

status to other organisms. Such a request shall include information to establish the similarity of the antecedent organism and the regulated articles in question.

(3) APHIS will announce in the **Federal Register** all preliminary decisions to extend determinations of nonregulated status 30 days before the decisions become final and effective. If additional information becomes available that APHIS believes justifies changing its decision, it will issue a revised decision.

(4) If a request to APHIS to extend a determination of nonregulated status under this part is denied, APHIS will inform the submitter of that request of the reasons for denial. The submitter may submit a modified request or a separate petition for determination of nonregulated status without prejudice.

\* \* \* \* \*

#### **§ 340.7 [Amended]**

9. In § 340.7, paragraph (b) introductory text, remove the words "Biotechnology, Biologics, and Environmental Protection" and add in their place the word "APHIS".

Done in Washington, DC, this 21st day of April 1997.

**Terry L. Medley,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-10648 Filed 4-22-97; 9:12 am]

BILLING CODE 3410-34-P

## **DEPARTMENT OF AGRICULTURE**

### **Animal and Plant Health Inspection Service**

#### **7 CFR Part 340**

[Docket No. 95-040-3]

#### **Simplification of Requirements for Genetically Engineered Organisms; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service will hold a meeting to discuss the introduction of genetically engineered plants under the amended regulations pertaining to notification and to the petition process for the determination of nonregulated status. The meeting will be operated as a workshop, and we request that interested persons register and submit agenda items two weeks before the meeting date. A revised User's Guide

and guidelines are available as background materials for the meeting.

**DATES:** The meeting will be held in Riverdale, MD, on Wednesday, May 28, 1997, from 8 a.m. until 4 p.m., and Thursday, May 29, 1997, from 8 a.m. until 12:30 p.m.

**ADDRESSES:** The meeting will be held in the Conference Center at the USDA Center at Riverside, 4700 River Road, Riverdale, MD.

**FOR FURTHER INFORMATION CONTACT:** For information about the agenda, contact Dr. James White, BSS, PPQ, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737-1236, (301) 734-5940; or e-mail: [jwhite@aphis.usda.gov](mailto:jwhite@aphis.usda.gov). To register for the meeting and to submit agenda items, or to request copies of the documents referenced in this notice, contact Ms. Kay Peterson at (301) 734-4885; FAX (301) 734-8669; or e-mail: [mkpeterson@aphis.usda.gov](mailto:mkpeterson@aphis.usda.gov). Documents and information are also available on the Internet at the APHIS World Wide Web site: <http://www.aphis.usda.gov/biotech>.

**SUPPLEMENTARY INFORMATION:** The regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered "regulated articles." Before introducing a regulated article, a person is required under § 340.0 of the regulations to either (1) notify the Animal and Plant Health Inspection Service (APHIS) in accordance with § 340.3 or (2) obtain a permit in accordance with § 340.4. The regulations in § 340.6 provide that any person may submit a petition to APHIS seeking a determination that an article should not be regulated under 7 CFR part 340.

In the Rules and Regulations section of this issue of the **Federal Register**, APHIS has published a final rule (Docket No. 95-040-2) that, among other things, amends the regulations in § 340.3 to expand the scope of organisms that will be included under the notification procedure, and in § 340.6 to allow the extension of a previously issued determination of nonregulated status to certain additional regulated articles. In conjunction with the final rule, APHIS has prepared

guidelines for the submission of requests for extensions of determinations of nonregulated status, and an addition to the User's Guide for the preparation of notifications under the amended regulations. The final rule, guidelines, and addition to the User's Guide are available on the Internet at the APHIS World Wide Web site, and from the person listed under **FOR FURTHER INFORMATION CONTACT**.

To help familiarize the affected public with the guidelines and the addition to the User's Guide, and to provide an opportunity for a general discussion of the preparation of notifications, permits, petitions, and requests for extensions of determinations of nonregulated status, APHIS has scheduled a workshop to be held in Riverdale, MD, on May 28 and 29, 1997. The tentative agenda for the meeting is as follows: Day 1, morning—notifications and permits; afternoon—petitions; Day 2, morning—extensions of determinations.

We request that interested persons submit registrations, which should include name, address, and telephone number, as well as agenda items, by Wednesday, May 14, 1997, to the person indicated under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 21st day of April 1997.

**Terry L. Medley,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-10655 Filed 4-22-97; 9:12 am]

BILLING CODE 3410-34-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

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

[Docket No. 96-NM-204-AD; Amendment 39-10000; AD 97-09-04]

RIN 2120-AA64

#### **Airworthiness Directives; Airbus Industrie Model A320, A321, A330, and A340 Series Airplanes Equipped With Westland-Sitec Fire Shutoff Valves Having Part Number EO3000**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Industrie Model A320, A321, A330, and A340 series airplanes, that requires repetitive testing of certain fire shutoff valves (FSOV) on the left and right engines, repetitive checks of certain parts on the

FSOV motors, and replacement of discrepant valves with modified valves. This amendment also requires modification of FSOV seals and motors as terminating action for the repetitive testing and check requirements. This amendment is prompted by reports indicating that FSOV's are not closing completely during maintenance testing. The actions specified by this AD are intended to prevent the flow of hydraulic fluid to the engine in the event of fire which, if not corrected, would fuel the fire, and lead to the loss of fluid in associated hydraulic systems, causing those systems to fail.

**DATES:** Effective May 29, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 29, 1997.

**ADDRESSES:** The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Charles Huber, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2589; fax (206) 227-1149.

**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 certain Airbus Industrie Model A320, A321, A330, and A340 series airplanes was published in the **Federal Register** on November 29, 1996 (61 FR 60650). That action proposed to require repetitive testing of certain fire shutoff valves (FSOV) on the left and right engines, repetitive checks of certain parts on the FSOV motors, and replacement of discrepant valves with modified valves. That action also proposed to require modification of FSOV seals and motors as terminating action for the repetitive testing and check requirements.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

## Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

## Cost Impact: Model A320 and A321 Series Airplanes

The FAA estimates that 102 Airbus Model A320 and A321 series airplanes of U.S. registry will be affected by this AD.

It will take approximately 2 hours to accomplish the required testing and check of all FSOV's and motors, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the actions required by this AD on U.S. operators of these airplanes is estimated to be \$12,240, or \$120 per airplane, per testing and check.

It will take approximately 2 hours to accomplish the required modification of the FSOV seal, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no charge. Based on these figures, the cost impact of the modification required by this AD on U.S. operators of these airplanes would be \$12,240, or \$120 per airplane.

It will take approximately 4 hours to accomplish the required modification of the FSOV motors, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no charge. Based on these figures, the cost impact of the modification required by this AD on U.S. operators of these airplanes will be \$24,480, or \$240 per airplane.

It will take approximately 9 hours to accomplish the required installation of modified FSOV's and motor, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the action required by this AD on U.S. operators of Model A320 and A321 series airplanes is estimated to be \$55,080, or \$540 per airplane.

The cost impact figures discussed above are 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.

## Cost Impact: Model A330 and A340 Series Airplanes

There are currently no Model A330 or Model A340 series airplanes on the U.S. Register. All of these airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD

action. However, the FAA considers it necessary to include these airplanes in the applicability of this rule in order to ensure that the unsafe condition is addressed in the event that any of the subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected Model A330 or Model A340 series airplane be imported and placed on the U.S. Register in the future, it would take approximately 4 hours to accomplish the required testing and check of all FSOV's and motors, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of these actions required by this AD is estimated to be \$240 per airplane, per testing and check.

It would take approximately 4 hours to accomplish the required modification of FSOV seals, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no charge. Based on these figures, the cost impact of these modifications required by this AD on U.S. operators is estimated to be \$240 per airplane.

It would take approximately 8 hours to accomplish the required modification of the FSOV motors, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no charge. Based on these figures, the cost impact of these modifications required by this AD on U.S. operators is estimated to be \$480 per airplane.

It would take approximately 19 hours to accomplish the required installation of modified FSOV's and motors, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this action required by this AD on U.S. operators is estimated to be \$1,140 per airplane.

## 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 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, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

##### §39.13 [Amended]

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

**097-09-04 Airbus Industrie:** Amendment 39-10000. Docket 96-NM-204-AD.

**Applicability:** Model A320, A321, A330 and A340 series airplanes; equipped with Westland-Sitec fire shutoff valves having part number E03000; 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 (c) 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 the flow of hydraulic fluid to the engine in the event of a fire, which would fuel the fire and lead to the loss of fluid in associated hydraulic systems, causing those systems to fail, accomplish the following:

(a) Within 6 months after the effective date of this AD, perform a functional test (for A320 and A321 series airplanes) or an operational test (for A330 and A340 series airplanes) on each fire shutoff valve (FSOV) for the left and right engines and immediately follow this test with a check to determine whether the FSOV motor is properly operating, in accordance with Airbus All Operators Telex (AOT) 29-15, dated May 30, 1995.

(1) If a FSOV passes the applicable test and check, repeat the procedures required by paragraph (a) of this AD thereafter at intervals not to exceed 18 months.

(2) If a FSOV fails the applicable test or check, prior to further flight, replace the discrepant FSOV with a FSOV modified in accordance with the service bulletins specified in paragraphs (a)(2)(i), (a)(2)(ii), and (a)(2)(iii), as applicable. Modification of the seal and the electrical actuator for the motor are to be performed at the same time. The accomplishment of these modifications constitutes terminating action for the repetitive testing and checks of this FSOV required by paragraph (a) of this AD.

(i) For Airbus A320 and A321 series airplanes: Airbus Service Bulletin A320-29-1071, dated September 21, 1995.

(ii) For Airbus A330 series airplanes: Airbus Service Bulletin A330-29-3018, dated January 17, 1996.

(iii) For Airbus A340 series airplanes: Airbus Service Bulletin A340-29-4018, dated January 17, 1996.

**Note 2:** The Airbus service bulletins cited in paragraphs (a)(2)(i)-(iii) of this AD refer to Westland-Sitec Service Bulletin No. E030WS-29-1, dated January 12, 1996 (valve modification), and Westland-Sitec Service Bulletin No. A06AWS-24-1, dated January 12, 1996 (electrical actuator modification), as additional sources of procedural information.

(b) Within 4 years after the effective date of this AD, modify the electrical actuator for the motor and the seal of each FSOV, in accordance with the service bulletins specified in paragraphs (b)(1), (b)(2), and (b)(3) of this AD, as applicable. The accomplishment of these modifications constitutes terminating action for the repetitive tests and checks required by paragraph (a) of this AD and, thereafter, no further action is required.

(1) For Airbus A320 and A321 series airplanes: Airbus Service Bulletin A320-29-1071, dated September 21, 1995.

(2) For Airbus A330 series airplanes: Airbus Service Bulletin A330-29-3018, dated January 17, 1996.

(3) For Airbus A340 series airplanes: Airbus Service Bulletin A340-29-4018, dated January 17, 1996.

(c) 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, 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, 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.

(d) 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.

(e) The tests shall be done in accordance with Airbus AOT 29-15, dated May 30, 1995. The replacement and modifications shall be done in accordance with Airbus Service Bulletin A320-29-1071, dated September 21, 1995; Airbus Service Bulletin A330-29-3018, dated January 17, 1996; and Airbus Service Bulletin A340-29-4018, dated January 17, 1996; as applicable. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on May 29, 1997.

Issued in Renton, Washington, on April 16, 1997.

**Darrell M. Pederson,**

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

[FR Doc. 97-10320 Filed 4-23-97; 8:45 am]

**BILLING CODE 4910-13-U**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-NM-169-AD; Amendment 39-9999; AD 97-09-03]

**RIN 2120-AA64**

#### Airworthiness Directives; Airbus Model A310 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A310 series airplanes, that requires modification of the wiring for certain hydraulic fire shutoff valves to the right engine to prevent chafing. This amendment is prompted by reports indicating that a circuit breaker to wiring in the right engine had tripped on two airplanes, the cause of which has been attributed to chafing of the associated wire bundle. The actions specified by this AD are intended to prevent this wiring from chafing which, if not corrected, could lead to short circuiting of this wiring and the consequent inability to close the hydraulic fire shutoff valves to the right engine in the event of fire.

**DATES:** Effective May 29, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director