

15, will relieve restrictions on District 2 shippers and help them become more competitive with shippers from these production areas without diminishing program objectives.

Section 8e provides that whenever certain specified commodities, including onions, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality, and maturity requirements as those in effect for the domestically produced commodity, subject to concurrence by the United States Trade Representative. The Act further provides that when two or more marketing orders covering the same commodity are concurrently in effect, imports will be subject to the requirements established for the commodity grown in the area with which the imported commodity is in most direct competition. Because this rule changes the regulatory period under the South Texas onion marketing order, corresponding changes will be needed in the onion import regulations. Such changes are addressed in a separate onion import rule.

The proposed rule concerning this action was published in the February 20, 1996, Federal Register (61 FR 6328), with a 30-day comment period ending March 21, 1996. One comment was received in opposition to the proposed rule from a packer. The commenter stated that both South Texas and Idaho-Eastern Oregon successfully compete with onion producing areas that are not regulated. He further stated that he believed that the order was necessary to improve quality and thus make the production area a stronger competitor in the onion industry. The committee contends that this competition tends to bring about low prices to the late producing areas, and sometimes the addition of an administrative assessment and inspection fee may leave the shipper of late season South Texas onions at a competitive disadvantage. Thus, the committee believes that removing inspection and assessment requirements for a very short period will help shippers of late onions meet the competition from production areas outside of South Texas without diminishing program objectives.

After thoroughly analyzing the comment received and other available information, the Department has concluded that ending the regulatory period on June 4, rather than June 15, as recommended by the committee will reduce the regulatory burden on late season shippers and help them compete more effectively with shippers from unregulated areas in the United States without adversely affecting the overall

objectives of the marketing order. As mentioned earlier, onion prices are usually quite low late in the season and unregulated areas have a competitive advantage over the late season shippers from South Texas because inspection costs for quality control purposes and administrative assessments are not incurred by shippers from many of these areas.

This final rule also changes the name of the largest size classification of onions under the handling regulation (7 CFR 959.322(b)(5)) from "Extra large" to "Colossal" to bring that designation into conformity with the designation used in the U.S. Standards for Grades of Bermuda-Granex-Grano Type Onions (7 CFR 51.3195-51.3209), and the U.S. Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types) (7 CFR 51.2830-51.2854). The standards were revised effective October 10, 1995 (60 FR 46976). One of the revisions was the addition of a new size classification called "Colossal" for onions 3¾ inches or larger in diameter. A conforming change failed to be made in the handling regulations and onions of this size continued to be referred to as "Extra large" in paragraph (b)(5) of section 959.322. Hence, this term should be changed to "Colossal" to bring the handling regulation into conformity with the standards. The committee recommended this minor conforming change.

In accordance with section 8e of the Act, the United States Trade Representative has concurred with the issuance of this final rule.

Based on the above, the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including the information and recommendations submitted by the commenter, 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 further found that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register because: (1) This regulation relaxes restrictions on South Texas onion handlers by ending regulations on June 4 of each season rather than June 15 of each season; (2) the shipping season for South Texas onions has already begun and the committee would like this action effective for this season; (3) changing the ending date of the handling regulation was discussed at a public meeting, and all interested persons had

an opportunity to provide input; and (4) there are no additional regulatory burdens imposed by this rule which require special preparations of handlers.

List of Subjects in 7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 959 is hereby amended as follows:

PART 959—ONIONS GROWN IN SOUTH TEXAS

1. The authority citation for 7 CFR part 959 continues to read as follows:

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

2. In § 959.322, the introductory text and paragraph (b)(5) are revised to read as follows:

§ 959.322 Handling regulation.

During the period beginning March 1 and ending June 4, no handler shall handle any onions unless they comply with paragraphs (a) through (d), or (e), or (f) of this section. In addition, no handler may package or load onions on Sunday during the period March 1 through May 20.

* * * * *

(b) * * *

(5) "Colossal"—3¾ inches or larger in diameter.

* * * * *

Dated: May 14, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96-12434 Filed 5-16-96; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90-CE-62-AD; Amendment 39-9621; AD 96-10-14]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) PA31, PA31P, and PA31T Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 88-05-05, which currently requires the following on certain The New Piper Aircraft, Inc. (Piper) PA31, PA31P, and PA31T series airplanes: repetitively inspecting both

the left and right main landing gear (MLG) forward sidebrace, and replacing any cracked MLG forward sidebrace. The Federal Aviation Administration's policy on aging commuter-class aircraft is to eliminate or, in certain instances, reduce the number of certain repetitive short-interval inspections when improved parts or modifications are available. This action retains the current repetitive inspection and necessary replacement requirements contained in AD 88-05-05, and requires incorporating both a left and right MLG forward sidebrace of improved design as terminating action for the repetitive inspection requirement. The actions specified in this AD are intended to prevent the MLG from retracting because of a cracked MLG forward side brace, which, if not detected and corrected, could result in gear collapse and loss of control of the airplane during landing operations.

DATES: Effective June 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 27, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 90-CE-62-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper PA31, PA31P, and PA31T series airplanes was published in the Federal Register on December 7, 1995 (60 FR 62776). The action proposed to supersede AD 88-05-05 with a new AD that would (1) retain the requirement of repetitively inspecting both the left and right MLG forward sidebrace for cracks, and replacing any cracked MLG forward sidebrace; and (2) require replacing both

the left and right MLG forward sidebrace with a part of improved design, part number (P/N) 85165-02 (left) and 85165-03 (right) or P/N 85166-02 (left) and 85166-03 (right), as applicable, as terminating action for the repetitive inspection requirement. Accomplishment of the proposed inspections would be in accordance with Piper Service Bulletin No. 845A, dated October 9, 1987. The improved MLG forward sidebrace installations would be accomplished in accordance with the applicable maintenance manual.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 2,384 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 8 workhours per airplane to accomplish the required replacement, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$1,000 per airplane (2 MLG forward sidebraces per airplane at approximately \$500 per sidebrace). Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$3,528,320 or \$1,480 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required replacement.

Piper has informed the FAA that parts have been distributed to owners/operators to equip 2,123 of the affected airplanes (4,246 MLG forward sidebraces of improved design). Assuming that each set of parts has been installed on an affected airplane, the cost impact of the required replacement upon U.S. owners/operators of the affected airplanes is reduced by \$3,142,040 from \$3,528,320 to \$386,280.

The FAA's Aging Commuter Class Aircraft Policy

This AD is part of the FAA's aging commuter class airplane policy, which briefly states that, when a modification

exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated.

The intent of the FAA's aging commuter airplane program is to ensure safe operation of commuter-class airplanes that are in commercial service without adversely impacting private operators. The FAA believes that a large number of the remaining 261 affected airplanes (2,384 affected airplanes - 2,123 airplanes with a set of parts distributed) that will be affected by this AD are operated in various types of air transportation. This includes scheduled passenger service, air cargo, and air taxi.

This AD allows 1,200 hours time-in-service (TIS) after the effective date of the AD before mandatory accomplishment of the design modification. The average utilization of the fleet for those airplanes in air transportation is between 25 to 40 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation will have to accomplish the required replacement within 7 to 12 months after the AD becomes effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this allows 6 to 12 years before the required replacement will be mandatory.

The FAA established the 1,200 hours TIS replacement compliance time based on its engineering evaluation of the problem. Among the issues examined during this engineering evaluation were analysis of service difficulty reports, the difficulty level of the inspection, and how critical the situation would be if cracks occurred in the subject area despite accomplishment of the repetitive inspections.

Usually, the FAA establishes the mandatory design modification compliance time on AD's affecting aging commuter-class airplanes upon the accumulation of a certain number of hours TIS on the airplane. For this action, the FAA is mandating the replacement for all operators "within the next 1,200 hours TIS after the effective date of this AD." The total TIS levels of the airplane fleet vary from under 1,000 hours TIS to over 5,000 hours TIS, and annual accumulation rates vary from 50 hours TIS to over 1,000 hours TIS. Establishing a long-term set compliance time of hours TIS accumulated on Piper PA31, PA31P, and PA31T series airplanes (such as 5,000 hours TIS) imposes an undue burden on the manufacturer of having to maintain a supply of replacement parts for the entire fleet when many airplanes in the fleet may never reach this compliance time.

Instead, the FAA believes that Piper should maintain parts for several years; in this case about 12 years to allow low-usage airplanes time to accumulate the 1,200 hours TIS after the effective date of the AD. The FAA has determined that the compliance time of this AD provides the level of safety required for commuter air service while still minimizing the impact on the private airplane owners of Piper PA31, PA31P, and PA31T series airplanes.

Regulatory Impact

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 copy of the final 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, 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 removing Airworthiness Directive (AD)

88-05-05, Amendment 39-5861, and by adding a new AD to read as follows:

96-10-14 The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Amendment 39-9621; Docket No. 90-CE-62-AD. Supersedes AD 88-05-05, Amendment 39-5861.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have left and right main landing gear (MLG) forward sidebraces of improved design installed, part numbers (P/N) 85165-02 (left) and 85165-03 (right) or P/N 85166-02 (left) and 85166-03 (right).

Models	Serial Nos.
PA31, PA31-300, and PA31-325. PA31-350	31-2 through 31-8312019.
PA31P	31-5001 through 31-8553002.
PA31P-350	31P-2 through 31P-7730012.
PA31T	31P-8414001 through 31P-8414050.
PA31T1	31T-7400002 through 31T-8120104.
PA31T2	31T-7804001 through 31T-8304003 and 31T-1104004 through 31T-1104017.
	31T-8166001 through 31T-8166076 and 31T-1166001 through 31T-1166008.

Note 1: This AD applies to each airplane 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 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 (g) 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 in the body of this AD, unless already accomplished.

To prevent the MLG from retracting because of a cracked MLG forward side brace, which, if not detected and corrected, could result in gear collapse and loss of control of the airplane during landing operations, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 88-05-05), and thereafter at intervals not to exceed 100 hours TIS until the modification required by paragraph (d) of this AD is incorporated, inspect (using dye penetrant methods) both the left and right MLG sidebraces for cracks. Accomplish the inspections in accordance with the INSTRUCTIONS section of Piper Service Bulletin No. 845A, dated October 9, 1987.

(b) The initial dye penetrant inspection type must be utilized for all future repetitive

inspections. Dye penetrant inspection types consist of Type I: fluorescent; Type II: non-fluorescent or visible dye; and Type III: dual sensitivity.

(c) If cracks are found during any of the inspections required in paragraph (a) of this AD, prior to further flight, replace the cracked MLG sidebrace with a part of improved design, P/N 85165-02 (left) or 85165-03 (right) or P/N 85166-02 (left) or 85166-03 (right), as applicable. Accomplish this replacement in accordance with the applicable maintenance manual.

(d) Within the next 1,200 hours TIS after the effective date of this AD, unless already accomplished as required by paragraph (c) of this AD, replace both the left and right MLG side braces with parts of improved design, P/N 85165-02 (left) and 85165-03 (right) or P/N 85166-02 (left) and 85166-03 (right), as applicable. Accomplish these replacements in accordance with the applicable maintenance manual.

(e) Installing both the left and right MLG side braces with parts of improved design, P/N 85165-02 (left) and 85165-03 (right) or P/N 85166-02 (left) and 85166-03 (right), as applicable, as required by paragraph (d) of this AD is considered terminating action for the repetitive inspection requirement of this AD.

(f) 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.

(g) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

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

Note 3: Alternative methods of compliance approved in accordance with AD 88-05-05 (superseded by this AD) are not considered approved for this AD.

(h) The inspection required by this AD shall be done in accordance with Piper Service Bulletin No. 845A, dated October 9, 1987. 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 The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(i) This amendment (39-9621) supersedes AD 88-05-05, Amendment 39-5861.

(j) This amendment (39-9621) becomes effective on June 27, 1996.

Issued in Kansas City, Missouri, on May 8, 1996.

Henry A. Armstrong,
*Acting Manager, Small Airplane Directorate,
Aircraft Certification Service.*

[FR Doc. 96-12390 Filed 5-16-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 90-CE-63-AD; Amendment 39-9622; AD 96-10-15]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) Models PA31, PA31-300, PA31-325, and PA31-350 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 80-14-06, which currently requires the following on The New Piper Aircraft, Inc. (Piper) Models PA31, PA31-300, PA31-325, and PA31-350 airplanes: repetitively inspecting the outboard flap tracks, wing rib flanges, and the rear spar web at Wing Station (WS) 147.5 on each wing, and modifying the area at WS 147.5 on both wings if any cracks are found as terminating action for the repetitive inspection requirement. The Federal Aviation Administration's policy on aging commuter-class aircraft is to eliminate or, in certain instances, reduce the number of certain repetitive short-interval inspections when improved parts or modifications are available. This action retains the repetitive inspection requirement of AD 80-14-06, and requires modifying the area at WS 147.5 on both wings as terminating action for the repetitive inspection requirement. The actions specified in this AD are intended to prevent structural failure under certain load conditions caused by cracked areas at WS 147.5, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Effective June 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 27, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central

Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 90-CE-63-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper Models PA31, PA31-300, PA31-325, and PA31-350 airplanes was published in the Federal Register on December 7, 1995 (60 FR 62779). The action proposed to supersede AD 80-14-06 with a new AD that would (1) retain the requirement of repetitively inspecting the outboard flap track, wing rib flanges, and the rear spar web at WS 147.5 for cracks, and, if any cracks are found, modifying the area at WS 147.5 by incorporating Piper Kit 763 986 as terminating action for the repetitive inspection requirement; and (2) require incorporating Piper Kit 763 986 at a specified hours TIS time-period for airplanes where no cracks were found during the inspections as terminating action for the repetitive inspection requirement. Accomplishment of the modification would be in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 2,906 airplanes in the U.S. registry will be

affected by this AD, that it will take approximately 30 workhours per airplane to accomplish the required modification, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$468 per airplane. Based on these figures, the total cost impact of the required modification on U.S. operators is estimated to be \$6,590,808 or \$2,268 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required modification.

Piper has informed the FAA that parts have been distributed to enough owners/operators to equip 234 of the affected airplanes. Assuming that each set of parts has been installed on an affected airplane, the cost impact of this AD upon U.S. owners/operators of the affected airplanes is reduced by \$530,712 from \$6,590,808 to \$6,060,096.

The FAA's Aging Commuter Class Aircraft Policy

This AD is part of the FAA's aging commuter class airplane policy, which briefly states that, when a modification exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated.

The intent of the FAA's aging commuter airplane program is to ensure safe operation of commuter-class airplanes that are in commercial service without adversely impacting private operators. The FAA believes that a large number of the remaining 2,672 affected airplanes (2,906 airplanes—234 sets of parts distributed) that will be affected by this AD are operated in various types of air transportation. This includes scheduled passenger service, air cargo, and air taxi.

This AD allows 1,000 hours time-in-service (TIS) after the effective date of the AD before mandatory accomplishment of the design modification. The average utilization of the fleet for those airplanes in air transportation is between 25 to 40 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation will have to accomplish the required modification within 6 to 10 months after this AD becomes effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this allows 5 to 10 years before the required modification is mandatory.

The FAA established the 1,000 hours TIS modification compliance time based on its engineering evaluation of the problem. Among the issues examined during this engineering evaluation were analysis of service difficulty reports, the