

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Parts 1, 2, and 3

[Docket No. 95-099-1]

#### Dogs and Cats in Commercial Pet Trade; Public Meetings

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice of public meetings.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service is hosting two public meetings to gather information on the current Animal Welfare Act regulations and standards that apply to the care of dogs and cats in the commercial pet trade. In line with our commitment to ensure appropriate care for animals regulated under the Animal Welfare Act, we are reviewing these regulations and standards and are seeking recommendations and opinions from the affected industries and concerned public to determine whether revisions are necessary.

**DATES:** Each meeting will be held on two consecutive half days—from 1 p.m. until 5 p.m. on the first day and from 8 a.m. until noon on the second day. The first meeting will be held in Kansas City, MO, February 21 and 22, 1996. The second meeting will be held in St. Louis, MO, February 23 and 24, 1996.

**ADDRESSES:** The public meetings will be held at the following locations:

1. Kansas City, MO: Kansas City Convention Center, Bartle Hall, 301 W. 13th Street, Kansas City, MO. Telephone 1-800-821-7060 or (816) 871-3700. Parking at the Convention Center (between Central Street and Broadway) is approximately \$6 per day. Participants should enter the meeting areas (2200 Series) through Lobby 200 on the first floor of Bartle Hall. Members of the public requiring lodging reservations in Kansas City can contact the Kansas City Marriott Hotel-

Downtown, 200 W. 12th Street, Kansas City, MO 64105. Telephone 1-800-548-4782 or (816) 421-6800.

2. St. Louis, MO: Regal Riverfront Hotel, 200 South 4th Street, St. Louis, MO, Telephone 1-800-325-7353 or (314) 241-9500, Fax (314) 421-3555.

For hotel reservations at either location, request lodging for "USDA Public Meeting."

**FOR FURTHER INFORMATION CONTACT:** Mr. Stephen Smith, Animal Health Technician, Animal Care Staff, REAC, APHIS, USDA, 4700 River Road Unit 84, Riverdale, MD 20737-1234, (301) 734-4972.

**SUPPLEMENTARY INFORMATION:** Under the Animal Welfare Act (AWA) (7 U.S.C. 2131 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) is responsible for regulating the care provided to certain animals, including dogs and cats in the commercial pet trade. APHIS believes the AWA regulations and standards pertaining to such dogs and cats may need to be updated. APHIS officials are reviewing the pertinent AWA regulations and standards.

In conducting this review, the agency is seeking recommendations and opinions regarding the housing, care, handling, and transportation of dogs and cats in the commercial pet trade. APHIS officials have decided to hold three meetings to gather input from the public, animal protection organizations, and members of affected industries, such as dealers, research facilities, and commercial animal transporters. The locations of the meetings were selected based on the high concentrations of licensed animal dealers operating within close proximity. We also anticipate holding a meeting in the Washington, DC, area. Notice of this meeting will be given in a future Federal Register notice.

The meetings will include four workshops facilitated by trained APHIS facilitators: (1) Space requirements for primary enclosures, including room for exercise; (2) sanitation, materials, flooring, and construction of primary enclosures; (3) veterinary care and breeding frequency; and (4) transportation by land and by air. In these workshops, group participation will be used to develop recommendations within specific topic areas. After the workshops have concluded, each workshop group will

report its recommendations to the entire meeting.

APHIS will consider these recommendations in developing any revisions to the current AWA regulations and standards. The Agency will initiate rulemaking for any changes deemed appropriate.

Participants should attend the same workshop for the entire meeting. Registration for workshop sessions will be held from 11 a.m.-1 p.m. on the first day of each meeting, with the general session beginning at 1 p.m. Meeting participants should select a first and second choice for workshop attendance because of space availability.

Done in Washington, DC, this 8th day of February 1996.

Terry L. Medley,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96-3241 Filed 2-12-96; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-NM-59-AD]

#### Airworthiness Directives; Fokker Model F28 Mark 0100 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 Fokker Model F28 Mark 0100 series airplanes. This proposal would require inspections to detect cracking of the Hi-lok bolt holes in the main hinge fittings of the horizontal stabilizer, and repair, if necessary. The proposed AD also would require modification of the main hinge fitting, modification or replacement of rib connecting angles, and modification of ribs. This proposal is prompted by a report that cracking was found in the main hinge fittings of the horizontal stabilizer during fatigue testing. The cracking was a result of higher-than-anticipated loads induced during operation of the thrust reverser. The actions specified by the proposed AD are intended to prevent

deterioration of the fatigue life of the main hinge fittings of the horizontal stabilizer and reduced structural integrity of the horizontal stabilizer due to higher induced loads.

**DATES:** Comments must be received by March 25, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-59-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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2141; fax (206) 227-1149.

#### **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 95-NM-59-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. 95-NM-59-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F28 Mark 0100 series airplanes. The RLD advises that it received a report indicating that, during full-scale fatigue tests of a Model F28 Mark 0100 test article, cracking was found in the flanges of the left and right-hand main hinge fittings of the horizontal stabilizer. Such cracking is attributed to higher than anticipated loads on the horizontal stabilizer during operation of the thrust reverser. This condition, if not corrected, could result in a deteriorated fatigue life of the main hinge fittings of the horizontal stabilizer, and reduced structural integrity of the horizontal stabilizer.

Fokker has issued Service Bulletin SBF100-55-021, Revision 2, dated December 27, 1993, which describes procedures for a rotor probe inspection and a pencil probe inspection to detect cracking of the Hi-lok bolt holes in the main hinge fittings of the horizontal stabilizer. For airplanes on which either no cracking or cracking within specified limits is found, the service bulletin describes procedures for the following:

1. Modification of the main hinge fittings on the horizontal stabilizer and modification or replacement of the connecting angles at Rib 215; and
2. Modification of Rib 215 of the horizontal stabilizer to close the lightening holes.

These modifications entail modifying the Hi-lok bolt holes by cold expansion, and stiffening the ribs at Station 215. Accomplishment of these modifications will increase the fatigue life of the main hinge fittings.

The RLD classified this Fokker service bulletin as mandatory and issued Netherlands airworthiness directive BLA 93-137/2 (A), dated February 21, 1994, in order to assure the continued airworthiness of these airplanes in the Netherlands.

This airplane model is manufactured in the Netherlands 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, the RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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, the proposed AD would require a rotor probe inspection and a pencil probe inspection to detect cracks of the Hi-lok bolt holes in the main hinge fittings of the horizontal stabilizer for. For certain airplanes, the proposed AD also would require modification of the Hi-lok bolt holes by cold expansion and stiffening of the ribs at Station 215. The inspections and modification would be required to be accomplished in accordance with the service bulletin described previously. For certain other airplanes, the proposed AD would require the correction of certain cracking found, in accordance with a method approved by the FAA.

The FAA estimates that 90 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 136 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$1,800 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$896,400, or \$9,960 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.

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:

Fokker: Docket 95–NM–59–AD.

Applicability: Model F28 Mark 0100 airplanes; having serial numbers 11244 through 11420 inclusive, 11422, 11424 through 11428 inclusive, 11432 through 11439 inclusive, and 11443 through 11445 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 (d) 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 reduced structural integrity of the horizontal stabilizer, accomplish the following:

Note 2: Inspections and modifications accomplished prior to the effective date of this amendment in accordance with Fokker Service Bulletin SBF100–55–021, Revision 1, dated September 6, 1993, are considered acceptable for compliance with the

inspections and modifications required by this amendment.

(a) Prior to the accumulation of 15,000 total flight cycles, or within 1 year after the effective date of this AD, whichever occurs later: Perform a rotor probe inspection and a pencil probe inspection to detect cracking of the Hi-lok bolt holes in the main hinge fittings of the horizontal stabilizer, in accordance with Part 5 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–55–021, Revision 2, dated December 27, 1993. This inspection is not required for airplanes that have been modified as specified in paragraph (b) of this AD, provided that the modification is accomplished prior to the accumulation of 1,000 total flight cycles.

(b) Either prior to the accumulation of 1,000 total flight cycles; or prior to further flight after the inspection required by paragraph (a) of this AD if, as a result of that inspection, no cracking is found, or all cracks that are found are less than or equal to the values specified in the Decision Diagram (Figure 2) of Fokker Service Bulletin SBF100–55–021, Revision 2, dated December 27, 1993: Accomplish the modification requirements specified in paragraph (b)(1) and (b)(2) of this AD.

(1) Modify the main hinge fittings of the horizontal stabilizer; and replace or modify the connecting angles at Rib 215, as applicable; in accordance with Fokker Service Bulletin SBF100–55–021, Revision 2, dated December 27, 1993, and as specified in either paragraph (b)(1)(i) or (b)(1)(ii) of this AD, as applicable.

(i) For airplanes that have accumulated less than 1,000 total flight cycles at the time of modification: Accomplish the modification in accordance with either Part 3 or Part 4 of the Accomplishment Instructions of the service bulletin, as applicable.

(ii) For airplanes that have accumulated 1,000 or more total flight cycles at the time of modification: Accomplish the modification in accordance with either Part 6 or Part 7 of the Accomplishment Instructions of the service bulletin, as applicable.

(2) Modify Rib 215 of the horizontal stabilizer to close the lightening holes in accordance with Part 8 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–55–021, Revision 2, dated December 27, 1993.

(c) If any cracking is found as a result of the inspection required by paragraph (a) of this AD, and the cracking exceeds the values specified in the Decision Diagram (Figure 2) of Fokker Service Bulletin SBF100–55–021, Revision 2, dated December 27, 1993: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(d) 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. 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.

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

Issued in Renton, Washington, on February 7, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96–3151 Filed 2–12–96; 8:45 am]

**BILLING CODE 4910–13–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[IL106–1–6707b; FRL–5411–4]

### Approval and Promulgation of Implementation Plans; Illinois

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (USEPA) proposes to approve Illinois' State Implementation Plan (SIP) revision request, submitted on May 5, 1995, and May 26, 1995, which tightens the stringency of Volatile Organic Matter emission limitations for certain surface coating operations in the Chicago and Metro-East St. Louis ozone nonattainment areas. In the final rules section of this Federal Register, the USEPA is approving this action as a direct final rule without prior proposal because USEPA views this as a noncontroversial action and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If USEPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on the proposed rule. USEPA will not institute a second comment period on this action. Any parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this proposed rule must be received on or before March 14, 1996.