acreage on the calendar date for the beginning of the insurance period.

(c) If you relinquish your insurable share on any insurable acreage of citrus trees on or before the acreage reporting date for the crop year, insurance will not be considered to have attached to, and no premium will be due, and no indemnity paid for such acreage for that crop year unless:

(1) A transfer of coverage and right to an indemnity, or a similar form approved by us, is completed by all affected parties;

(2) We are notified by you or the transferee in writing of such transfer on or before the acreage reporting date; and

(3) The transferee is eligible for crop insurance.

10. Causes of Loss

In accordance with the provisions of section 12 (Causes of Loss) of the Basic Provisions (§ 457.8), insurance is provided only against the following causes of loss that occur within the insurance period:

(a) Excess moisture;

(b) Excess wind;

(c) Fire, unless weeds and other forms of undergrowth have not been controlled or pruning debris has not been removed from the grove;

(d) Freeze;

(e) Hail;

(f) Tornado; or

(g) Failure of the irrigation water supply, if caused by one of the causes of loss contained in (a) through (f) of this section that occurs during the insurance period.

11. Duties In The Event of Damage or Loss

In addition to the provisions of section 14 (Duties in the Event of Damage or Loss) of the Basic Provisions (§ 457.8), in case of damage or probable loss, if you intend to claim an indemnity on any unit, you must allow us to inspect all insured acreage before pruning, dehorning, or removal of any damaged trees.

12. Settlement of Claim

(a) In the event of damage covered by this policy, we will settle your claim on a unit basis by:

(1) Determining the actual percent of damage for any tree and for the unit in accordance with subsections 12 (b), (c), and (d) of these provisions;

(2) Subtracting your deductible from the percentage of damage for the unit;

(3) Subtracting any percentage of damage paid previously in the same crop year from the result of (2);

(4) Dividing the result of (3) by your coverage level percentage;

(5) Multiplying the result of (4) by the amount of insurance per acre;

(6) Multiplying the result of (5) by the number of insured acres; and

(7) Multiplying the result of (6) by your share.

(b) The percent of damage for any tree will be determined as follows:

(1) For damage occurring during the year of set out (trees that have not been set out for at least one year at the time insurance attaches):

(i) One-hundred percent (100%) whenever there is no live wood above the bud union.

(ii) Ninety percent (90%) whenever there is less than twelve (12) inches of live wood above the bud union; or

(iii) Zero percent (0%) (the tree will be considered undamaged) if more than twelve (12) inches of wood above the bud union is alive; or

(2) For damage occurring in any year following the year of set out, the percentage of damage will be determined by dividing the number of scaffold limbs damaged in an area from the trunk to a length equal to one-fourth (¼) the height of the tree, by the total number of scaffold limbs before damage occurred. Whenever this percentage is over eighty percent (80%), the tree will be considered as one-hundred percent (100%) damaged.

(c) The percent of damage for the unit will be determined by computing the average of the determinations made for the individual trees.

(d) The percent of damage on the unit will be reduced by the percentage of damage due to uninsured causes.

13. Written Agreement

Designated terms of this policy may be altered by written agreement in accordance with the following:

(a) You must apply in writing for each written agreement no later than the sales closing date, except as provided in section 13(e);

(b) The application for written agreement must contain all terms of the contract between you and us that will be in effect if the written agreement is not approved;

(c) If approved, the written agreement will include all variable terms of the contract, including, but not limited to, crop type or variety, the guarantee, premium rate, and price election;

(d) Each written agreement will only be valid for one year (If the written agreement is not specifically renewed the following year, insurance coverage for subsequent crop years will be in accordance with the printed policy); and

(e) An application for written agreement submitted after the sales closing date may be approved if, after a physical inspection of the acreage, it is determined that no loss has occurred and the crop is insurable in accordance with the policy and written agreement provisions.

Signed in Washington, D.C., on August 22, 1996.

Kenneth D. Ackerman,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 96–22032 Filed 8–28–96; 8:45 am]

BILLING CODE 3410–FA–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–125–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 757 and 767 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 757 and 767 series airplanes. This proposal would require replacement of the thrust management computer (TMC) with a new TMC. This proposal is prompted by reports that, due to a defective relay within the TMC, an uncommanded advancement of the throttle levers occurred. The actions specified by the proposed AD are intended to prevent an uncommanded runaway of the autothrottle during flight or ground operations, which could distract the crew from normal operation of the airplane or lead to an unintended speed or altitude change.

DATES: Comments must be received by October 7, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–125–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Forrest Keller, Senior Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2790; fax (206) 227–1181.

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 shall 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 96–NM–125–AD.'' 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, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–125–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received two reports of uncommanded advancement of the throttle levers on Boeing Model 757 series airplanes. In one of these incidents, during flight, the flightcrew had to overpower the autothrottle to control the airspeed of the airplane. In the other incident, a similiar event occurred while the airplane was on the ground. In both of these incidents, the throttle levers continued to advance even though the flightcrew activated the autothrottle disconnect switch and switched the ARM switch of the mode control panel (MCP) to the 'off' position. Results of testing on the thrust management computer (TMC) revealed that the cause of the uncommanded advancement of the autothrottle lever was attributed to a defective relay within the TMC. This condition, if not corrected, could result in a runaway of the autothrottle during flight or ground operations, and, consequently, distract the crew from normal operation of the airplane or lead to an unintended speed or altitude change.

The TMC of Model 767 series airplanes is similar in design to that installed on Model 757 series airplanes. Therefore, the FAA has determined that both of these models may be subject to this same unsafe condition.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 757–22A0052, dated May 30, 1996 (for Model 757 series airplanes), and Boeing Alert Service Bulletin 767–22A0097, dated May 30, 1996 (for Model 767 series airplanes). These service bulletins describe procedures for replacement of the TMC with a new TMC in the E1–3 shelf in the main equipment center. Accomplishment of the replacement will correct the previous problem with the relay and prevent a runaway condition of the autothrottle.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require replacement of the TMC with a new TMC in the E1–3 shelf in the main equipment center. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Cost Impact

There are approximately 1,339 Boeing Model 757 and 767 series airplanes (716 Model 757 series airplanes and 623 Model 767 series airplanes) of the affected design in the worldwide fleet. The FAA estimates that 558 Model 757 and 767 series airplanes (356 Model 757 series airplanes and 202 Model 767 series airplanes) of U.S. registry would be affected by this proposed AD. The proposed replacement would take approximately 3 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. The cost of the required parts would be nominal. Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators is estimated to be $100,440, or $180 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

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 U.S.C. 106(g), 40113, 44701.

§ 39.13—[Amended]

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

Boeing: Docket 96–NM–125–AD.

Applicability: Model 757 series airplanes, having line positions 001 through 716, inclusive; and Model 767 series airplanes having line positions 001 through 556 inclusive, 558 through 587 inclusive, and 589 through 615 inclusive; 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 runaway of the autothrottle during flight or ground operations, which could distract the crew from normal operation of the airplane or lead to an unintended speed or altitude change, accomplish the following:

(a) Within 6 months after the effective date of this AD, replace the thrust management computer with a new thrust management computer in the E1–3 shelf in the main equipment center, in accordance with the Boeing Alert Service Bulletin 757–22A0052, dated May 30, 1996 (for Model 757 series airplanes), or Boeing Alert Service Bulletin 767–22A0097, dated May 30, 1996 (for Model 767 series airplanes), as applicable.

(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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

Issued in Renton, Washington, on August 22, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–22013 Filed 8–28–96; 8:45 am]

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14 CFR Part 39

[Docket No. 96–NM–135–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–10–10, –30, and –40 Series Airplanes, and KC–10 (Military) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–10–10, –30 and –40 series airplanes, and KC–10 (military) series airplanes. This proposal would require repetitive high frequency eddy current (HFEC) inspections to detect cracks in the number 4 banjo fitting on the rear spar of the vertical stabilizer, and repair and modification of the vertical stabilizer, if necessary. It also would require the installation of a modification as terminating action for the repetitive inspections. This proposal is prompted by reports of failed attach bolts and cracking found in the area of the number 4 banjo fitting, which were caused by higher than normal operating stresses. The actions specified by the proposed AD are intended to prevent reduction in the structural integrity of this fitting due to failed bolts and cracking. This condition, if not corrected, could ultimately lead to reduced controllability of the airplane during flight and ground operations.

DATES: Comments must be received by October 7, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–135–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington, or the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Ron Atmur, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5224; fax (310) 627–5210.

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 shall 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 96–NM–135–AD.'' 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, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–135–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of failure of the bolts that connect the lower web of the pylon of the number 2 tail engine to the number 4 banjo fitting on the rear spar of the vertical stabilizer on McDonnell Douglas Model DC–10 series airplanes. Such failures occurred on airplanes that had been operated for 10,300 to 16,000 total flight hours, and had made 4,400 to 7,000 landings. In addition, an operator found a crack in the aft flange of the number 4 banjo fitting; this airplane had been operated for 48,500 total flight hours and had made 10,418 landings. These discrepancies have been attributed to higher than normal stresses on the airplane in this area of the number 4 banjo fitting, resulting from excessive maneuvers, excessive turbulence, and hard landings. Such discrepancies, if not corrected, could result in a reduction in the structural integrity of the number 4 banjo fitting and, ultimately, could lead to reduced controllability of the airplane during flight and ground operations.