

inspect, and rework or replace, as necessary, prior to accumulating 550 total hours TIS, in accordance with Sensenich Propeller SB No. R-14A, dated July 28, 1995. Remove from service those propellers that do not meet the inspection and rework requirements of Sensenich Propeller SB No. R-14A, dated July 28, 1995.

(e) Mark with a suffix letter "K" propellers that have been inspected and, reworked in accordance with Sensenich Propeller SB No. R-14A, dated July 28, 1995, and found satisfactory.

(f) An alternative method of compliance or adjustment of the initial compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York 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, New York Aircraft Certification Office.

Note: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the New York Aircraft Certification Office.

(g) 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.

(h) The actions required by this AD shall be done in accordance with the following Sensenich Propeller SB's:

Document No.	Pages	Revision	Date
No. R-13 ..... Total pages: 1	A7	Original .....	April 11, 1969.
No. R-14A ..... Total pages: 1.	1	Original .....	July 28, 1995.

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 Sensenich Propeller Manufacturing Company Inc., 519 Airport Road, Lititz, PA 17543; telephone (717) 569-0435, fax (717) 560-3725. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on June 13, 1996.

Issued in Burlington, Massachusetts, on April 22, 1996.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 96-11257 Filed 5-8-96; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**15 CFR Part 981**

[Docket No. 951213299-6096-02]

RIN: 0648-AI42

**Ocean Thermal Energy Conversion Licensing Program**

**AGENCY:** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Final rule; removal.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) is removing Part 981 from Title 15 of the Code of Federal Regulations (Part 981).

Part 981 implements the Ocean Thermal Energy Conversion (OTEC) Licensing Program, which was established under the Ocean Thermal Energy Conversion Act of 1980, as amended, (OTEC Act), 42 U.S.C. 9101 *et seq.* No applications under Part 981 for licenses of commercial OTEC facilities or plantships have yet been received by NOAA, and there has been a low level of NOAA activity under the OTEC Act. During this 15 year period of time, the availability and relatively low price of fossil fuels, coupled with the risks to potential investors, has limited the interest in the commercial development of OTEC projects. Removal of Part 981 at this time will allow NOAA to evaluate the appropriateness of these, or any other, regulations at such time as interest in the commercial development of OTEC projects occurs.

**EFFECTIVE DATE:** June 10, 1996.

**ADDRESSES:** Karl Jugel, Chief, Ocean Minerals and Energy Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, 1305 East-West Highway, 11th Floor, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** James Lawless, Deputy Director, Office of Ocean and Coastal Resource Management, at (301) 713-3155.

**SUPPLEMENTARY INFORMATION:**

**I. Regulatory Review**

The National Oceanic and Atmospheric Administration (NOAA) is removing Part 981 of 15 CFR, pursuant to the Regulatory Reform Initiative of President Clinton and the Ocean Thermal Energy Conversion Act of 1980, as amended.

In March 1995, President Clinton issued a directive to federal agencies regarding their responsibilities under

his Regulatory Reform Initiative. This initiative is part of the National Performance Review and calls for immediate, comprehensive regulatory reform. The President directed all agencies to undertake, as part of this initiative, an exhaustive review of all their regulations—with an emphasis on eliminating or modifying those that are obsolete or otherwise in need of reform.

The Ocean Thermal Energy Conversion Act of 1980, as amended, (OTEC Act), 42 U.S.C. 9101 *et seq.*, also requires that NOAA periodically review the regulations that apply to the licensing of OTEC facilities and plantships. The fundamental purpose of the review is to determine if the regulations themselves impose an adverse impact on the development and commercialization of OTEC technology.

On January 30, 1996, NOAA published a notice in the Federal Register in which it proposed removing Part 981 and requested all interested persons to comment on the proposal (61 FR 2969-2971). Comments were in particular invited on whether the OTEC regulations, or their removal at this time, impose an adverse impact on the development and commercialization of OTEC technology. NOAA received no comments on its proposed removal of Part 981.

**II. Ocean Thermal Energy Conversion Licensing Program**

The OTEC Act established a licensing and permitting system for the development of OTEC as a commercial energy technology. Part 981 implements the OTEC Licensing Program. The proposed rule preceding this rulemaking summarizes the development of Part 981 (61 FR 2969-2971). No applications under Part 981 for licenses of commercial OTEC facilities or plantships have yet been

received by NOAA, and there has been a low level of NOAA activity under the OTEC Act. During this 15 year period of time, the availability and relatively low price of fossil fuels, coupled with the risks to potential investors, has limited the interest in the commercial development of OTEC projects.

NOAA is authorized, consistent with the purposes and provisions of the OTEC Act, to amend or rescind the OTEC regulations. In particular, section 117 of the OTEC Act requires NOAA to review the regulations on a periodic basis. NOAA is authorized and directed to revise the regulation as necessary and appropriate to ensure that the regulations do not impede the development, evolution, and commercialization of OTEC technology.

Given that a commercial OTEC industry has yet to develop, Part 981 remains unused for the most part. Removal of Part 981 at this time is consistent with the purposes and provisions of the OTEC Act in that it will allow NOAA to evaluate the suitability of these regulations at such time as interest in the commercial development of OTEC projects occurs. At such time, NOAA will issue a proposed rule appropriate to the then current regulatory needs. Potential Licensees will therefore be assured that any future OTEC regulations will be up to date, and will continue to provide innovation and flexibility necessary for an emerging OTEC industry.

NOAA is mindful of its responsibility for licensing of commercial OTEC facilities and plantships under the OTEC Act, however, and will take appropriate steps to review and process an application should one be made. For particular inquiries into the licensing of OTEC projects in the interim period, NOAA will provide copies of the provisions of these OTEC regulations in response to such inquiries. Thus, NOAA will provide actual and timely notice of applicable procedures and requirements to particular individuals. See 5 U.S.C. 552(a). Accordingly, NOAA is removing Part 981, the OTEC regulations, from Title 15 of the CFR.

### III. Miscellaneous Rulemaking Requirements

#### *Executive Order 12612: Federalism Assessment*

NOAA has concluded that this regulatory action does not have federalism implications sufficient to warrant the preparation of a Federalism Assessment under Executive Order 12612.

#### *Executive Order 12866: Regulatory Planning and Review*

This regulatory action is not significant for purposes of Executive Order 12866.

#### *Regulatory Flexibility Act*

No licenses have been issued for OTEC projects under 15 CFR Part 981. When commercial interest in OTEC projects occurs, NOAA will issue a proposed rule appropriate to the regulatory needs at that time. For particular inquiries into the licensing of OTEC projects in the interim period, NOAA will provide actual and timely notice of applicable procedures and requirements to particular individuals. See 5 U.S.C. 552(a). For these reasons, the removal of Part 981 is not expected to have a significant economic impact on a substantial number of small entities, and the Assistant General Counsel for Legislation and Regulation of the Department of Commerce has so certified to the Chief Counsel for Advocacy of the Small Business Administration. As such, a Regulatory Flexibility Analysis was not prepared.

#### *Paperwork Reduction Act*

This regulatory action does not contain an information collection requirement subject to review and approval by OMB under the Paperwork Reduction Act of 1980, 44 U.S.C. 3500 *et seq.*

#### *National Environmental Policy Act*

NOAA has concluded that this regulatory action does not constitute a major federal action significantly affecting the quality of the human environment. No applications for licenses of commercial OTEC facilities or plantships have yet been received by NOAA, and Part 981 remains unused for the most part. When commercial interest in OTEC projects occurs, NOAA will issue a proposed rule appropriate to the regulatory needs at that time. For particular inquiries into the licensing of OTEC projects in the interim period, NOAA will provide actual and timely notice of applicable procedures to particular individuals. See 5 U.S.C. 552(a). Therefore, and environmental impact statement is not required.

Authority: Ocean Thermal Energy Conversion Act of 1980, as amended, 42 U.S.C. 9101 *et seq.*

#### List of Subjects in 15 CFR Part 981

Administrative practice and procedures, Energy, Environmental protection, Intergovernmental relations, Marine resources, Penalties, Reporting and recordkeeping requirements.

Dated: May 2, 1996.

David Evans,

*Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management.*

Accordingly, for the reasons set forth above, Chapter IX of Title 15 of the Code of Federal Regulations is amended as follows:

#### **PART 981—OCEAN THERMAL ENERGY CONVERSION LICENSING PROGRAM—[REMOVED]**

1. Under the authority of the Ocean Thermal Energy Conversion Act of 1980, Part 981 is removed.

[FR Doc. 96-11464 Filed 5-8-96; 8:45 am]

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#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### **Food and Drug Administration**

#### **21 CFR Part 101**

[Docket No. 94P-0216]

#### **Food Labeling: Nutrient Content Claim for "Extra"; Correction**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a final rule that appeared in the Federal Register of March 22, 1996 (61 FR 11730). The document authorizes the use, on food labels and in food labeling, of the term "extra" as a synonym for the term "added." The document was published with some errors. This document corrects those errors.

**EFFECTIVE DATE:** March 22, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joyce J. Saltsman, Center for Food Safety and Applied Nutrition (HFS-165), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5916.

In FR Doc. 96-6942, appearing on page 11730 in the Federal Register of Friday, March 22, 1996, the following corrections are made:

1. On page 11730, in the third column, in the first full paragraph, in the first line, the date "March 21, 1995" is corrected to read "March 21, 1994".

2. On page 11731, in the first column, under section "V. Public Comment", in the second paragraph, the fifth line, the first word, "proposal", is corrected to read "final rule."