

If the cancellation is oral, the cancellation will become effective immediately and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances allow, but within 20 days after oral notification of the cancellation. Any person whose certificate, limited permit, or compliance agreement has been canceled may appeal the decision, in writing, within 10 days after receiving the written cancellation notice. The appeal must state all of the facts and reasons that the person wants the Administrator to consider in deciding the appeal. A hearing may be held to resolve any conflict as to any material fact. Rules of practice for the hearing will be adopted by the Administrator. As soon as practicable, the Administrator will grant or deny the appeal, in writing, stating the reasons for the decision.

§ 301.89-8 Assembly and inspection of regulated articles.

(a) Persons requiring certification or other services must request the services from an inspector⁵ at least 48 hours before the services are needed.

(b) The regulated articles must be assembled at the place and in the manner the inspector designates as necessary to comply with this subpart.

§ 301.89-9 Attachment and disposition of certificates and limited permits.

(a) The consignor must ensure that the certificate or limited permit authorizing interstate movement of a regulated article is, at all times during interstate movement, attached to:

(1) The outside of the container encasing the regulated article;

(2) The article itself, if it is not in a container; or

(3) The consignee's copy of the accompanying waybill: Provided, that the descriptions of the regulated article on the certificate or limited permit, and on the waybill, are sufficient to identify the regulated article; and

(b) The carrier must furnish the certificate or limited permit authorizing interstate movement of a regulated article to the consignee at the shipment's destination.

§ 301.89-10 Costs and charges.

The services of the inspector during normal business hours will be furnished without cost to persons requiring the services. The user will be responsible for all costs and charges arising from inspection and other services provided outside of normal business hours.

§ 301.89-11 Treatments.

(a) All conveyances, mechanized farm equipment, seed-conditioning equipment, soil-moving equipment, grain elevators and structures used for storing and handling wheat, durum wheat, or triticale must be cleaned and disinfected by removing all soil and plant debris and:

(1) Wetting all surfaces to the point of runoff with a solution of sodium hypochlorite mixed with water applied at the rate of 1 gallon of commercial chlorine bleach (5.2 percent sodium hypochlorite) mixed with 2.5 gallons of water. The equipment or site should be thoroughly washed down after 15 minutes to minimize corrosion; or

(2) Applying steam to all surfaces until the point of runoff;

(3) Cleaning with a solution of hot water and detergent, under high pressure (at least 30 pounds per square inch), at a minimum temperature of 180 °F.; or

(4) Fumigating with methyl bromide at the dosage of 15 pounds/1000 cubic feet for 96 hours.

(b) Soil, and straw/stalks/seed heads for decorative purposes must be treated by fumigation with methyl bromide at the dosage of 15 pounds/1000 cubic feet for 96 hours.

Done in Washington, DC, this 25th day of March, 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-7545 Filed 3-27-96; 8:45 am]

BILLING CODE 3410-34-P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 2

Policy and Procedure for Enforcement Actions; Removal; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Policy statement: Correction.

SUMMARY: This document corrects a notice appearing in the Federal Register on June 30, 1995 (60 FR 34380), that announced the removal of the Nuclear Regulatory Commission's (NRC's) Enforcement Policy from the Code of Federal Regulations. This action is necessary to correct an inadvertent indication in the Paperwork Reduction Act Statement section that the policy statement did not include any information collection requirements. Because this notice and a second notice announcing the revision of the NRC's Enforcement Policy (60 FR 34381; June

30, 1995) were subsequently issued in their entirety as NUREG-1600, NUREG-1600 also includes this inadvertent indication. An errata for NUREG-1600 is being issued to address this issue.

FOR FURTHER INFORMATION CONTACT: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-2741.

On page 34380, in the third full paragraph in the third column, the correct Paperwork Reduction Act Statement for the NRC's Enforcement Policy should read: "This policy statement does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). Existing requirements were approved by the Office of Management and Budget, approval number 3150-0136. The approved information collection requirements contained in this policy statement appear in Section VII.C."

Dated at Rockville, Maryland, this 22nd day of March 1996.

For the Nuclear Regulatory Commission.
John C. Hoyle,

Secretary of the Commission.

[FR Doc. 96-7532 Filed 3-27-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-SW-04-AD; Amendment 39-9552; AD 96-07-03]

Airworthiness Directives; Societe Nationale Industrielle Aerospatiale and Eurocopter France Model AS 350B, BA, B1, B2, and D, and Model AS 355E, F, F1, F2, and N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Societe Nationale Industrielle Aerospatiale and Eurocopter France (Eurocopter France) Model AS 350B, BA, B1, B2, and D, and Model AS 355E, F, F1, F2, and N helicopters, without an autopilot installed, that requires a visual inspection to determine whether the cyclic pitch change control rod (rod) end fittings were safetied, and removal

⁵ See footnote 2.

and replacement of the rod if the rod end fittings were not safetied. This amendment is prompted by a manufacturer's report that some of the rod end fittings had not been safetied at the factory. The actions specified by this AD are intended to prevent loss of tightening torque on the adjustment nuts of the rod, shifting of the neutral point of the cyclic stick, reduction in the amount of available movement of the cyclic stick in the roll axis, and subsequent reduction in the controllability of the helicopter.

EFFECTIVE DATE: Effective May 2, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Monschke, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5116, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to Eurocopter France Model AS 350B, BA, B1, B2, and D, and Model AS 355E, F, F1, F2, and N helicopters, without an autopilot installed, was published in the Federal Register on November 1, 1995 (60 FR 55491). That action proposed to require a visual inspection to confirm that the rod end fittings are safetied, and removal and replacement of the rod, if necessary.

Eurocopter France has issued Eurocopter Service Bulletin No. 01.38, dated June 26, 1994, for the Model AS 355 series helicopters, and Eurocopter Service Bulletin No. 01.42, dated June 28, 1994, for the Model AS 350 series helicopters, which specifies a visual inspection to determine whether the rod end fittings have been safetied; reinstallation of the forward lower fairing if the rod end fittings have been safetied, and removal and replacement of the rod with an airworthy rod and reinstallation of the forward lower fairing if the rod end fittings have not been safetied. The Direction Generale De L'Aviation Civile, which is the airworthiness authority for France, classified this service bulletin as mandatory and issued AD 94-179-051(B) and AD 94-180-069(B), both dated August 3, 1994, in order to assure the continued airworthiness of these helicopters in France.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. However, a note has been inserted at the end of paragraph (c) to alert the reader that a

Eurocopter Service Bulletin has been issued that pertains to the requirements of this AD. The FAA has determined that air safety and the public interest require the adoption of the rule with the noted change.

The FAA estimates that 498 helicopters of U.S. registry will be affected by this AD, that it will take approximately one-fourth of a work hour per helicopter to inspect the rod end fittings, and 1 work hour to remove and reinstall the rod, if necessary, and that the average labor rate is \$60 per work hour. Required parts will be provided by the manufacturer. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$37,350.

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, 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

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

AD 96-07-03 Societe Nationale Industrielle Aerospatiale and Eurocopter France: Amendment 39-9552. Docket No. 95-SW-04-AD.

Applicability: Model AS 350B, BA, B1, B2, and D, and Model AS 355E, F, F1, F2, and N helicopters, with cyclic pitch change control rod, part number (P/N) 704A34-113-279, installed, and without an autopilot installed, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters 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 (d) 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 helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent loss of tightening torque on the adjustment nuts of the cyclic pitch change control rod, shifting of the neutral position of the cyclic stick, reduction in the amount of available movement of the cyclic stick in the roll axis, and subsequent reduction in the controllability of the helicopter, accomplish the following:

(a) Within 100 hours time-in-service (TIS) after the effective date of this AD, remove the forward lower fairing and visually inspect the cyclic pitch change control rod (rod), P/N 704A34-113-279, to determine whether the end fittings have been safetied (see Figure 1, Detail 1, tabs bent around the adjustment nut).

(b) If the visual inspection indicates that the rod end fittings have been safetied, reinstall the forward lower fairing.

(c) If the visual inspection indicates that the rod end fittings have not been safetied (see Figure 1, Detail 2, tabs not bent around the adjustment nut), accomplish the following in accordance with the applicable maintenance manual:

- (1) Immobilize the cyclic control.
- (2) Remove the rod and replace it with an airworthy rod on which the rod end fittings have been safetied.
- (3) Reinstall the forward lower fairing.

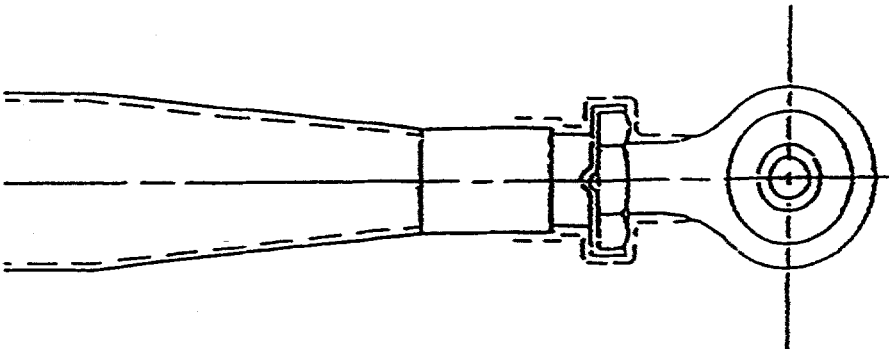
(4) Verify proper operation of the cyclic control.

Note 2: Eurocopter Service Bulletin No. 01.38, dated June 26, 1994, for the Model AS 355 series helicopters, and Eurocopter Service Bulletin No. 01.42, dated June 28, 1994, for the Model AS 350 series helicopters, pertain to this subject.

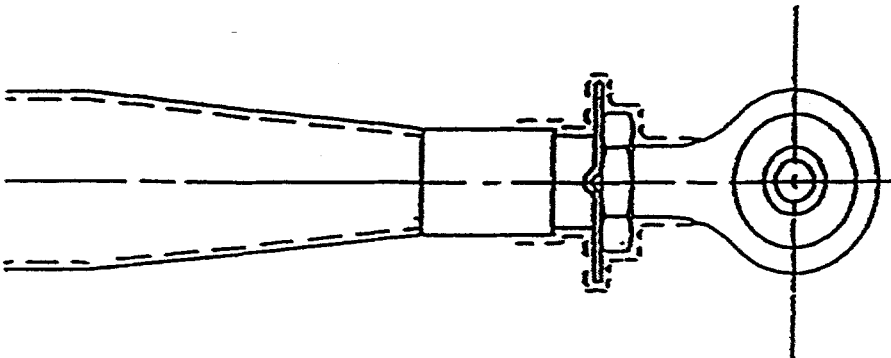
(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used when approved by the Manager, Rotorcraft Standards Staff, FAA, Rotorcraft Directorate. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

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DETAIL 1



DETAIL 2

(e) 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 helicopter to a location where the requirements of this AD can be accomplished.

(f) This amendment becomes effective on May 2, 1996.

Issued in Fort Worth, Texas, on March 20, 1996.

Daniel P. Salvano,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 96-7494 Filed 3-27-96; 8:45 am]

BILLING CODE 4910-13-U

FEDERAL TRADE COMMISSION

16 CFR Part 460

Trade Regulation Rule: Labeling and Advertising of Home Insulation

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (the "Commission" or "FTC") announces it is retaining its Trade Regulation Rule Concerning the Labeling and Advertising of Home Insulation ("R-value Rule" or "Rule") and adopting non-substantive amendments to the Rule. The Commission amends section 460.5(a) of the R-value Rule to allow use of the R-value test procedure in American Society of Testing and Materials ("ASTM") standard test method C 1114-95. The Commission also amends sections 460.5(a), 460.5(a)(2), 460.5(b), and 460.5(d)(1) to specify revised versions of additional ASTM standards that are required for determining the R-value of home insulation. Further, the Commission amends the Rule to add a summary of the exemptions from specific requirements of the Rule that the Commission previously granted for certain classes of persons covered by the Rule. Last, the Commission adopts a non-substantive amendment to revise section 460.10 to cross-reference the Commission's enforcement policy statement for foreign language advertising in 16 CFR 14.9 and to delete the current Appendix to the Rule, which merely repeats the text of 16 CFR 14.9.

EFFECTIVE DATE: The amendments are effective on April 29, 1996. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 29, 1996.

FOR FURTHER INFORMATION CONTACT: Kent C. Howerton, Attorney, Federal Trade

Commission, Washington, DC 20580, (202) 326-3013 (voice), (202) 326-3259 (fax).

SUPPLEMENTARY INFORMATION:

I. Introduction

On April 6, 1995, as part of its oversight responsibilities and its program to review all current Commission rules and guides periodically, the Commission solicited public comments about the economic impact of and current need for the R-value Rule, 60 FR 17492 (1995).¹ At the same time, the Commission solicited comments on a petition ("Petition") requesting the Commission to approve an additional (fifth) ASTM R-value test procedure as an optional, but not required, test procedure for determining the R-value of home insulation under the Rule.

The Commission received 42 comments in response to the April 6, 1995 notice.² The commenters included

¹ The Commission reviewed the Rule in 1985 under the Regulatory Flexibility Act, 5 U.S.C. 610, to determine the economic impact of the Rule on small entities. Based on that review, the Commission determined that: There was a continuing need for the Rule; there was no basis to conclude that the Rule had a significant impact on a substantial number of small entities; there was no basis to conclude that the Rule should be amended to minimize its economic impact on small entities; the Rule did not generally overlap, duplicate, or conflict with other regulations; and technological, economic, and other changes had not affected the Rule in any way that would warrant amending the Rule. 50 FR 13246 (1985).

² Plymuth Foam Products ("Plymouth"), comment number #01; Advanced Foil Systems ("AFS"), #02; W.H. Porter, Inc. ("Porter"), #03; Benchmark Foam, Inc. ("Benchmark"), #04; Big Sky Insulations, Inc. ("Big Sky"), #05; Rock Wool Manufacturing Co. ("Rock Wool Mfg./1"), #06; Rose E. Kettering ("Kettering"), #07; Matt Anderson ("Anderson"), #08; Marilyn Raeth ("Raeth"), #09; James A. McGarry ("McGarry"), #10; Structural Insulated Panel Association ("SIPA"), #11; Tierra Consulting Group ("Tierra"), #12; EPS Molders Association ("EPSMA"), #13; Western Insulfoam, Division of Premier Industries, Inc. ("Western"), #14; Fi-Foil Co., Inc. ("Fi-Foil/Nowman"), #15; Regal Industries, Inc. ("Regal"), #16; Insulation Contractors Association of America ("ICAA/1"), #17; England & Associates ("England"), #18; Cellulose Insulation Manufacturers Association ("CIMA"), #19; GreenStone Industries ("Greenstone/Tranmer"), #20; Styropor Business, BASF Corporation ("BASF"), #21; Hamilton Mfg., Inc. ("Hamilton"), #22; Energy Control, Inc. ("ECT"), #23; North American Insulation Manufacturers Association ("NAIMA"), #24; The Celotex Corporation ("Celotex"), #25; Tennessee Technological University, ("TN Tech"), #26; Superior Aluminum Insulation Inc. ("Superior"), #27; Oak Ridge National Laboratory ("ORNL/Yarbrough"), #28; Oak Ridge National Laboratory ("ORNL/Wilkes"), #29; Polyisocyanurate Insulation Manufacturers Association ("PIMA"), #30; Midwest Roofing Contractors Association ("MRCA"), #31; GreenStone Industries ("GreenStone/Smith"), #32; Insulspan, Inc. ("Insulspan"), #33; Clayville Insulation ("Clayville"), #34; Tascon, Inc. ("Tascon"), #35; FischerSips Inc. ("FischerSips"), #36; Dow Chemical Canada Inc. ("Dow/Canada"), #37; AFM Corporation ("AFM"), #38; Rock Wool

the following parties: Manufacturers of cellular plastics, cellulose, mineral fiber, and reflective insulation products; manufacturers of structural insulated panels; trade associations comprised of manufacturers of insulation products and structural insulated panels, professional installers, and roofing contractors; independent technical consultants to industry; a government contractor; and individual consumers. Specific issues addressed by the commenters are described below in Parts III through VI.

II. Requirements of the R-Value Rule

The Commission promulgated the R-value Rule under section 18 of the FTC Act, 15 U.S.C. 57a, on August 27, 1979.³ The Rule became effective on September 29, 1980, 45 FR 54702 (1980).

The R-value Rule covers home insulation products. The Rule defines "insulation" as any product mainly used to slow down heat flow, for example through a house's exterior walls, attic, floors over crawl spaces, or basement. It defines "home insulation" as insulation used in old or new houses, condominiums, cooperatives, apartments, modular homes, and mobile homes. The Rule does not cover insulation products sold for use in commercial or industrial buildings, such as offices or factories. It does not apply to other products with insulating characteristics, such as storm windows or doors.

The Rule applies to home insulation manufacturers, professional installers, retailers, and new home sellers (including sellers of manufactured or mobile homes). It also applies to testing laboratories that conduct R-value tests for home insulation manufacturers or other sellers who use the test results as the basis for making R-value claims about home insulation products.

The Rule requires that those who manufacture or sell thermal insulation products for use in residential structures disclose specific information about the thermal performance of the insulation at

Manufacturing Co. ("Rock Wool Mfg./2"), #39; Insulation Contractors Association of America ("ICAA/2"), #40; Corbond Corp. ("Corbond"), #41; Fi-Foil Co., Inc. ("Fi-Foil/Lippy"), #42. The April 6, 1995 notice is filed as document number B172394. The comments submitted in response to the that notice are filed as document numbers B17239400001, B17239400002, etc. In today's notice, the comments are cited as #01, #02, etc. The Commission's staff added an additional letter from the Petitioner, R. S. Graves, R & D Services, Inc. This letter, cited as Graves, #43, was not filed as a comment in response to the April 6, 1995 notice, but instead, as a response to a request for clarification from the Commission's staff. See Part V and note 64, *infra*.

³ Final trade regulation rule ("Statement of Basis and Purpose" or "SBP"), 44 FR 50218 (1979).