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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 917

[Docket No. FV02–916–1C IFR)

Nectarines and Peaches Grown in California; Correction

AGENCY: Agricultural Marketing Service.

ACTION: Interim final rule; correction.

SUMMARY: This document contains a correction to the interim final rule published on April 5, 2002 (67 FR 16286), concerning nectarines and peaches grown in California. The correction is needed to exempt Peento (Donut) varieties of peaches from the weight-count standards for round varieties of peaches. The exemption was inadvertently omitted from the rule.

EFFECTIVE DATE: April 6, 2002.

FOR FURTHER INFORMATION CONTACT: Terry Vawter, Marketing Specialist, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 2202 Monterey Street, Suite 102B, Fresno, California 93721; Telephone: (559) 487–5901, Fax: (559) 487–5906; or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Ave, SW STOP 0237, Washington, DC 20250–0237, Telephone: (202) 720–2491, Fax: (202) 720–8938.

SUPPLEMENTARY INFORMATION:

Background

The interim final regulations that are the subject of this correction revised § 917.459, but inadvertently omitted paragraph (a)(6)(iii).

Need for Correction

The interim final rule as published omits revised § 917.459, paragraph (a)(6)(iii) which exempts Peento (Donut) varieties of peaches from the weight-count standards applicable to other round varieties of peaches. The additional language is needed to ensure that newly-developed and approved weight-count standards for volume-filled containers of Peento (Donut) varieties of peaches are the sole basis for the weight-count sampling of Peento varieties of peaches.

Correction

Accordingly, in FR Doc. 02–8140, published April 5, 2002 (67 FR 16286) make the following corrections.

1. On page 16296, third column, add instruction ''E'' immediately following instruction ''D'' as stated below.

E. Paragraph (a)(6)(iii) is revised as follows.

2. On page 16298, first column, after the 5 asterisks following § 917.459 paragraph (a)(6) introductory text, paragraph (a)(6)(iii) is added to read as follows:

(iii) Such peaches in any container when packed other than as specified in paragraphs (a)(6)(i) and (ii) of this section are of a size that a 16-pound sample, representative of the peaches in the package or container, contains not more than 64 peaches, or if the peaches are ''well matured,'' not more than 73 peaches, except for Peento (Donut) varieties of peaches.

Dated: May 21, 2002.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 02–13378 Filed 5–28–02; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002–CE–19–AD; Amendment 39–12763; AD 2002–11–02]

RIN 2120–AA64

Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Model 390 airplanes. This AD requires you to insert a temporary change into the FAA-approved Airplane Flight Manual (AFM) that adds a limitation for prohibiting flight into icing conditions and adds procedures for when an icing condition occurs. This AD is the result of reports of a manufacturing problem with the wing leading edge anti-ice system. The actions specified by this AD are intended to minimize the potential hazards associated with operating these airplanes in icing conditions by providing procedures and limitations associated with such conditions.

DATES: This AD becomes effective on June 14, 2002.

The Federal Aviation Administration (FAA) must receive any comments on this rule on or before July 5, 2002.

ADDRESSES: Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002–CE–19–AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also send comments electronically to the following address: *9–ACE–7–Docket@faa.gov.* Comments sent electronically must contain ''Docket No. 2002–CE–19–AD'' in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in Microsoft Word 97 for Windows or ASCII text.

You may get the service information referenced in this AD from Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201–0085; telephone: (800) 429–5372 or (316) 676–3140. You may view this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002–CE–19–AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Paul DeVore, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946–4142; facsimile: (316) 946–4407.

SUPPLEMENTARY INFORMATION:

Discussion

What Events Have Caused this AD?

The FAA has received reports from Raytheon that indicate during maintenance on one of the affected airplanes, it was discovered that the airflow paths of the anti-ice system between the outer skin and inner leading edge skin of the wing were obstructed. The obstruction is caused by sealant that is applied to the wing leading edge during manufacture. This condition has been found on six other affected airplanes. Obstruction of the airflow paths prevents the hot air from the anti-ice system from properly distributing heat on the wing leading edge. Heat is necessary on the wing leading edge to prevent leading edge ice formation or runback ice.

What Are the Consequences If the Condition Is Not Corrected?

This condition, if not corrected, could result in ice formation on the wing leading edges and the upper and lower wing surfaces during flight in icing conditions. Ice formation on the wings could cause symmetric or asymmetric loss of lift, degradation of handling qualities, and increased drag of the airplane.

Is There a Modification I Can Incorporate Instead of Adding the Temporary Changes to the Airplane Flight Manual (AFM)?

The FAA has determined that long-term continued operational safety would be better assured by design changes that remove the source of the problem rather than by temporary changes to the AFM or other special procedures. With this in mind, we will continue to work with Raytheon in collecting information to determine whether a future design change may be necessary.

The FAA's Determination and an Explanation of the Provisions of This AD—What Has FAA Decided?

The FAA has reviewed all available information and determined that:

—The unsafe condition referenced in this document exists or could develop on other Raytheon Model 390 airplanes of the same type design; and

—AD action should be taken in order to correct this unsafe condition.

What Does This AD Require?

This AD requires you to insert a temporary change into the FAA-approved AFM that adds a limitation for prohibiting flight into icing conditions and adds procedures for when an icing condition occurs.

In preparation of this rule, we contacted type clubs and aircraft operators to obtain technical information and information on operational and economic impacts. We did not receive any information through these contacts. If received, we would have included, in the rulemaking docket, a discussion of any information that may have influenced this action.

Will I Have the Opportunity To Comment Prior to the Issuance of the Rule?

Because the unsafe condition described in this document could result in ice formation on the wings, we find that notice and opportunity for public prior comment are impracticable. Therefore, good cause exists for making this amendment effective in less than 30 days.

Comments Invited

How Do I Comment on This AD?

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, FAA invites your comments on the rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES.** We will consider all comments received on or before the closing date specified above. We may amend this rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether we need to take additional rulemaking action.

Are There Any Specific Portions of the AD I Should Pay Attention To?

We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of this AD.

How Can I Be Sure FAA Receives My Comment?

If you want us to acknowledge the receipt of your mailed comments, you must include a self-addressed, stamped postcard. On the postcard, write ''Comments to Docket No. 2002–CE–19–AD.'' We will date stamp and mail the postcard back to you.

Compliance Time of This AD

What Is the Compliance Time of This AD?

The compliance time of this AD is ''within the next 15 calendar days after the effective date of this AD.''

Why Is the Compliance Time Presented in Calendar Time Instead of Hours Time-in-Service (TIS)?

Although ice formation on the wings is only unsafe during flight, this unsafe condition is not a result of the number of times the airplane is operated. The chance of this situation occurring is the same for an airplane with 10 hours time-in-service (TIS) as it would be for an airplane with 500 hours TIS. For this reason, the FAA has determined that a compliance based on calendar time should be utilized in this AD in order to assure that the unsafe condition is addressed on all airplanes in a reasonable time period.

Regulatory Impact

Does This AD Impact Various Entities?

These regulations will not have a substantial direct effect 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, FAA has determined that this final rule does not have federalism implications under Executive Order 13132.

Does This AD Involve a Significant Rule or Regulatory Action?

We have determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, 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, Safety.

Adoption of the Amendment

Accordingly, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

2002–11–02 Raytheon Aircraft Company: Amendment 39–12763; Docket No. 2002–CE–19–AD.

(a) *What airplanes are affected by this AD?* This AD applies to the following airplanes that are certificated in any category:

Model	Serial Nos.
390	RB–4 through RB–14, RB–20 through RB–22, RB–24 through RB–32, and RB–34.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to prevent ice formation on the wing leading edges and the upper and lower wing surfaces during flight in icing conditions. Ice formation on the wings could cause symmetric or asymmetric loss of lift, degradation of handling qualities, and increased drag of the airplane.

(d) *What must I do to address this problem?* To address this problem, you must accomplish the following actions:

Actions	Compliance	Procedures
Insert page 2 (Limitations Section) and page 3 (Abnormal Procedures Section) of Raytheon Temporary Change, Part Number (P/N) 390–590001–0003BTC1, dated April 29, 2002, into the FAA-approved Airplane Flight Manual (AFM).	Within the next 15 calendar days after June 14, 2002 (the effective date of this AD).	Incorporating the AFM revisions, as required by this AD, may be performed by anyone who holds at least a private pilot certificate, as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7. You must make an entry into the aircraft records that shows compliance with this AD, in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Wichita Aircraft Certification Office (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

Note: This AD applies to each airplane identified in paragraph (a) of this AD, 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Paul DeVore, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946–4142; facsimile: (316) 946–4407.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *When does this amendment become effective?* This amendment becomes effective on June 14, 2002.

Issued in Kansas City, Missouri, on May 20, 2002.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–13289 Filed 5–28–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

14 CFR Part 71

[Airspace Docket No. 01–AGL–01]

Modification of Class D Airspace; Rockford, IL; Modification of Class E Airspace; Rockford, IL; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects two errors in the legal descriptions of a final rule that was published in the **Federal Register** on Tuesday, April 2, 2002 (67 FR 15478). The Final Rule modified Class D and Class E airspace at Rockford, IL.

EFFECTIVE DATE: 0901 UTC, June 13, 2002.

FOR FURTHER INFORMATION CONTACT: Denis C. Burke, Air Traffic Division, Airspace Branch, AGL–520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018, telephone: (847) 294–7477.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 02–7858 published on Tuesday, April 2, 2002 (67 FR 15478), modified Class D and Class E Airspace at Rockford, IL. The latitude and longitude was omitted for the Greater Rockford ILS localizer in the Class E legal description. In addition, runway 36 was referred to in the Class D legal description, instead of runway 1. This action corrects these errors, by adding the missing latitude and longitude, and changing the runway identifier.

Accordingly, pursuant to the authority delegated to me, the errors for the Class D and Class E Airspace, Rockford, IL, as published in the **Federal Register** Tuesday, April 2, 2002 (67 FR 15478), (FR Doc. 02–7858), are corrected as follows:

§ 71.1 [Corrected]

1. On page 15478, Column 3, correct the Class E legal description as follows:

a. Add the following immediately below:

''**Greater Rockford Airport, IL**
(Lat. 42°11′43″N., long. 89°05′50″W.)'':

Greater Rockford ILS Localizer
(Lat. 42°12′36″N., long. 89°05′17″W.)

2. On page 15478, Column 3, correct the Class D legal description as follows:

a. Change ''Runway 36 ILS localizer course'' to read: ''Runway 1 ILS localizer course''.