

Cost Impact

There are approximately 86 McDonnell Douglas Model MD-11 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 45 airplanes of U.S. registry will be affected by this AD, that it will take approximately 3 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$8,100, or \$180 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 adding the following new airworthiness directive:

97-10-12 McDonnell Douglas: Amendment 39-10024. Docket 96-NM-283-AD.

Applicability: Model MD-11 series airplanes, as listed in McDonnell Douglas Service Bulletin MD11-24-111, dated December 3, 1996; certificated in any category.

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 (b) 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 detect and correct chafing of the wire bundles adjacent to the disconnect panel bracket assembly and consequent inflight arcing behind the avionics circuit breaker, which could result in a fire in the wire bundles and smoke in the cockpit, accomplish the following:

(a) Within 6 months after the effective date of this AD: Perform a one-time inspection to detect riding, chafing, or damage of the wire bundles adjacent to the disconnect panel bracket of the observer's station, in accordance with McDonnell Douglas Service Bulletin MD11-24-111, dated December 3, 1996.

(1) Condition 1. If any riding or chafing is found, and if any damage is found: Prior to further flight, repair or replace any damaged wires with new or serviceable wires; install anti-chafing sleeving on the wire bundles; and install a grommet along the entire upper aft edge of the disconnect panel bracket; in accordance with the service bulletin.

(2) Condition 2. If any riding or chafing is found, but no damage is found: Prior to further flight, install anti-chafing sleeving on the wire bundles, and install a grommet along the entire upper aft edge of the disconnect panel bracket, in accordance with the service bulletin.

(3) Condition 3. If no riding, chafing, or damage is found: Prior to further flight, install a protective grommet along the entire upper aft edge of the disconnect panel bracket in accordance with the service bulletin.

(b) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

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

(c) 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.

(d) The actions shall be done in accordance with McDonnell Douglas Service Bulletin MD11-24-111, dated December 3, 1996. 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, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on June 16, 1997.

Issued in Renton, Washington, on May 5, 1997.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-12250 Filed 5-9-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Office of the Secretary****14 CFR Parts 310 and 374**

RIN 2105-AC64

Inspection and Copying of Department of Transportation Opinions, Orders, and Records and Implementation of the Consumer Credit Protection Act With Respect to Air Carriers and Foreign Air Carriers

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This final rule removes regulations on the inspection and copying of DOT opinions, orders, and records in 14 CFR Part 310 and amends regulations on the implementation of

the Consumer Credit Protection Act with respect to air carriers and foreign air carriers in 14 CFR Part 374. The Department is revoking 14 CFR Part 310 because the provisions of the regulation are outdated and already encompassed in 49 CFR Part 7 which adequately provides for the inspection and copying of all relevant DOT opinions, orders, and records. With regard to 14 CFR Part 374, the Department is revising the regulation to update both the agency references and statutory citations. These actions are taken in response to the President's Regulatory Reinvention Initiative.

DATES: This rule is effective on June 11, 1997.

FOR FURTHER INFORMATION CONTACT: Dayton Lehman, Office of Aviation Enforcement and Proceedings (C-70), Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-9342.

SUPPLEMENTARY INFORMATION:

I. Inspection and Copying of DOT Opinions, Orders, and Records

In an effort to eliminate duplication of its regulations in the Code of Federal Regulations (CFR) and to eliminate outdated information, the Department is removing 14 CFR Part 310. Part 310 provides for the inspection and copying of certain DOT opinions, orders, and records. An outdated list of certain materials once made available by the Civil Aeronautics Board is contained in the rule. However, materials are already made available to the general public under the DOT Public Availability of Information provisions (49 CFR Part 7), the Freedom of Information Act (5 U.S.C. 552), and through the DOT Docket Section. Continuing to have two regulations that perform the same function is not necessary and 14 CFR Part 310 is therefore being removed.

II. Implementation of the Consumer Credit Protection Act With Respect to Air Carriers and Foreign Air Carriers

The Department is amending 14 CFR Part 374 to update both the language of the regulation and the references to the statutory provisions that it implements. Since the regulation was first adopted, the Department of Transportation has replaced the Civil Aeronautics Board (CAB) as the agency with enforcement responsibility under the regulation. Thus, the regulation is being amended to reflect this change. In addition, some of the statutory citations in the regulation are outdated and are being revised in this final rule. Overall, the amended regulation will accurately reflect both the current role of the

Department and the correct statutory provisions being implemented by the rule. The changes are editorial and not substantive.

III. Waiver of Proposed Rulemaking

In developing this final rule, we are dispensing with the usual notice of proposed rulemaking and public comment procedures set forth in the Administrative Procedure Act (APA) (5 U.S.C. 553). The APA provides an exception to the notice and comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary or contrary to the public interest. We have determined that under 5 U.S.C. 553 good cause exists for dispensing with the notice of proposed rulemaking and public comment procedures for this rule because the changes are purely editorial and administrative in nature.

IV. Regulatory Statements

Executive Order 12866

This final rule is considered nonsignificant under DOT's Policies and Procedures. The rule would have no economic impact and no further regulatory evaluation was prepared. The rule merely eliminates the duplicative and outdated provisions of 14 CFR Part 310 and amends the provisions of 14 CFR Part 374 to reflect current agency responsibilities and statutory authority. The elimination of 14 CFR Part 310 will have no effect on the general public since there are other readily available methods of obtaining DOT records, and a regulation governing those methods. Likewise, this rule's revision to 14 CFR Part 374 will have no substantive impact on its provisions. It was not reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Regulatory Flexibility Act

This rulemaking will have no impact on small entities for the reasons stated above. Under the provisions of the Regulatory Flexibility Act (5 U.S.C. 601-612), I certify that this rule will not have a significant economic impact on a substantial number of small entities, and that a regulatory flexibility analysis is not required for this rulemaking.

Paperwork Reduction Act

This final rule imposes no new reporting or record-keeping requirements necessitating clearance by OMB.

List of Subjects

14 CFR Part 310

Administrative practice and procedure, Freedom of information, Records.

14 CFR Part 374

Administrative practice and procedure, Air carriers, Consumer protection, Enforcement.

Accordingly, the Department of Transportation removes 14 CFR Part 310 and amends 14 CFR Part 374 as set forth below:

CHAPTER II—OFFICE OF THE SECRETARY, DEPARTMENT OF TRANSPORTATION (AVIATION PROCEEDINGS)

PART 310—INSPECTION AND COPYING OF DOT OPINIONS, ORDERS, AND RECORDS [REMOVED]

1. Under the Authority of 49 U.S.C. 40113, Part 310 is removed.

PART 374—IMPLEMENTATION OF THE CONSUMER CREDIT PROTECTION ACT WITH RESPECT TO AIR CARRIERS AND FOREIGN AIR CARRIERS [AMENDED]

B. Part 374 is amended as set forth below:

1. The authority citation for Part 374 is revised to read as follows:

Authority: 15 U.S.C. 1601-1693r; 49 U.S.C. Subtitle VII; and 12 CFR parts 202 and 226.

2. Section 374.1 is revised to read as follows:

§ 374.1 Purpose.

The purpose of this part is to state the Department of Transportation's responsibility to enforce air carrier and foreign air carrier compliance with Subchapters I, III, IV, V and VI of the Consumer Credit Protection Act and Regulations B and Z of the Board of Governors of the Federal Reserve System.

3. Section 374.3 revised to read as follows:

§ 374.3 Compliance with the Consumer Credit Protection Act and regulations.

(a) Each air carrier and foreign air carrier shall comply with the requirements of the Consumer Credit Protection Act, 15 U.S.C. 1601-1693r. Any violation of the following requirements of that Act will be a violation of 49 U.S.C. Subtitle VII, enforceable by the Department of Transportation:

(1) The Truth in Lending Act, as supplemented by the Fair Credit Billing Act, 15 U.S.C. 1601-1667, requiring disclosure of credit terms to the consumer and prohibiting inaccurate or

unfair credit billing and credit card practices.

(2) The Fair Credit Reporting Act, 15 U.S.C. 1681–1681i setting forth requirements to be met by consumer credit reporting agencies and persons who use consumer credit reports.

(b) Each air carrier and foreign air carrier shall comply with the requirements of Regulation B, 12 CFR part 202, and Regulation Z, 12 CFR part 226, of the Board of Governors of the Federal Reserve Board. Any violation of the requirements of those regulations will be a violation of 49 U.S.C. Subtitle VII, enforceable by the Department of Transportation.

4. Section 374.4 is revised to read as follows:

§ 374.4 Enforcement procedure.

The statutes and regulations referred to in § 374.3 may be enforced by an enforcement procedure as set forth in part 302 of this chapter or by the assessment of civil penalties under 49 U.S.C. 46301.

Issued in Washington, DC on March 24, 1997.

Rodney E. Slater,

Secretary of Transportation.

[FR Doc. 97–9783 Filed 5–9–97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket Nos. RM96–1–005, RP97–276–000; Order No. 587–E]

Standards for Business Practices of Interstate Natural Gas Pipelines

Issued May 6, 1997.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; Order denying rehearing and request for waiver.

SUMMARY: The Federal Energy Regulatory Commission is denying requests for rehearing of Order No. 587–B (62 FR 5521, Feb. 6, 1997). Order No. 587–B incorporated by reference standards promulgated by the Gas Industry Standards Board requiring interstate pipelines to exchange data necessary to conduct certain business transactions across the Internet according to protocols established in the standards. The format for the data was adopted by the Commission in Order No. 587. 61 FR 39053 (Jul. 26, 1996). The order clarifies pipelines' obligations in implementing the standards.

DATES: Pipeline implementation of the Internet requirements runs from April 1, 1997 to June 1, 1997, according to a staggered schedule established in Order No. 587.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street, NE, Washington DC, 20426.

FOR FURTHER INFORMATION CONTACT:

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208–2294.

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, (202) 208–1283.

Kay Morice, Office of Pipeline Regulation, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426 (202) 208–0507.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 2A, 888 First Street, NE, Washington D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing 202–208–1397 if dialing locally or 1–800–856–3920 if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this order will be available on CIPS in ASCII and WordPerfect 5.1 format. CIPS user assistance is available at 202–208–2474.

CIPS is also available on the Internet through the Fed World system. Telnet software is required. To access CIPS via the Internet, point your browser to the URL address: <http://www.fedworld.gov> and select the “Go to the FedWorld Telnet Site” button. When your Telnet software connects you, log on to the FedWorld system, scroll down and select FedWorld by typing: 1 and at the command line and type: /go FERC. FedWorld may also be accessed by Telnet at the address fedworld.gov.

Finally, the complete text on diskette in WordPerfect format may be purchased from the Commission's copy

contractor, La Dorn Systems Corporation. La Dorn Systems Corporation is also located in the Public Reference Room at 888 First Street, NE, Washington, DC 20426.

ORDER DENYING REHEARING AND REQUEST FOR WAIVER

Before Commissioners: Elizabeth Anne Moler, Chair; Vicky A. Bailey, James J. Hoecker, William L. Massey, and Donald F. Santa, Jr.

On March 3, 1997, Natural Gas Clearinghouse (NGC) and Ozark Gas Transmission System (Ozark) filed requests for rehearing of Order No. 587–B,¹ and, in the case of Ozark, an alternative request for a waiver. For the reasons discussed below, the requests for rehearing and waiver are denied.

Background

In Order No. 587,² the Commission incorporated by reference consensus standards developed by the Gas Industry Standards Board (GISB) covering certain industry business practices—Nominations, Flowing Gas, Invoicing, and Capacity Release—as well as datasets that detailed the data requirements needed to conduct business transactions in these areas. In Order No. 587–B, the Commission incorporated by reference GISB standards establishing the protocols and procedures for exchanging these files over the Internet, with implementation to follow a staggered schedule beginning April 1, 1997.

At the same time that GISB passed the standards for transacting business transactions over the Internet, it passed two standards, 4.3.5 and 4.3.6, requiring pipelines to provide additional information on an Internet World Wide Web homepage (homepage).³ GISB recommended an August 1, 1997 implementation date for the two World Wide Web standards. GISB also approved revisions and additions to its business practices standards, with a recommendation for tariff filings beginning May 1997 and implementation in November 1997.

¹ Standards For Business Practices Of Interstate Natural Gas Pipelines, Order No. 587–B, 62 FR 5521 (Feb. 6, 1997), III FERC Stats. & Regs. Regulations Preambles ¶ 31,046 (Jan. 30, 1997).

² Standards For Business Practices Of Interstate Natural Gas Pipelines, Order No. 587, 61 FR 39053 (Jul. 26, 1996), III FERC Stats. & Regs. Regulations Preambles ¶ 31,038 (Jul. 17, 1996), *reh'g denied*, Order No. 587–A, 61 FR 55208 (Oct. 25, 1996), 77 FERC ¶ 61,061 (Oct. 21, 1996).

³ This information includes notices (critical notices, operation notices, system-wide notices); Order No. 566 affiliated marketer information (affiliate allocation log, discount postings); operationally available and unsubscribed capacity; Index of Customers; and the pipeline's tariff.