Federal Register
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Tuesday, October 8, 1991

Presidential Documents

Title 3—

The President

Proclamation 6346 of October 3, 1991

German-American Day, 1991 and 1992

By the President of the United States of America

A Proclamation

When German settlers landed in America near Philadelphia on October 6, 1683, they established the first of the many ties that exist between the United States and Germany. Since then, generations of German immigrants and their descendants have made outstanding contributions to American history and culture. However, the ties that we celebrate today are not only those born of kinship but also those based on common values and aspirations. Indeed, the same love of liberty that led the first German immigrants to these shores continues to animate U.S.-German relations.

For more than 40 years following World War II, the United States stood together with its friends in the Federal Republic of Germany to help guarantee that nation's freedom and security and to advance our common interests. Yet we also shared the hope that all Germans would one day enjoy the blessings of liberty in a united, democratic, and sovereign Germany. The dramatic opening of the Berlin Wall in November 1989 and the official unification of Germany less than one year later marked the achievement of that goal. Today the United States looks forward to continuing the friendship that our two peoples have so long enjoyed. Active trade and close political cooperation within the context of the Atlantic Alliance are among the most important dimensions of this relationship. However, we also value our various "people-to-people" contacts and exchanges. Accordingly, to promote the exchange of information and ideas with the five new Federal States of Germany—which for too long had been isolated by the ruling communist regime—we have joined with the German government in establishing the RIAS Foundation. In addition to facilitating cooperative radio and television productions, the Foundation will offer training and other programs for students, broadcast journalists, and other media professionals. This year the United States also opened a new Consulate General in the city of Leipzig, further strengthening the ties between our two peoples.

The new, united Germany that stands in friendship with the United States also stands as our partner in leadership. After Iraqi forces launched their brutal invasion of Kuwait on August 2, 1990, Germany joined in the international coalition that condemned the aggression and resolved to uphold the rule of law. Moreover, today's Germany not only symbolizes a new Europe, a Europe whole and free, but also is helping to lead the effort to achieve this goal. Along with the United States and other Western nations, Germany is offering valuable support to the emerging democracies of Central and Eastern Europe through investment, training programs, and technical assistance.

In keeping with its enhanced stature as a force for peace and stability in global affairs, Germany will host the next summit of the world's seven leading industrialized nations. The United States looks forward to this meeting in Munich in July 1992, and we welcome the many opportunities that lie ahead in U.S.-German relations.

The Congress, by Senate Joint Resolution 151, has designated October 6, 1991, and October 6, 1992, as "German-American Day" and has authorized and requested the President to issue a proclamation in observance of these occasions.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim October 6, 1991, and October 6, 1992, as German-American Day. I call upon the people of the United States to observe these occasions with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of October, in the year of our Lord nineteen hundred and ninety-one, and of the Independence of the United States of America the two hundred and sixteenth.

G Bush

[FR Doc. 91-24406
Filed 10-4-91; 4:17 pm]
Billing code 3195-01-M

Editorial note: For the President's remarks on German-American Day, see issue 40 of the *Weekly Compilation of Presidential Documents.*

Presidential Documents

Proclamation 6347 of October 4, 1991

National Radon Action Week, 1991

By the President of the United States of America

A Proclamation

Radon is a naturally occurring, colorless gas that, when concentrated in high levels, can pose a threat to human health. Generated by the natural breakdown of uranium in soil, rock, and groundwater, radon can gradually seep into any building through cracks and other openings in the foundation. Because radon has been detected in every State across the country, all Americans should be aware of this potential hazard.

High levels of radon in the home are believed to be the second leading cause of lung cancer in the United States. Indeed, only smoking causes more deaths by the disease. People who smoke *and* dwell in a house with unacceptable levels of radon run an especially high risk of developing lung cancer.

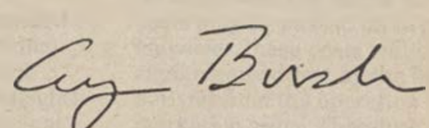
Fortunately, even extremely high levels of radon in the home can be reduced, and testing for the gas is relatively simple and inexpensive. Indeed, testing one's home, school, or office for radon should require little time and few resources.

The United States Environmental Protection Agency has joined with a number of State governments in promoting local efforts to help Americans test their homes and schools. Other organizations that are sharing in these efforts include: the American Lung Association, the Advertising Council, the Consumer Federation of America, the American Public Health Association, the National Safety Council, and the National Association of Counties. This week, I join with them in urging all Americans to test their homes for radon and to make any necessary modifications to reduce excessive levels of the gas.

The Congress, by Senate Joint Resolution 132, has designated the week of October 13 through October 19, 1991, as "National Radon Action Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the week of October 13 through October 19, 1991, as National Radon Action Week. I encourage government officials and all Americans to observe this week with appropriate programs and activities designed to enhance public awareness of the risks of excessive radon exposure and ways that we can reduce them.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord nineteen hundred and ninety-one, and of the Independence of the United States of America the two hundred and sixteenth.



[FR Doc. 91-24426
Filed 10-4-91; 4:34 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
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Tuesday, October 8, 1991

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 987

[Docket No. FV-91-426FR]

Expenses and Assessment Rate for Marketing Order Covering Domestic Dates Produced or Packed in Riverside County, CA

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule authorizes expenditures and establishes an assessment rate under Marketing Order 987 for the 1991–92 crop year (October 1, 1991 through September 30, 1992). This action is needed by the California Date Administrative Committee (committee) to incur operating expenses during the 1991–92 crop year and to collect funds during that year to pay those expenses. This will facilitate program operations. Funds to administer this program are derived from assessments on handlers.

EFFECTIVE DATE: October 1, 1991 through September 30, 1992.

FOR FURTHER INFORMATION CONTACT: Patrick Packnett, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2525–S, Washington, DC 20090–6456, telephone 202–475–3862.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Order No. 987 (7 CFR part 987), regulating the handling of dates produced or packed in Riverside County, California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the Act.

This final rule has been reviewed by the Department of Agriculture (Department) in accordance with Departmental Regulation 1512–1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this final rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 25 handlers of California dates regulated under the date marketing order each season, and approximately 135 date producers in the regulated area. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $3,500,000. The majority of these handlers and producers may be classified as small entities.

The California date marketing order, administered by the Department, requires that the assessment rate for a particular crop year apply to all assessable dates handled from the beginning of such year. An annual budget of expenses is prepared by the committee and submitted to the Department for approval. The members of the committee are date handlers and producers. They are familiar with the committee's needs and with the costs for goods, services and personnel in their local area and are thus in a position to formulate appropriate budgets. The budgets are formulated and discussed in public meetings. Thus, all directly affected persons have an opportunity to participate and provide input.

The assessment rate recommended by the committee is derived by dividing anticipated expenses by expected shipments of dates (in hundredweight). Because that rate is applied to actual shipments, it must be established at a rate which will produce sufficient income to pay the committee's expected expenses.

The committee met on August 14, 1991, and recommended 1991–92 crop year expenditures of $479,400 and an assessment rate of $1.40 per hundredweight of assessable dates shipped under M.O. 987. The recommended assessment rate and level of expenditures for the 1991–92 crop year are the same as last year's.

The major expenditure item this year is $429,000 for continuation of the committee's market promotion program. The industry continues to be faced with an oversupply of product dates and the committee considers this program necessary to stimulate sales. The only significant difference between the expenditures budgeted for the 1991–92 crop year and those budgeted last year is a $50,000 increase in "office overhead and special projects" which is offset by a $50,000 decrease in market development expenditures. The committee plans to use a portion of the 100,000 budgeted for overhead and special projects to pay the salary and benefits of the executive director it recently hired to manage its market promotion activities. The rest of the expenditures are for program administration and are budgeted at about last year's amounts.

Income for the 1991–92 season is expected to total $495,500. Such income consists of $490,000 in assessments based on shipments of 35,000,000 assessable pounds of dates at $1.40 per hundredweight and $5,500 in interest income. Any unexpended funds or excess assessments from the 1990–91 crop year will be placed in the committee's operating reserve. The reserve is well within the maximum amount authorized under the order.

Notice of this action was published in the September 11, 1991, issue of the **Federal Register** (56 FR 46243). The comment period ended September 23, 1991. No comments were received.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be significantly offset by the benefits derived from the operation of the marketing order. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of the information and recommendations submitted by the committee, and other available information, it is found that this final rule will tend to effectuate the declared policy of the Act.

Approval of the level of expenses and assessment rate for the date program for the 1991–92 crop year should be expedited because the committee needs to have sufficient funds to pay its expenses, which are incurred on a continuous basis. Therefore, it is also found that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** (5 U.S.C. 553).

List of Subjects in 7 CFR Part 987

Dates, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 987 is amended as follows:

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIFORNIA

1. The authority citation for 7 CFR part 987 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. New § 987.336 is added to read as follows:

Note: This section will not appear in the annual Code of Federal Regulations.

§ 987.336 Expenses and assessment rate.

Expenses of $479,400 by the California Date Administrative Committee are authorized, and an assessment rate of $1.40 per hundredweight of assessable dates is established for the crop year ending September 30, 1992. Unexpended funds from the 1990–91 crop year may be carried over as a reserve.

Dated: October 2, 1991.

William J. Doyle,

Associate Deputy Director, Fruit and Vegetable Division.

[FR Doc. 91–24196 Filed 10–7–91; 8:45 am]

BILLING CODE 3410–02–M

Farmers Home Administration

7 CFR Part 1902

Revision of Regulations Due to Changes in the Pledging and Releasing of Collateral in Supervised Bank Accounts

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its regulations to clarify changes in the pledging and/or releasing of collateral by financial institutions pertaining to the deposit of funds in supervised bank accounts. This action is necessary to remove present language in the regulations that requires the Department of Treasury to designate the financial institution as a depositary and financial agent of the U.S. Government and to pledge or release collateral through the Federal Reserve Bank (FRB). FmHA now has the authority to designate the financial institution as a depositary and financial agent of the U.S. Government and to pledge or release collateral through the FRB.

EFFECTIVE DATE: October 8, 1991.

FOR FURTHER INFORMATION CONTACT: Peggy Williams, Collateral Technician, Revolving Fund Analysis Branch, Budget Division, Farmers Home Administration, USDA, South Building, 14th Street and Independence Avenue, SW., Washington, DC 20250, telephone (202) 475–3388.

SUPPLEMENTARY INFORMATION:

Classification

This action has been reviewed under USDA procedures established in Departmental Regulation 1512–1, which implements Executive Order 12291, and has been determined to be exempt from those requirements because it involves only rules of agency procedure and internal management. It is the policy of this Department to publish for comment rules relating to public property, loans, grants, benefits, or contracts, notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rule making since it involves only rules of agency procedure and internal agency management, making publication for comment unnecessary.

Intergovernmental Consultation

For the reasons set forth in the final rule related to Notice 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983) and FmHA Instruction 1940–J, "Intergovernmental Review of Farmers Home Administration Programs and Activities" (December 23, 1983), Farm Ownership Loans, Farm Operating Loans and Emergency Loans are excluded from the scope of Executive Order 12372, which requires intergovernmental consultation with State and local officials. Soil and Water Loans are subject to the provisions of Executive Order 12372 and FmHA Instruction 1940–J.

Programs Affected

These changes affect the following FmHA programs as listed in the Catalog of Federal Domestic Assistance:

10.414 Resource Conservation and Development Loans.
10.415 Rural Rental Housing Loans.
10.418 Water and Waste Disposal Systems for Rural Communities.
10.419 Watershed Protection and Flood Prevention Loans.
10.423 Community Facilities Loans.

Environmental Impact Statement

This action has been reviewed in accordance with 7 CFR part 1940, subpart G, "Environmental Program." It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act of 1969, Public Law 91–190, an Environmental Impact Statement is not required.

List of Subjects in 7 CFR Part 1902

Accounting, Banks, Banking, Grant programs—Housing and community development, Loan programs—Agriculture, Loan programs—Housing and community programs.

Therefore, chapter XVIII, part 1902, title 7, Code of Federal Regulations is amended as follows:

PART 1902—SUPERVISED BANK ACCOUNTS

1. The authority citation for part 1902 is revised to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; 7 CFR 2.23, 2.70.

Subpart A—Loan and Grant Disbursement

2. Sections 1902.7 is amended by revising paragraphs (a), (b)(2) and (3), (d), (e) and (f) to read as follows:

§ 1902.7 Pledging collateral for deposit of funds in supervised bank accounts.

(a) Funds in excess of $100,000, per financial institution, deposited for borrowers in supervised bank accounts, must be secured by pledging acceptable collateral with the Federal Reserve Bank (FRB) in an amount not less than the excess.

(b) * * *

(2) Whether the financial institution is willing to pledge collateral with the FRB under 31 CFR part 202 (Treasury Circular 176) to the extent necessary to secure the amount of funds being deposited in excess of $100,000.

(3) If the financial institution is not a member of the Federal Reserve System, it will be necessary for the financial institution to pledge the securities with a correspondent bank who is a member of the System. The correspondent bank should contact the FRB informing them they are holding securities pledged for the supervised bank account under 31 CFR part 202 (Treasury Circular 176).

* * * * *

(d) The National Office will arrange for the financial institution under its designation as a depositary and financial agent of the U.S. Government to pledge the requested collateral.

(e) If, two days before loan closing, the local FmHA office which requested the collateral has not received notification from National Office that collateral has been pledged, contact should be made with the financial institution to ascertain whether they have pledged collateral with their local FRB under 31 CFR part 202 (Treasury Circular 176). If the financial institution has pledged collateral, the local FmHA office should contact the National Office, Budget Division, Revolving Fund Analysis Branch who will follow-up with the local FRB concerning the collateral.

(f) When the amount of deposit in the supervised bank account has been reduced to a point where the financial institution desires part or all of the collateral released, it should contact the National Office at the address noted above. The local FmHA office will be contacted for release authorization. The authorization release will be made through the local FRB, with notification to the financial institution. The local FmHA office may also request release through the National Office.

Dated: September 4, 1991.

David T. Chen,

Associate Administrator, Farmers Home Administration.

[FR Doc. 91-23697 Filed 10-7-91; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 91-NM-187-AD; Amendment 39-8049; AD 91-21-02]

Airworthiness Directives; McDonnell Douglas DC-9-80 Series Airplanes Equipped With Certain Sundstrand Data Control Management Control Units

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas DC-9-80 series airplanes, which requires removal of certain Sundstrand Data Control management control units (MCU). This amendment is prompted by a report of an electrical short inside the MCU which caused the MCU battery to burst and blow the MCU case open. This condition, if not corrected, could result in damage to other aircraft systems in the electrical and electronics compartment.

DATES: Effective October 23, 1991.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 23, 1991.

ADDRESSES: The applicable service information may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. J. Kirk Baker, Aerospace Engineer, ANM-133L, FAA, Northwest Mountain Region, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California 90806-2425; telephone (213) 988-5345.

SUPPLEMENTARY INFORMATION: Sundstrand Data Control has reported that, during a recent bench test of a certain management control unit (MCU), a short occurred which allowed excessive reverse current through the MCU battery, causing it to burst and blow the MCU case open. These suspect units are installed on some McDonnell Douglas Model DC-9-80 series airplanes. An in-flight electrical short in the MCU, causing the MCU battery to burst and blow the MCU case open, could result in damage to safety-critical systems also located in the electrical and electronics compartment. This condition, if not corrected, could jeopardize the continued safe operation of the airplane.

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin A31-39, which describes procedures for the removal and disposition of the suspect MCU's. This service document was initially released as a telex on August 15, 1991, and then as a paper copy service bulletin on August 19, 1991.

Since this situation is likely to exist or develop on other airplanes of the same type design, this AD requires removal of certain Sundstrand Data Control MCU's, in accordance with the service bulletin previously described.

The MCU is used to record maintenance data only and is an optional system. Removal of the MCU does not adversely affect the safe operation of the airplane; however, operators who wish to replace the suspect MCU's may do so only with an FAA-approved MCU having a specific part number.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

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.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11304, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

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

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

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

91–21–02. **McDonnell Douglas:** Amendment 39–8049. Docket No. 91–NM–187–AD.

Applicability: Model DC–9–80 series airplanes; equipped with Sundstrand Data Control management control units (MCU), part number (P/N) 960–0511–001, –002, or –003; certificated in any category.

Compliance: Required within 15 days after the effective date of this AD, unless previously accomplished.

To prevent in-flight electrical shorting of the MCU that could cause the MCU battery to burst and blow the MCU case open and damage other aircraft systems in the electrical and electronics compartment, accomplish the following:

(a) Remove Sundstrand MCU, P/N 960–0511–001, –002, or –003, in accordance with McDonnell Douglas Alert Service Bulletin A31–39, dated August 15, 1991 (telex), or August 19, 1991 (service bulletin).

Note: In accordance with Federal Aviation Regulation (FAR) 121.367, any operator who currently uses the MCU specified in paragraph (a) of this AD to record maintenance data required by its FAA-approved maintenance program must obtain approval from its FAA Principal Maintenance Inspector for an alternative method of recording this data.

Note: MCU's specified in paragraph (a) of this AD may be replaced with an FAA-approved Sundstrand MCU, P/N 960–0511–011.

(b) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note: The request should be forwarded through an FAA Principal Avionics Inspector, who may concur or comment and then send it to the Manager, Los Angeles ACO.

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

(d) The removal requirements shall be done in accordance with McDonnell Douglas Alert Service Bulletin A31–39, which was released as a telex dated August 15, 1991, and as a paper copy service bulletin dated August 19, 1991. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846. Copies may be inspected at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

This amendment (39–8049, AD 91–21–02) becomes effective on October 23, 1991.

Issued in Renton, Washington, on September 23, 1991.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 91–24186 Filed 10–7–91; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 91–NM–174–AD; Amendment 39–8052; AD 91–21–05]

Airworthiness Directives; McDonnell Douglas Model DC–10–10 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–10 series airplanes, which requires inspection of the wing rear spar lower cap aft tang fastener and wing trailing edge access door sill. This amendment is prompted by reports of cracks in the wing rear spar lower cap aft tang on four aircraft. This condition, if not detected, could compromise the structural integrity of these airplanes.

DATES: Effective October 23, 1991.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 23, 1991.

ADDRESSES: The applicable service information may be obtained from McDonnell Douglas Corporation, P.O. Box 1771, Long Beach California 90806–0001, Attention: Business Unit Manager of Technical Publications, Technical Administrative Support C1–L5B (54–60).This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ms. Dorenda D. Baker, Aerospace Engineer, Airframe Branch, ANM–121L, FAA, Northwest Mountain Region, Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California 90806–2425; telephone (213) 988–5231.

SUPPLEMENTARY INFORMATION: The FAA has received reports from two operators indicating that cracks have been found in the wing rear spar lower cap aft tang on four Model DC–10 series airplanes. Investigation revealed that the cracks initiated from fatigue and propagated by fatigue. The subject airplanes had each accumulated fewer than 19,000 landings.

The subject area is covered by the Supplemental Inspection Document (SID), (required by AD 89–22–10, Amendment 39–6330 (54 FR 42291, October 16, 1989)) as Principal Structural Element (PSE) No. 57.10.007/57.10.008. The inspections required for this PSE follow the fleet leader sampling criteria with a fatigue life threshold (N_{th}) of 36,363 landings, which corresponds to a life when the probability of failure per flight reaches 10^{-9}, i.e., failure is extremely improbable. Sampling inspections were to begin in September 1989 for those airplanes that had exceeded $N_{th/2}$ (18,181 landings). Since all cracks have been detected on aircraft with less than 19,000 landings, and a PSE is defined as structure the failure of which, if undetected, could lead to loss of the structural integrity of the airplane, the FAA has determined that an additional AD is warranted to require inspection of the wing rear spar lower cap aft tang and wing trailing edge access door sill located between stations $X_{ors}=417$ and $X_{ors}=424$ on certain Model DC–10 series airplanes after they accumulate 7,000 landings. Such inspections would ensure that fatigue cracking is detected in a more timely manner, long before cracking reaches a critical length. Fatigue cracking in this area, if not detected, could compromise the structural integrity of these airplanes.

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin A57–123, dated July 25, 1991, which describes procedures for inspection of the wing rear spar lower cap aft tang and wing trailing edge