

interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This action will not impose any additional reporting or recordkeeping requirements on either small or large fresh Bartlett pear handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule. After consideration of all relevant matter presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) This action reduces the current assessment rate for fresh Bartlett pears; (2) the 1997-98 fiscal period began on July 1, 1997, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable fresh Bartlett pears handled during such fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) this interim final rule provides a 30-day comment period, and all comments timely received will be considered prior to finalization of this rule.

#### List of Subjects in 7 CFR Part 931

Marketing agreements, Pears, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 931 is amended as follows:

#### **PART 931—FRESH BARTLETT PEARS GROWN IN OREGON AND WASHINGTON**

1. The authority citation for 7 CFR part 931 continues to read as follows:

**Authority:** 7 U.S.C. 601-674.

#### **§931.231 [Amended]**

2. Section 931.231 is amended by removing the words "July 1, 1996," and adding in their place the words "July 1, 1997," and by removing "\$0.0375" and adding in its place "\$0.03."

Dated: August 19, 1997.

**Robert C. Keeney,**

*Director, Fruit and Vegetable Division.*

[FR Doc. 97-22522 Filed 8-22-97; 8:45 am]

BILLING CODE 3410-02-P

### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

##### **14 CFR Part 39**

[Docket No. 97-ANE-32-AD; Amendment 39-10107; AD 97-17-05]

RIN 2120-AA64

#### **Airworthiness Directives; Pratt & Whitney Canada PW100 Series Turboprop Engines**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to Pratt & Whitney Canada PW100 series turboprop engines. This action requires a visual inspection of the two gas generator case drain ports to ensure that they are connected to drain lines or capped in accordance with the applicable aircraft installation configuration. This amendment is prompted by a report of a nacelle fire. The actions specified in this AD are intended to prevent a nacelle fire caused by fluid leaking from the gas generator case drain ports.

**DATES:** Effective September 9, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 9, 1997.

Comments for inclusion in the Rules Docket must be received on or before October 24, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97-ANE-32-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.dot.gov". Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from Pratt & Whitney Canada, 1000 Marie-Victorin, Longueuil, Quebec, Canada J4G1A1; telephone (514) 647-2866, fax (514) 647-2888. This information may be examined 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.

#### **FOR FURTHER INFORMATION CONTACT:**

*Diane Cook*, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7134, fax (617) 238-7199.

**SUPPLEMENTARY INFORMATION:** Transport Canada, which is the airworthiness authority for Canada, recently notified the Federal Aviation Administration (FAA) that an unsafe condition may exist on Pratt & Whitney Canada (PWC) PW118, PW118A, PW118B, PW119B, PW119C, PW120, PW120A, PW121, PW121A, PW123, PW123B, PW123C, PW123D, PW123E, PW124B, PW125B, PW126A, PW127, PW127E, and PW127F series turboprop engines. The FAA and Transport Canada received a report of an Embraer EMB-120 aircraft powered by PWC PW118B turboprop engines that recently experienced a fire shortly after take off. The aircraft landed safely with the loss of both hydraulic systems and with extensive heat and fire damage to the right engine nacelle, wing, and landing gear bay. A portion of the aircraft exhaust duct was also missing. The fuel and ignition sources have not been determined and the investigation of the accident by the National Transportation Safety Board (NTSB) is continuing. As part of the investigation, the right engine was disassembled and the investigators found the gas generator case rear drain port was not capped as required by the aircraft manufacturer's installation instructions. A subsequent inspection of the operator's EMB 120 fleet found two more aircraft with the cap missing from the gas generator case rear drain port. Under certain conditions, the opened rear drain port may permit fluid to exit through the port and accumulate in the nacelle resulting in a possible hazardous situation. All PW100 model engines are equipped with two gas generator case drain ports. This condition, if not corrected, can result in a nacelle fire caused by fluid leaking from the gas generator case drain ports.

PWC has issued Service Information Letter SIL No. PW100-003, issued June 18, 1997, that describes procedures for

a visual inspection of the two gas generator case drain ports to ensure that they are connected to drain lines or capped in accordance with the applicable aircraft installation configuration.

This engine model is manufactured in Canada 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. Pursuant to this bilateral airworthiness agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, 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 engines of the same type design registered in the United States, the proposed AD would require a visual inspection of the two gas generator case drain ports to ensure that they are connected to drain lines or capped in accordance with the applicable aircraft installation configuration. The actions would be required to be accomplished in accordance with the SIL described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an 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 should 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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-ANE-32-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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

**97-17-05 Pratt & Whitney Canada:**  
Amendment 39-10107. Docket 97-ANE-32-AD.

*Applicability:* Pratt & Whitney Canada (PWC) PW118, PW118A, PW118B, PW119B, PW119C, PW120, PW120A, PW121, PW121A, PW123, PW123B, PW123C, PW123D, PW123E, PW124B, PW125B, PW126A, PW127, PW127E, and PW127F series turboprop engines installed on but not limited to Dornier 328, Fokker 50, Jetstream ATP, ATR42, ATR42-500, ATR72, Embraer EMB-120, and Dehaviland Dash-8-100/-200/-300/-315 engines.

**Note 1:** This airworthiness directive (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 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 a nacelle fire caused by fluid leaking from the gas generator case drain ports, accomplish the following:

(a) Within 10 hours time in service after the effective date of this AD, visually inspect the two gas generator case drain ports and ensure that they are connected to drain lines or capped, as applicable, to the appropriate aircraft installation configuration in accordance with PWC Service Information Letter (SIL) No. PW100-003, issued June 18, 1997.

(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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

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

(d) The actions required by this AD shall be performed in accordance with the following PWC SIL:

Document No.	Pages	Date
PW100-003 ....	1	June 18, 1997

Total pages: 1.

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 Pratt & Whitney Canada, 1000 Marie-Victorin, Longueuil, Quebec, Canada J4G1A1; telephone (514) 647-2866, fax (514) 647-2888. 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.

(e) This amendment becomes effective on September 9, 1997.

Issued in Burlington, Massachusetts, on August 12, 1997.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 97-22308 Filed 8-22-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-228-AD; Amendment 39-10097; AD 97-16-06]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A300-600 Series Airplanes; Correction

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This document corrects the compliance time information in airworthiness directive (AD) 97-16-06 that was published in the **Federal Register** on August 1, 1997 (62 FR 41257). A portion of the specified compliance times was inadvertently omitted in the AD. This AD is applicable to all Airbus Model A300-600 series airplanes, and requires an inspection to detect cracks of certain attachment holes; and installation of a new fastener and follow-on inspections or repair, if necessary.

DATES: Effective September 5, 1997.

The incorporation by reference of certain publications listed in the regulations was previously approved by the Director of the Federal Register as of

September 5, 1997 (62 FR 41257, August 1, 1997).

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 (425) 227-2797; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Airworthiness Directive (AD) 97-16-06, amendment 39-10097, applicable to all Airbus Model A300-600 series airplanes, was published in the **Federal Register** on August 1, 1997 (62 FR 41257). That AD requires an inspection to detect cracks of certain attachment holes; and installation of a new fastener and follow-on inspections or repair, if necessary.

As published, the phrase "whichever occurs later" after the compliance times specified in paragraphs (a)(1) and (a)(2) of the AD was inadvertently omitted.

Since no other part of the regulatory information has been changed, the final rule is not being republished.

The effective date of the AD remains September 5, 1997.

In rule FR Doc. 97-20131 published on August 1, 1997 (62 FR 41257), make the following corrections:

§39.13 [Corrected]

1. On page 41258, in the third column, paragraph (a)(1) of AD 97-16-06 is corrected to read as follows:

\* \* \* \* \*

(a) \* \* \*

(1) For airplanes on which Airbus Modification 10454 (reference Airbus Service Bulletin A300-57-6050) has not been installed: Inspect prior to the accumulation of 13,800 total landings, or within 750 landings after the effective date of this AD, whichever occurs later.

\* \* \* \* \*

2. On page 41258, in the third column, paragraph (a)(2) of AD 97-16-06 is corrected to read as follows:

\* \* \* \* \*

(a) \* \* \*

(2) For airplanes on which Airbus Modification 10454 (reference Airbus Service Bulletin A300-57-6050) or Airbus Modification 10155 has been installed: Inspect prior to the accumulation of 18,700 total landings, or within 750 landings after the effective date of this AD, whichever occurs later.

\* \* \* \* \*

Issued in Renton, Washington, on August 19, 1997.

S. R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-22488 Filed 8-22-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-AGL-23]

Modification of Class E Airspace; Grafton, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace at Grafton, ND. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway 17 and Amendment 1 to the GPS SIAP to Runway 35 have been developed for Grafton Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approaches. This proposal increases the radius, and adds an extension to the north and an extension to the south, of the existing Class E airspace. The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

EFFECTIVE DATE: 0901 UTC, November 6, 1997.

FOR FURTHER INFORMATION CONTACT: Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

SUPPLEMENTARY INFORMATION:

History

On Wednesday, May 28, 1997, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by modifying the Class E airspace at Grafton, ND (62 FR 28814). The proposal would add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA