

§ 39.13 [AMENDED]

2. Section 39.13 is amended by removing Amendment 39—9345 (60 FR 43963, August 24, 1995), and by adding a new airworthiness directive, Amendment 39—9461, to read as follows:

95-26-03 Pratt & Whitney: Amendment 39-9461. Docket 95-ANE-58. Supersedes AD 95-15-51, Amendment 39-9345.

Applicability: Pratt & Whitney (PW) Models JT8D-1, -1A, -1B, -7, -7A, -9, -9A, -11, -15, -15A, -17, -17A, -17R, -17AR engines with serial numbers specified in Section 2 of PW Alert Service Bulletin (ASB) No. A6226, dated October 17, 1995. These engines are installed on but not limited to Boeing B727 and B737, and McDonnell Douglas DC-9 aircraft.

Note: This airworthiness directive (AD) applies to each engine 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 engines that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must

use the authority provided in paragraph (c) to request approval from the Federal Aviation Administration (FAA). This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent an uncontained high pressure compressor (HPC) disk failure, which can result in damage to the aircraft, accomplish the following:

(a) Perform a records search, inspect if necessary, repair or replace if necessary, and report results, of stage 7 through 12 HPC disks in accordance with the intervals and procedures of paragraph 2.A through 2.D of PW ASB No. A6226, dated October 17, 1995. Reporting requirements have been approved by the Office of Management and Budget and assigned OMB control number 2120-0056.

(b) For the purpose of this AD, the accomplishment effective date to be used for determination of inspection intervals, as required by Section 2.B of PW ASB A6226, dated October 17, 1995, is defined as the effective date of this AD.

(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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

(e) The actions required by this AD shall be done in accordance with the following service document:

Document No.	Pages	Revision	Date
PW ASB No. A6226	1-20	Original ..	October 17, 1995.
Total pages: 20.			

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 Pratt & Whitney, Publications Department, M/S 132-30, 400 Main St., East Hartford, CT 06108. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on January 11, 1996.

Issued in Burlington, Massachusetts, on December 11, 1995.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95-31332 Filed 12-26-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 91

[Docket No. 24456; Amendment No. 91-247]

Special VFR Weather Minimums

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: This action corrects the Special visual flight rules (SVFR) weather minimums in Alaska.

Specifically, this action allow SVFR operations in Alaska when the sun is 6 degrees or more below the horizon.

EFFECTIVE DATE: December 27, 1995.

FOR FURTHER INFORMATION CONTACT: Janet Apple, Air Traffic Rules Branch, ATP-230, Airspace Rules and Aeronautical Information Division, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8783.

SUPPLEMENTARY INFORMATION: On December 17, 1991, the FAA published the Airspace Reclassification final rule (56 FR 65638) that, in pertinent part, changed regulations and procedures in regard to airspace classifications. These changes, effective September 16, 1992, were intended to simplify airspace classifications to reduce airspace complexity and thereby enhance safety.

Prior to the Airspace Reclassification final rule, §91.157 of Title 14, Code of Federal Regulations (14 CFR) stated that no person may operate an aircraft (other than a helicopter) in a control zone under the special weather minimums of section 91.157 between sunset and sunrise (or in Alaska, when the sun is more than 6 degrees below the horizon), with additional conditions. However, the amendment language in the Airspace Reclassification final rule

(Amdt. 91-227 56 FR 65660, December 17, 1991) inadvertently changed section 91.157 to read “* * * 6 degrees or more above the horizon.” This technical amendment corrects that error.

The Amendment

This amendment to 14 CFR part 91 subparagraph (b)(4) revises the restriction for Special VFR operations in Alaska to 6 degrees or more below the horizon. The FAA has determined that this action: (1) Is not a “major rule” under Executive Order 12291; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is negligible.

This action is a clarification of an existing rule and does not place any new restrictions or requirements on the public, but rather lifts certain restrictions presently in place. Notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

List of Subjects in 14 CFR Part 91

Air traffic control, Aircraft, Airmen, Airports, Aviation safety.

PART 91—GENERAL OPERATING AND FLIGHT RULES

1. The authority citation for Part 91 continues to read as follows:

Authority: 49 U.S.C. 106(g), 1155, 40103, 40113, 40120, 44101, 44111, 44701, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46502, 46504, 46506, 46507, 47122, 47508, 47528–47531; articles 12 and 29 of the Convention on International Civil Aviation 961 stat. 1180.

2. Section 91.157 is amended by revising paragraph (b)(4) introductory text to read as follows:

§ 91.157 Special VFR weather minimums.

* * * * *

(b) Special VFR operations may only be conducted—

* * * * *

(4) Except for helicopters, between sunrise and sunset (or in Alaska, when the sun is 6 degrees or more below the horizon) unless—

* * * * *

Issued in Washington, D.C. on December 18, 1995.

Harold W. Becker,

Acting Program Director for Air Traffic Rules and Procedures.

[FR Doc. 95–31290 Filed 12–26–95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Parts 922, 924, 925, 935, 936, 938, 940, 941, 942, 943 and 944

[Docket No. 951201283–5283–01]

RIN 0648–A151

National Marine Sanctuary Program

AGENCY: Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Final rule.

SUMMARY: The National Oceanic and Atmospheric Administration (NOAA) is removing 15 CFR Parts 924, 925, 935, 936, 938, 940, 941, 942, 943, and 944 and revising 15 CFR Part 922 by consolidating therein the removed regulations. As revised, Part 922 implements the National Marine Sanctuaries Act, as amended, (Act), 16 U.S.C. 1431 *et seq.* and governs ten of the present twelve National Marine Sanctuaries. The rulemakings to implement the designations of the

eleventh and twelfth Sanctuaries, the Florida Keys National Marine Sanctuary and the Hawaiian Islands Humpback Whale National Marine Sanctuary, are presently ongoing and the regulations governing the old Key Largo and Looe Key National Marine Sanctuaries (15 CFR Parts 929 and 937) subsumed in the new Florida Keys Sanctuary will continue to be maintained until replaced by regulations governing the entire Florida Keys Sanctuary. This final rule does not make substantive changes to the existing regulations governing the other ten Sanctuaries, rather it removes duplicative and outdated provisions, makes technical changes to incorporate current term usage and achieve uniformity in regulatory language, and consolidates and reorganizes all remaining provisions in a more logical and cohesive order. The effect of this final rule is to make the regulations implementing the Act more concise, better organized, and thereby easier for the public to use.

EFFECTIVE DATE: December 27, 1995.

FOR FURTHER INFORMATION CONTACT: Harriet Sopher, Office of Ocean and Coastal Resource Management, at 301–713–3125 (ext. 109), fax: 301–713–0404, e-mail: hsopher@ocean.nos.noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The National Oceanic and Atmospheric Administration (NOAA) is removing 15 CFR Parts 924, 925, 935, 936, 938, 940, 941, 942, 943, and 944 and is revising 15 CFR Part 922 by consolidating therein the removed regulations.

In March 1995, President Clinton issued a directive to Federal agencies regarding their responsibilities under his Regulatory Reinvention Initiative. This initiative is part of the National Performance Review and calls for immediate, comprehensive regulatory reform. The President directed all agencies to undertake an exhaustive review of all their regulations, with an emphasis on eliminating or modifying those that are obsolete, duplicative, or otherwise in need of reform. This final rule is intended to carry out the President's directive with respect to the regulations implementing the Act and the National Marine Sanctuary program and revises those regulations as follows:

II. Consolidates National Marine Sanctuary Regulations in One CFR Part, 15 CFR Part 922, and removes Ten CFR Parts Containing Site-Specific Regulations

Currently, regulations implementing the Act are included in 13 separate Parts

of title 15, Code of Federal Regulations. This rulemaking removes ten parts of the Code and consolidates the removed regulations, which addressed ten of the twelve National Marine Sanctuaries, in 15 CFR Part 922. The rulemakings to implement the designations of the eleventh and twelfth Sanctuaries, the Florida Keys National Marine Sanctuary and the Hawaiian Islands Humpback Whale National Marine Sanctuary, are presently ongoing and the regulations governing the old Key Largo and Looe Key National Marine Sanctuaries (15 CFR Parts 929 and 937) subsumed in the new Florida Keys Sanctuary will continue to be maintained until replaced by regulations governing the entire Florida Keys Sanctuary. As revised, subparts A, D and E of the 15 CFR Part 922 are applicable to all the ten Sanctuaries. Site-specific regulations for each of the ten appear in each Sanctuary's own subpart (subparts F through O). Subparts B and C apply to the Site Evaluation List (SEL) and to the designation of future Sanctuaries.

III. Makes Technical Changes to Incorporate Current Term Usage and Achieve Uniformity in Regulatory Language, and Replaces the Duplicative Provisions in the Site-Specific Regulations With Uniform Definitions and Provisions in Subparts A, D and E Applicable to the Ten Covered Sanctuaries

Many of the existing regulations for the ten Sanctuaries covered by this rulemaking contain identical or nearly identical provisions addressing matters such as definitions, emergency regulations, penalties, appeals of administrative action, and permit procedures and criteria. The consolidation of these provisions and the deletion of the duplicative provisions results in the deletion of many pages of text from the CFR.

The site specific prohibitions were retained for each Sanctuary in its own respective subpart. Site-specific definitions were only retained in those cases where application of a given term to other Sanctuaries other than the Sanctuary in question might create a conflict with either regulatory provisions or management practice at another Sanctuary.

IV. Reorganizes Remaining Regulations

The final rule reorganizes the remaining regulations of the present 15 CFR Part 922 in a more logical and cohesive order. For example, those provisions relating to the SEL and to the designation of future Sanctuaries have been moved to two separate subparts. Provisions pertaining to management