

into the United States of various animal diseases.

The regulations in § 92.308(a)(1) now require horses imported from all parts of the Western Hemisphere except Argentina, Canada, and Mexico to be quarantined for not less than 7 days upon arrival in the United States to prevent the introduction of Venezuelan equine encephalomyelitis (VEE). VEE is an equine viral disease, transmitted primarily by mosquitoes and other hematophagous (blood-feeding) insects, particularly flying insects, that results in a high mortality rate in animals infected with the disease. Although tests exist for the presence of VEE in horses, the tests currently available may yield positive results for horses that have been vaccinated for VEE but that are not otherwise affected with the disease. The most efficient method for initial identification of horses that may be infected with VEE is observation of the horses for clinical signs of the disease. A horse will usually exhibit signs of VEE within 2–5 days after contracting the disease. Seven days is considered the length of time necessary to ensure that any clinical signs of VEE manifest themselves.

On October 23, 1995, we published in the Federal Register (60 FR 54315–54316, Docket No. 95–052–1) a proposal to amend § 92.308(a)(1) of the regulations to exempt horses from Bermuda and the British Virgin Islands from the 7-day quarantine requirement. We also proposed to amend § 92.308(a)(1) of the regulations to specify that the purpose of this 7-day quarantine is to evaluate the horses for signs of VEE.

We solicited comments concerning our proposal for 60 days ending December 22, 1995. We did not receive any comments. The facts presented in the proposed rule still provide the basis for this final rule.

Therefore, based on the rationale set forth in the proposed rule, we are adopting the provisions of the proposal as a final rule without change. 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.

This rule will exempt horses imported into the United States from Bermuda and the British Virgin Islands from the requirement for a 7-day quarantine upon arrival. This action appears unlikely to have any significant economic impact on U.S. entities.

The United States had a total population of 2,049,522 horses in 1992.

There were 338,346 farms that kept horses. Over 98 percent of these farms had a market value of less than \$500,000, making them small entities by Small Business Administration standards.

There is a negligible risk of horses from Bermuda and the British Virgin Islands introducing VEE into the United States because no cases of VEE have ever been reported in Bermuda and the British Virgin Islands, and, based on documentation submitted by the Governments of Bermuda and the British Virgin Islands, it appears that no horses in these countries are affected with VEE. In addition, we do not expect that this action will result in any increase in the small number of horses imported into the United States from Bermuda and the British Virgin Islands. The total horse population in Bermuda is about 1,000, and only about 10 horses per year are imported from Bermuda into the United States. There are only 50 to 100 horses in the British Virgin Islands, and only a few of those are expected to be imported into the United States, and then only for temporary stays for exhibitions and racing. Under these circumstances, the imported horses will have no impact on market prices.

The only parties that will benefit from this reduced restriction are the potential importers of horses from Bermuda and the British Virgin Islands and those who use the foreign horses in exhibition and racing. The benefit to them arises from the reduced number of days required for quarantine. At present, horses coming from Bermuda and the British Virgin Islands are required to be quarantined for 7 days, while horses from countries free of VEE and certain other equine diseases are quarantined for only about 3 days. After the effective date of this final rule, horses from Bermuda and the British Virgin Islands will spend approximately 4 fewer days in quarantine, saving approximately \$427 per horse. Furthermore the reduction in the waiting period may induce more economic activity.

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 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 inconsistent 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 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 92 is amended as follows:

**PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON**

1. The authority citation for part 92 continues to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, 371.2(d).

2. In § 92.308, paragraph (a)(1) is revised to read as follows:

**§ 92.308 Quarantine requirements.**

(a) \* \* \*

(1) Except as provided in §§ 92.317 and 92.324, and except with respect to horses from Argentina, Bermuda, and the British Virgin Islands, horses intended for importation from the Western Hemisphere shall be quarantined at a port designated in § 92.303 for not less than 7 days to be evaluated for signs of Venezuelan equine encephalomyelitis.

\* \* \* \* \*

Done in Washington, DC, this 26th day of March 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–7838 Filed 3–29–96; 8:45 am]

BILLING CODE 3410–34–P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 96–NM–45–AD; Amendment 39–9557; AD 96–07–08]

**Airworthiness Directives; Airbus Model A320–111 Series Airplanes**

AGENCY: Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A320-111 series airplanes. This action requires modification of the splicing cap at nose forward Frame 8 by cold expansion of the fastener holes and installation of new oversize fasteners. This amendment is prompted by results of a full-scale fatigue test which revealed that fatigue cracking can initiate from these fastener holes. The actions specified in this AD are intended to prevent such fatigue cracking which, if not detected and corrected in a timely manner, could compromise the structural integrity of the fuselage and lead to rapid depressurization of the airplane.

**DATES:** Effective April 16, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 16, 1996.

Comments for inclusion in the Rules Docket must be received on or before May 31, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-45-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2797; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A320-111 series airplanes. The DGAC advises that the results of full-scale fatigue testing, which was conducted by the manufacturer, revealed that fatigue cracks can occur on the internal flange of Frame 8 (FR8) after 48,000 simulated flights. The fatigue cracking initiated at

and emanated from the bolt holes in the splicing cap of nose forward FR8. If fatigue cracking in this area is not detected and corrected in a timely manner, the cracking could propagate and eventually the splicing could rupture. This would compromise the structural integrity of the fuselage, and could lead to rapid depressurization of the airplane.

Airbus has issued A320-53-1005, Revision 1, dated June 19, 1992, which describes procedures for modifying the splicing cap at nose forward FR8 by cold expansion of the 10 fastener holes and the installation of oversize fasteners. This modification will improve the fatigue life of this area and preclude the conditions associated with the development of the subject cracking. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive (CN) 95-096-064(B), dated May 24, 1995, in order to assure the continued airworthiness of these airplanes in France.

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 on other airplanes of the same type design registered in the United States, this AD is being issued to prevent fatigue cracking in the FR8 splicing cap, which, if not detected and corrected in a timely manner, could compromise the structural integrity of the fuselage and lead to rapid depressurization of the airplane. This AD requires modification of the splicing cap at FR8. The actions are required to be accomplished in accordance with the service bulletin described previously.

None of the Model A320-111 series airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes

are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 19 work hours to accomplish the required actions, at an average labor charge of \$60 per work hour. Required parts would cost approximately \$207 per airplane. Based on these figures, the cost impact of this AD would be \$1,347 per airplane.

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the Federal Register.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall 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 in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD 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 AD 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 Number 96-NM-45-AD." The postcard will be date stamped and returned to the commenter.

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. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

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

96-07-08 Airbus: Amendment 39-9557. Docket 96-NM-45-AD.

Applicability: Model A320-111 series airplanes; having manufacturer's serial number (MSN) 005, 006, 007, 008, 010, 011, and 012; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or

repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent fatigue cracking in the splicing cap at nose forward Frame 8, which could compromise the structural integrity of the fuselage and lead to rapid depressurization of the airplane, accomplish the following:

(a) Prior to the accumulation of 16,000 total flight cycles, or within 6 months after the effective date of this AD, whichever occurs later, modify the splicing cap at Frame 8 in accordance with Airbus Service Bulletin A320-53-1005, Revision 1, dated June 19, 1992.

Note 2: Modification the splicing cap at Frame 8 that was performed prior to the effective date of this AD in accordance with Airbus Service Bulletin A320-53-1005, dated November 22, 1989, is considered acceptable for compliance with the requirements of paragraph (a) of this AD.

(b) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) 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.

(d) The modification shall be done in accordance with Airbus Service Bulletin A320-53-1005, Revision 1, dated June 19, 1992, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 3-27	1	June 19, 1992.
2	(Original)	November 22, 1989.

This incorporation by reference was 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

(e) This amendment becomes effective on April 16, 1996.

Issued in Renton, Washington, on March 25, 1996.

Darrell M. Pederson,  
*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
 [FR Doc. 96-7664 Filed 3-29-96; 8:45 am]  
**BILLING CODE 4910-13-P**

**14 CFR Part 39**

[Docket No. 95-NM-128-AD; Amendment 39-9556; AD 96-07-07]

**Airworthiness Directives; Jetstream Model 4101 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Jetstream Model 4101 airplanes, that requires an inspection to verify the proper position of "door open" placards on the inside of the main entrance door, and replacement with new placards appropriately positioned, if necessary. This amendment is prompted by a report that the "door open" placards on the inside of the main entrance door, as currently installed, may not be visible to passengers or flightcrew when the door handle is in the open position. The actions specified by this AD are intended to ensure that certain placards on the inside of the main entrance door are clearly visible and perform their intended function in the event of an emergency evacuation.

**DATES:** Effective May 1, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 1, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal