSIO–520 series engines with serial numbers lower than those listed in TCM Mandatory Service Bulletin (SB) No. M92–16, dated September 29, 1992; and factory overhauled I0–360, TSIO–360, LTSIO–360, IO–520, and TSIO–520 series engines with serial numbers of 901202H and lower. These engines are installed on but not limited to Beech Models 95–C55, 95–C55A, D55, D55A, E55, E55A, 58, 58A, 58P, 58PA, 58TC, and 58TCA; and Beech Models S35, V35, V35A, V35B, E33A, E33C, 35–C33A, 36, A36, F33A, F33C, and A36TC; Bellanca 17–30A; Cessna Models 172XP, 188, A185, A188, 206, T206, 207, T207, 210, T210, P210, 310R, T310P, T310Q, T310R, 320D, 320E, 320F, 336, 337, T337, P337, 340, 401, 402, 414, and T41B/C; Colemill Conversion of Commander 500A; Commander 2000; Goodyear Airship Blimp 22; Maule Model M–4; Mooney Models M20–K; Navion H; Pierre Robin HR100; Piper Models PA–28–201T, PA28R–201T, PA28RT–201T, PA34–200T, PA34–220T; Prinair Dehavilland Heron; and Reims Models FR172, F337, FT337.

Note: This AD applies to each engine 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 engines 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 (b) 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 engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent crankshaft failure and subsequent engine failure, accomplish the following:

(a) At the next engine overhaul or whenever the crankshaft is next removed from the engine, after the effective date of this AD, whichever occurs first, determine if the crankshaft was manufactured using the airmelt or vacuum arc remelt (VAR) process in accordance with the identification procedures described in TCM Mandatory SB No. M92–16, dated September 29, 1992. If the crankshaft was manufactured using the airmelt process, or if the manufacturing process is unknown, prior to further flight, remove the crankshaft from service and replace with a serviceable crankshaft manufactured using the VAR process.

(b) For all engine models with VAR crankshafts identified in TCM Mandatory SB No. M92–16 dated September 29, 1992, regardless of serial number: at the next and every subsequent crankshaft removal from the engine case or installation of a replacement crankshaft, prior to crankshaft installation in the engine, conduct an ultrasonic inspection of the crankshaft in accordance with TCM Service Bulletin No. M87–5, Revision 1, dated May 25, 1987, and Crankshaft Ultrasonic Inspection Procedure, Form X30554, dated February 1981.

(1) If a crack is found, replace the crankshaft with a serviceable VAR crankshaft.

(2) If no crack is found, mark the propeller mounting flange in accordance with TCM Service Bulletin No. M87–5, Revision 1, dated May 25, 1987.

Note: Accomplishment of the ultrasonic inspection does not set aside any requirements for magnaflux or other inspections specified in TCM overhaul manuals.

(c) 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, Atlanta Aircraft Certification Office. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

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

(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 aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on August 17, 1995.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95–20991 Filed 8–23–95; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 35

[Docket No. RM95–8–000]

Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; Notice of Technical Conferences

August 17, 1995.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of technical conferences.

SUMMARY: The Federal Energy Regulatory Commission proposed