

Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This document contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 78 is amended as follows:

PART 78—BRUCELLOSIS

1. The authority citation for part 78 continues to read as follows:

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

§ 78.41 [Amended]

2. In § 78.41, paragraph (a) is amended by adding “Kentucky,” immediately after “Iowa,”.

3. In § 78.41, paragraph (b) is amended by removing “Kentucky,”.

Done in Washington, DC, this 4th day of September 1997.

Craig A. Reed,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–24435 Filed 9–15–97; 8:45 am]

BILLING CODE 3410–34–P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 105

Standards of Conduct and Employee Restrictions and Responsibilities

AGENCY: Small Business Administration (SBA).

ACTION: Final rule.

SUMMARY: The Small Business Administration (SBA) regulations currently designate the Deputy General Counsel as the Designated Agency Ethics Official (DAEO). The Agency has now appointed a different official as the DAEO and has determined that a regulation is not required to implement this appointment. This amendment eliminates the paragraph that formerly designated the Deputy General Counsel as the DAEO, and amends a paragraph which identified the Deputy General

Counsel as also serving as the Agency Standards of Conduct Counselor to now identify the DAEO as serving that role.

DATES: This rule becomes effective September 16, 1997.

FOR FURTHER INFORMATION CONTACT: Robinson S. Nunn, Chief Counsel for Ethics, (202) 205–6867.

SUPPLEMENTARY INFORMATION: The following amendments will be made to 13 CFR Part 105:

Section 105.402 Standards of Conduct Counselors

(a) Replaces “Deputy General Counsel” with “Designated Agency Ethics Official, as appointed by the Administrator,” and eliminates reference to the Associate General Counsel for General Law (AGC) as an Assistant Standards of Conduct Counselor.

Section 105.403 Designated Agency Ethics Officials

Strikes (a) in full, and makes the existing text of (b) the only text under Section 105.403.

This final rule reflects an internal policy change resulting from a March 1997 reorganization in the Office of General Counsel and must be effective immediately. Therefore, SBA is publishing the rule without opportunity for prior public comment.

Compliance with Executive Order 12612, 12778, and 12866, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* And the Paperwork Reduction Act, 44 U.S.C. Ch. 35.

SBA certifies the following: For purposes of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, this final rule does not have a significant economic impact on a substantial number of small entities.

This final rule does *not* constitute a significant regulatory action for purposes of Executive Order 12866, since the change is not likely to result in an annual effect on the economy of \$100 million or more.

This final rule does not impose additional reporting or record keeping requirements which would be subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

This final rule does not have federalism implications warranting the preparation of a Federalism Assessment in accordance with Executive Order 12612.

This final rule is drafted, to the extent practicable, in accordance with the standards set forth in section 1 of Executive Order 12778.

List of Subjects in 13 CFR Part 105

Employee restrictions and responsibilities, Small Business Administration, Standards of conduct.

Accordingly, SBA is amending Part 105, Title 13 of the Code of Federal Regulations as follows:

PART 105—[AMENDED]

1. The authority citation for Part 105 continues to read as follows:

Authority: 5 U.S.C. 7301; 15 U.S.C. 634, 637(a)(18) and (a)(19), 642 and 645(a).

§ 105.402 [Amended]

2. Section 105.402(a) is amended by removing “Deputy General Counsel” and adding in its place, “Designated Agency Ethics Official, as appointed by the Administrator,” in the first sentence, and by changing the second sentence to read as follows: “Assistant Standards of Conduct Counselors may be designated by the Standards of Conduct Counselor.”

§ 105.403 [Amended]

3. Section 105.403(a) is removed in full. Existing § 105.403(b) is redesignated as § 105.403.

Aida Alvarez,
Administrator.

[FR Doc. 97–24507 Filed 9–15–97; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–48–AD; Amendment 39–10132; AD 97–19–11]

RIN 2120–AA64

Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Bombardier Model CL–600–2B19 series airplanes, that currently requires revising the Limitations Section of the Airplane Flight Manual (AFM) to provide the flight crew with procedures to check the travel range of the aileron. That AD also requires inspection for damage of the shear pins of the aileron flutter damper and aileron hinge fittings, and various follow-on actions. This amendment adds a requirement for accomplishment

of an installation that eliminates the need for the AFM revision. This amendment also adds airplanes to the applicability of the existing AD. This amendment is prompted by reports of failure of shear pins in the aileron flutter damper. The actions specified by this AD are intended to prevent damage to the aileron hinge fittings due to failed shear pins, and consequent reduced controllability of the airplane.

DATES: Effective October 21, 1997.

The incorporation by reference of Canadair Service Bulletin S.B. 601R-27-065, dated September 16, 1996, as listed in the regulations, is approved by the Director of the Federal Register as of October 21, 1997.

The incorporation by reference of Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995, as listed in the regulations, was approved previously by the Director of the Federal Register as of January 4, 1996 (60 FR 65521, December 20, 1995).

ADDRESSES: The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair Aerospace Group, P.O. Box 6087, Station Centre-ville, Quebec H3C 3G9, Canada. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Franco Pieri, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7526; fax (568) 258-2716.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 95-26-07, amendment 39-9465 (60 FR 65521, December 20, 1995), which is applicable to certain Bombardier Model CL-600-2B19 series airplanes, was published in the **Federal Register** on April 15, 1997 (62 FR 18302). The action proposed to continue to require a revision to the Limitations Section of the Airplane Flight Manual (AFM) to provide the flight crew with procedures to check the travel range of the aileron. It also proposed to continue to require

inspection for damage of the shear pins of the aileron flutter damper and aileron hinge fittings, and various follow-on actions. In addition, the action proposed to add a requirement for accomplishment of an installation that eliminates the need for the AFM revisions, and to add airplanes to the applicability of the existing AD.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 41 Bombardier Model CL-600-2B19 series airplanes of U.S. registry that will be affected by this AD.

The actions that are currently required by AD 95-26-07 take approximately 10 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be \$24,600, or \$600 per airplane.

The new actions that are required in this AD action will take approximately 7 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the requirements of this AD on U.S. operators is estimated to be \$17,220, or \$420 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or 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 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 removing amendment 39-9465 (60 FR 65521, December 20, 1995), and by adding a new airworthiness directive (AD), to read as follows:

97-19-11 Bombardier, Inc. (Formerly Canadair): Amendment 39-10132. Docket 97-NM-48-AD. Supersedes AD 95-26-07, Amendment 39-9465.

Applicability: Model CL-600-2B19 (Regional Jet Series 100) series airplanes, serial numbers 7003 through 7134 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 (i) 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 damage to the aileron hinge fittings due to failure of the shear pins, and

consequent reduced controllability of the airplane, accomplish the following:

Restatement of Actions Required by AD 95-26-07

(a) For airplanes having serial numbers 7003 through 7079 inclusive: Within 7 days after January 4, 1996 (the effective date of AD 95-26-07, amendment 39-9465), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

"Before engine start, prior to the first flight of each day, the flight crew or certificated maintenance personnel shall perform a check of the travel range of the aileron as follows:

Aileron—Check travel range (to approx 1/2 travel) using each hydraulic system in turn, with the other hydraulic systems depressurized."

Note 2: This AFM revision may also be accomplished by inserting a copy of Temporary Revision RJ/45, dated September 7, 1995, or Temporary Revision RJ/45-2, dated April 30, 1996, in the AFM. When these temporary revisions have been incorporated into general revisions of the AFM, the general revisions may be inserted in the AFM, provided the information contained in the general revisions is identical to that specified in Temporary Revision RJ/45 or RJ/45-2.

Note 3: Operators should note that operation of the aircraft remains restricted to the altitude and airspeed limits currently specified in the FAA-approved AFM, Revision 34, Chapter 5, Abnormal Procedures, Section 13, Hydraulic Power, Paragraphs "A" through "C" and "M" through "O."

(b) For airplanes having serial numbers 7003 through 7079 inclusive: Perform a visual inspection to detect damage of the shear link, the shear pin, and the aileron attachment fitting, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995, at the time specified in paragraph (b)(1) or (b)(2) of this AD, as applicable.

(1) For airplanes having serial numbers 7003 through 7054 inclusive: Inspect at the next scheduled shear pin replacement, but no later than 30 days after January 4, 1996.

(2) For airplanes having serial numbers 7055 through 7079 inclusive: Inspect at the next scheduled shear pin replacement, but no later than 400 flight hours after January 4, 1996.

(c) If no shear pin is found to be damaged during the inspection required by paragraph (b) of this AD, accomplish the requirements of either paragraph (c)(1) or (c)(2), as applicable, at the times specified:

(1) For airplanes having serial numbers 7003 through 7054 inclusive: At the next scheduled shear pin replacement, but no later than 400 flight hours after accomplishing the inspection specified in paragraph (b) of this AD, remove the aileron flutter dampers, shear link, and pivot, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. Following removal of the flutter dampers, the

shear pin replacement in accordance with the FAA-approved maintenance program is not required.

(2) For airplanes having serial numbers 7055 through 7079 inclusive: Repeat the inspection required by paragraph (b) of this AD at intervals not to exceed 400 flight hours. At the next scheduled shear pin replacement, but no later than 1,500 landings after accomplishing the initial inspection specified in paragraph (b) of this AD, remove the aileron flutter dampers, shear link, and pivot, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. Following removal of the flutter dampers, the shear pin replacement in accordance with the FAA-approved maintenance program is not required.

(d) If any shear pin is found to be damaged during the inspection required by paragraph (b) of this AD, prior to further flight, remove the aileron flutter dampers, shear link, and pivot, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. Following removal of the flutter dampers, shear pin replacement in accordance with the FAA-approved maintenance program is not required.

(e) If any aileron hinge fitting is found to be damaged during the inspection required by paragraph (b) of this AD, prior to further flight, repair in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995.

New Actions Required by this AD

(f) For airplanes having serial numbers 7080 through 7134 inclusive: Within 7 days after the effective date of this AD, revise the Limitations Section of the FAA-approved AFM to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

"Before engine start, prior to the first flight of each day, the flight crew or certificated maintenance personnel shall perform a check of the travel range of the aileron as follows:

Aileron—Check travel range (to approx 1/2 travel) using each hydraulic system in turn, with the other hydraulic systems depressurized."

Note 4: This AFM revision may also be accomplished by inserting a copy of Temporary Revision RJ/45-2, dated April 30, 1996, in the AFM. When this temporary revision has been incorporated into general revisions of the AFM, the general revisions may be inserted in the AFM, provided the information contained in the general revisions is identical to that specified in Temporary Revision RJ/45-2.

Note 5: Operators should note that operation of the aircraft remains restricted to the altitude and airspeed limits currently specified in the FAA-approved AFM, Revision 34, Chapter 5, Abnormal Procedures, Section 13, Hydraulic Power, Paragraphs "A" through "C" and "M" through "O."

(g) For airplanes having serial numbers 7003 through 7134 inclusive: Within 18 months after the effective date of this AD, install redesigned aileron flutter damper

shear pins and shear links, aileron flutter dampers, pivots, and new shear link assemblies; in accordance with Canadair Service Bulletin S.B. 601R-27-065, dated September 16, 1996. Accomplishment of this installation constitutes terminating action for the AFM revisions required by paragraphs (a) and (f) of this AD.

(h) As of the effective date of this AD, no person shall install an aileron flutter damper assembly, part number 600-10179-1, on any airplane.

(i) 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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 6: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(j) 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.

(k) The inspections, removal, and repair shall be done in accordance with

[Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. The incorporation by reference of that document was approved previously by the Director of the Federal Register, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, as of January 4, 1996 (60 FR 65521, December 20, 1995). The installation shall be done in accordance with Canadair Service Bulletin S.B. 601R-27-065, dated September 16, 1996. The incorporation by reference of this document is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of either document may be obtained from Bombardier, Inc., Canadair Aerospace Group, P.O. Box 6087, Station Centreville, Quebec H3C 3G9, Canada. Copies may be inspected at the Federal Aviation Administration (FAA), Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(l) This amendment becomes effective on October 21, 1997.

Issued in Renton, Washington, on September 9, 1997.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-24341 Filed 9-15-97; 8:45 am]

BILLING CODE 4910-13-U