

percentage of total grower revenue could range between 1.2 and 1 percent, respectively.

This action would increase the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived by the operation of the marketing order. In addition, the Board's meeting was widely publicized throughout the California almond industry and all interested persons were invited to attend the meeting and participate in Board deliberations on all issues. Like all Board meetings, the May 20, 2004, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This proposed rule would impose no additional reporting or recordkeeping requirements on either small or large California almond handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 10-day comment period is provided to allow interested persons to respond to this proposed rule. Ten days is deemed appropriate because: (1) The 2004-05 crop year begins on August 1, 2004, and the marketing order requires that the rate of assessment for each crop year apply to all assessable almonds handled during such crop year; (2) a final decision on the increase should be made as soon as possible so handlers can plan accordingly; (3) the Board needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; and (4) handlers are aware of this action which was recommended by the Board at a public meeting and is similar to other assessment rate actions issued in past years.

List of Subjects in 7 CFR Part 981

Almonds, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 981 is proposed to be amended as follows:

PART 981—ALMONDS GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 981 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. Section 981.343 is revised to read as follows:

§ 981.343 Assessment rate.

On and after August 1, 2004, an assessment rate of \$0.025 per pound is established for California almonds. Of the \$0.025 assessment rate, \$0.014 per assessable pound is available for handler credit-back.

Dated: June 10, 2004.

Kenneth C. Clayton,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 04-13690 Filed 6-14-04; 12:56 pm]

BILLING CODE 3410-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-NM-131-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 727, 727C, 727-100, -100C, and -200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 727, 727C, 727-100, -100C, and -200 series airplanes. This proposal would require an inspection of the forward trunnion attach fittings of the main landing gear (MLG), inspections of the attach fitting holes of the forward trunnion attach fittings if necessary, replacement of the forward trunnion attach fittings if necessary, and corrective actions if necessary. This action is necessary to detect and correct cracks and corrosion on the attach fitting holes of the forward trunnion attach fittings of the MLG, which could result in the collapse of the

MLG. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by August 2, 2004.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2003-NM-131-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain "Docket No. 2003-NM-131-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 or 2000 or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Daniel F. Kutz, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6456; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.

• Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2003-NM-131-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2003-NM-131-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports of cracks and corrosion in the attach bolt holes of the forward trunnion attach fittings of the main landing gear (MLG) on certain Boeing Model 727 series airplanes. Forward trunnion attach fittings made of 7079-T6 aluminum are prone to stress corrosion cracking even if they have been shot peened. This condition, if not detected and corrected, could result in the collapse of the MLG.

Other Related Rulemaking

On October 2, 2001, the FAA issued AD 2001-20-09, amendment 39-12457 (66 FR 51843, October 11, 2001), applicable to all Boeing Model 727 series airplanes, which currently requires repetitive inspections of the bearing support fitting of the forward trunnion on the MLG to detect corrosion and cracking; follow-on actions, if necessary; and repair/rework of the support fitting, or replacement with a new or repaired/reworked fitting. That AD is to be done in accordance with Boeing Alert Service Bulletin 727-57A0179, Revision 3, dated September 2, 1999; Boeing Alert Service Bulletin 727-57A0179, Revision 4, dated July 13, 2000; or Boeing Service Bulletin 727-57A0179, Revision 5, dated December 20, 2000. The actions specified by that AD are intended to prevent failure of the support fitting, which could result in collapse of the MLG during normal

operations; consequent damage to the airplane structure; and injury to flight crew, passengers, or ground personnel.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003, which describes procedures for an inspection of the forward trunnion attach fittings of the MLG to determine the part number; detailed and high frequency eddy current inspections of the attach fitting holes of the forward trunnion attach fittings having part number 65-19296-1 through -8 (made of 7079-T6 aluminum) for cracks and corrosion if necessary; and corrective actions if necessary. The corrective actions include reworking the attach fitting holes, repairing the attach fitting holes, and replacing the forward trunnion attach fitting with a new forward trunnion attach fitting. Replacement of the 7079-T6 attach fittings with a 7075-T73511 or 7050-T7451 attach fitting is considered terminating action for the service bulletin.

Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003, described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletin

The compliance time in section 1.E. of the Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003, specifies to do the actions "For airplanes over 20 years old (since the original airplane delivery date) that have a 7079-T6 MLG forward trunnion attach fitting" at the later time of "two years after the release of Revision 3 the service bulletin" or "ten years after the last inspection/rework of the attach fitting per a prior release of this service bulletin." However, for these same airplanes, paragraph (b) of this proposed AD specifies to do the actions at the latest of the following times:

1. Prior to airplanes reaching 240 months old since the date of issuance of the original Airworthiness Certificate or

the date of issuance of the original Export Certificate of Airworthiness; or
2. Within 18 months after the effective date of this AD; or

3. Within 120 months after the last inspection/rework/repair of the attach fitting per Boeing Service Bulletin 727-57A0132, dated June 28, 1974; Revision 1, dated October 31, 1975; or Revision 2, dated April 24, 1981; or Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003.

We have determined that "For airplanes over 20 years old" may be interpreted as the AD applies only to airplanes with the stated age as of the effective date of the AD. We have determined that the age of the airplanes is intended to be the initial threshold. Thus, "prior to airplanes reaching 240 months old" will include all affected airplanes. We have also determined that "original airplane delivery date" may be interpreted differently by different operators. We find that "date of issuance of the original Airworthiness Certificate or the date of issuance of the Export Certificate of Airworthiness, whichever occurs first" is generally understood within the industry and records will always exist that establish these dates with certainty. We also did not include the qualifying phrase "that have a 7079-T6 MLG forward trunnion attach fitting" because the first action in the proposed AD is to determine which airplanes have a 7079-T6 forward trunnion attach fitting of the MLG.

Although the service bulletin recommends one option for the compliance time as "two years after the release of Revision 3 the service bulletin," we have determined that the two year interval would not address the identified unsafe condition soon enough to ensure an adequate level of safety for the affected fleet. In developing this option for the compliance time for this AD, we coordinated with the manufacturer and considered the degree of urgency associated with the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the inspection (1 hour). In light of all of these factors, we find that the compliance time of "within 18 months after the effective date of this AD" represents an appropriate interval of time for affected airplanes to continue to operate without compromising safety.

Although paragraph 7 of "Part II" of the Accomplishment Instructions of the service bulletin only lists part number P/N 65-19296U13 (LH) or P/N 65-19296U14 (RH) as acceptable new attach fittings, paragraphs (d)(2) and (e) of the proposed AD lists the following acceptable new attach fittings: P/N 65-19296-9, -10, -13, or -14; P/N 65-

99909-1724 or -1727; P/N 65-19296U13 or P/N 65-19296U14.

Although the service bulletin specifies concurrent accomplishment of Boeing Alert Service Bulletin 727-57A0179, Revision 3 or later, this AD does not require concurrent accomplishment of service bulletin 727-57A0179, Revision 3 or later. AD 2001-20-09 already requires accomplishment of the actions in Boeing Alert Service Bulletin 727-57A0179, Revision 3, dated September 2, 1999; Revision 4, dated July 13, 2000; or Boeing Service Bulletin 727-57A0179, Revision 5, dated December 20, 2000.

Cost Impact

There are approximately 523 airplanes of the affected design in the worldwide fleet. The FAA estimates that 309 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed inspection, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$20,085, or \$65 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would 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, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Boeing: Docket 2003-NM-131-AD.

Applicability: Boeing Model 727, 727C, 727-100, -100C, and -200 series airplanes, line numbers 1 through 887 inclusive; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct cracks and corrosion on the attach fitting holes of the forward trunnion attach fittings of the main landing gear (MLG), which could result in the collapse of the MLG, accomplish the following:

Service Bulletin References

(a) The term "service bulletin," as used in this AD, means Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003.

Initial Inspection

(b) Perform an inspection of the forward trunnion attach fittings of the MLG to determine the part number (P/N) of the attach fitting, in accordance with "Part 1" of the Accomplishment Instructions of the service bulletin, at the latest of the times specified in paragraphs (b)(1), (b)(2), and (b)(3) of this AD:

(1) Prior to airplanes reaching 240 months old since the date of issuance of the original Airworthiness Certificate or the date of issuance of the original Export Certificate of Airworthiness; or

(2) Within 18 months after the effective date of this AD; or

(3) Within 120 months after the last inspection/rework/repair of the attach fitting per Boeing Service Bulletin 727-57A0132, dated June 28, 1974; Revision 1, dated October 31, 1975; or Revision 2, dated April

24, 1981; or Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003.

Corrective Actions

(c) If, during the inspection required by paragraph (b) of this AD, both attach fittings are found to have P/N 65-19296-9, -10, -13, or -14; P/N 65-99909-1724 or -1727; P/N 65-19296U13 or P/N 65-19296U14 (attach fitting made of 7075-T73511 or 7050-T7451 aluminum); no further action is required by this paragraph.

(d) If, during the inspection required by paragraph (b) of this AD, any attach fitting is found to have P/N 65-19296-1 through -8 inclusive (attach fitting made of 7079-T6 aluminum); Before further flight, perform the actions in paragraphs (d)(1) and (d)(2) of this AD, as applicable.

(1) Do detailed and high frequency eddy current inspections of the attach fitting holes for cracks and corrosion, repair any crack or corrosion found, and rework the attach fitting holes in accordance with Figures 4 and 5 of the service bulletin, except as provided by paragraph (d)(2) of this AD.

(2) If the attach fitting hole cannot be reworked or repaired in accordance with Figures 4 and 5 of the service bulletin: Before further flight, replace the attach fitting with a new attach fitting that has P/N 65-19296-9, -10, -13, or -14, P/N 65-99909-1724 or -1727, P/N 65-19296U13, or P/N 65-19296U14, in accordance with paragraph 7 of "Part II" of the Accomplishment Instructions of the service bulletin. Accomplishment of this replacement is terminating action for that fitting.

Terminating Action

(e) Within 120 months after the effective date of this AD, replace attach fittings that have P/N 65-19296-1 through -8 (attach fittings made of 7079-T6 aluminum) with new attach fittings that have P/N 65-19296-9, -10, -13, or -14, P/N 65-99909-1724 or -1727, P/N 65-19296U13, or P/N 65-19296U14 (attach fittings made of 7075-T73511 or 7050-T7451 aluminum), in accordance with paragraph 7 of "Part II" of the Accomplishment Instructions of the service bulletin. Replacement of all attach fittings made of 7079-T6 aluminum with new attach fittings made of 7075-T73511 or 7050-T7451 aluminum terminates the requirements of paragraph (d) of this AD.

Parts Installation

(f) As of the effective date of this AD, no person shall install, on any airplane, an attach fitting, P/N 65-19296-1, -2, -3, -4, -5, -6, -7, or -8 (attach fitting made of 7079-T6 aluminum), unless it has been inspected/reworked/repared in accordance with paragraph (d) of this AD.

Alternative Methods of Compliance

(g)(1) In accordance with 14 CFR 39.19, the Manager, Seattle Aircraft Certification Office, FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

(2) An AMOC that provides an acceptable level of safety may be used for any rework/repair required by this AD, if it is approved by a Boeing Company Designated Engineering Representative (DER) who has

been authorized by the Manager, Seattle ACO, to make such findings. For a rework/repair method to be approved, the approval must specifically reference this AD.

Issued in Renton, Washington, on June 7, 2004.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-13501 Filed 6-15-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2004-18019; Directorate Identifier 2003-NE-65-AD]

RIN 2120-AA64

Airworthiness Directives; Honeywell International Inc. TFE731-2 and -3 Series Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for Honeywell International Inc. (formerly AlliedSignal Inc. and Garrett Turbine Engine Co.) TFE731-2 and -3 series turbofan engines with certain part number (P/N) low pressure turbine (LPT) stage 1 disks installed. This proposed AD would require for TFE731-2 and -2C series engines, initial and repetitive measurements and calculations to determine acceptance, and adjustment or replacement if necessary, of the LPT stage 1 nozzle assembly. This proposed AD would also require for TFE731-3, -3A, -3AR, -3B, -3BR, and -3R series engines, replacement of LPT stage 1 disks with serviceable disks. This proposed AD also allows replacement of the LPT stage 1 disk with a disk having a part number not listed in the proposed AD as optional terminating action to the repetitive actions. This proposal results from a report of an uncontained failure of the LPT stage 1 disk installed in a TFE731-3-1H turbofan engine. We are proposing this AD to prevent additional uncontained failure of the LPT stage 1 disk, and possible damage to the airplane.

DATES: We must receive any comments on this proposed AD by August 16, 2004.

ADDRESSES: Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You can get the service information identified in this proposed AD from Honeywell Engines and Systems (formerly AlliedSignal Inc. and Garrett Turbine Engine Co.) Technical Publications and Distribution, M/S 2101-201, P.O. Box 52170, Phoenix, AZ 85072-2170; telephone: (602) 365-2493 (General Aviation), (602) 365-5535 (Commercial Aviation), fax: (602) 365-5577 (General Aviation), (602) 365-2832 (Commercial Aviation).

You may examine the comments on this proposed AD in the AD docket on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT:

Joseph Costa, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712-4137; telephone: (562) 627-5246; fax: (562) 627-5210.

SUPPLEMENTARY INFORMATION:

Docket Management System (DMS)

We have implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, we posted new AD actions on the DMS and assigned a DMS docket number. We track each action and assign a corresponding Directorate identifier. The DMS docket No. is in the form "Docket No. FAA-200X-XXXXX." Each DMS docket also lists the Directorate identifier ("Old Docket Number") as a cross-reference for searching purposes.

Comments Invited

We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2004-18019; Directorate Identifier 2003-NE-65-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy

aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of the DMS web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications that affect you. You can get more information about plain language at <http://www.faa.gov/language> and <http://www.plainlanguage.gov>.

Examining the AD Docket

You may examine the docket that contains the proposal, any comments received, and any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

Discussion

In June of 2003, we became aware of a report of a TFE731-3-1H turbofan engine that experienced an uncontained failure of LPT stage 1 disk, P/N 3072351-5. Analysis by the manufacturer revealed that the disk, which only had 107 hours of operation accumulated since new, failed due to vibration-induced high-cycle-fatigue (HCF) cracking in the web area of the disk. Analysis and testing of these vibrations have revealed that the disk design is sensitive to significant nozzle throat-area variations such as those caused by inappropriate maintenance of the vanes of the LPT stage 1 nozzle assembly. Two other uncontained disk failures involving TFE731-3 series