

will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because the 2003–2004 fiscal period begins on September 1, 2003, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable potatoes handled during such fiscal period. Further, handlers are aware of this action which was recommended by the Committee at a public meeting. Also, a 30-day comment period was provided for in the proposed rule, and no comments were received.

#### List of Subjects in 7 CFR Part 948

Marketing agreements, Potatoes, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 7 CFR part 948 is amended as follows:

#### PART 948—IRISH POTATOES GROWN IN COLORADO

■ 1. The authority citation for 7 CFR part 948 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ 2. Section 948.216 is revised to read as follows:

##### § 948.216 Assessment rate.

On and after September 1, 2003, an assessment rate of \$0.0051 per hundredweight is established for Colorado Area No. 2 potatoes.

Dated: September 4, 2003

**A.J. Yates**

*Administrator, Agricultural Marketing Service*

[FR Doc. 03–22951 Filed 9–9–03; 8:45 am]

**BILLING CODE 3410–02–P**

#### FEDERAL RESERVE SYSTEM

##### 12 CFR Part 206

[Regulation F; Docket No. R-1161]

##### Interbank Liabilities

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** The Board of Governors of the Federal Reserve System (Board) has adopted final, technical amendments to its Regulation F that remove an obsolete section of the rule and correct several typographical errors.

**DATES:** The amendments are effective September 10, 2003.

##### FOR FURTHER INFORMATION CONTACT:

Adrianne G. Threatt, Counsel (202/452–3554), Legal Division, or John Connolly, Supervisory Financial Analyst (202/452–3621), Division of Banking Supervision and Regulation; for users of Telecommunication Devices for the Deaf (TDD) only, contact 202/263–4869.

**SUPPLEMENTARY INFORMATION:** As required by the Regulatory Flexibility Act, the Board periodically reviews each of its regulations that has a significant economic impact on a substantial number of small entities to determine whether the regulation should continue without change or be amended or rescinded to minimize the economic impact on small entities (see 5 U.S.C. 610). In addition, it is the Board's policy to review each of its regulations at least once every five years (see the Board Policy Statements on the Board's Rules of Procedure, Federal Reserve Regulatory Service ¶ 8–040).

The Board has completed its review of Regulation F and determined that the substantive requirements of that rule should continue unchanged. However, the Board has adopted several technical amendments designed to update the regulation. Most notably, the Board has removed § 206.7, which contained transition provisions that have not applied since June 1995.

The final rule also corrects several typographical errors in the text of rule. The term “Basle Capital Accord” has been changed to “Basel Capital Accord” to be consistent with international practice. In several cases, the word “of” has been changed to the word “or.” The Board also has revised several references to federal statutes and redesignated three paragraphs of Regulation F so that citations and paragraph designations within the regulation will be internally consistent.

##### Administrative Procedure Act

The Board did not follow the provisions of 5 U.S.C. 553(b) relating to notice and public participation in connection with the adoption of these amendments. The Board for good cause determined that public participation is unnecessary because there is no substantive change on which the public could provide meaningful comment. For that same reason, the Board also has not provided 30 days prior notice of the effective date of the rule under section 553(d).

##### Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506;

5 CFR 1320 Appendix A.1), the Board has reviewed the final rule under the authority delegated to the Board by the Office of Management and Budget. The final rule contains no new collections of information and proposes no substantive changes to existing collections of information pursuant to the Paperwork Reduction Act.

##### List of Subjects in 12 CFR Part 206

Banks, Banking, Interbank liability, Lending limits, Savings associations.

##### Authority and Issuance

■ For the reasons set forth in the preamble, the Board is revising 12 CFR part 206 to read as follows:

#### PART 206—INTERBANK LIABILITIES (REGULATION F)

■ 1. The authority citation for part 206 is revised to read as follows:

**Authority:** 12 U.S.C. 371b–2.

##### § 206.1 [Amended]

■ 2. In § 206.1(a), remove the phrase “to implement section 308 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Act), 12 U.S.C. 371b–2” in the first sentence and add the phrase “under authority of section 23 of the Federal Reserve Act (12 U.S.C. 371b–2)” in its place.

##### § 206.2 [Amended]

■ 3. In § 206.2(f), remove “(q)” each place it appears.

■ 4. In § 206.2(g), remove the word “Basle” wherever it appears and add the word “Basel” in its place.

##### § 206.3 [Amended]

■ 5. In § 206.3(c)(1), remove the word “of” between the words “form” and “maturity” in the first sentence and add the word “or” in its place, and remove the word “of” between the words “amount” and “flexible” in the third sentence and add the word “or” in its place.

##### § 206.4 [Amended]

■ 6. In § 206.4(b), remove the word “of” between the words “principal” and “other” in the last sentence and add the word “or” in its place.

##### § 206.5 [Amended]

■ 7. In § 206.5(a), footnote 1, remove the phrase “subpart B” and add the phrase “subpart D” in its place.

■ 8. In § 206.5(f), redesignate paragraphs (i), (ii), and (iii) as paragraphs (1), (2), and (3), respectively, and remove the word “Basle” wherever it appears and add the word “Basel” in its place.

**§ 206.7 [Removed]**

## ■ 9. Remove § 206.7.

By order of the Board of Governors of the Federal Reserve System, September 3, 2003.

Jennifer J. Johnson,

*Secretary of the Board.*

[FR Doc. 03-22862 Filed 9-9-03; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2001-NM-306-AD; Amendment 39-13298; AD 2003-18-07]

RIN 2120-AA64

**Airworthiness Directives; Aerospatiale Model ATR42-200, -300, -320, and -500 Series Airplanes; and Model ATR72 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to all Aerospatiale Model ATR42-200, -300, -320, and -500 series airplanes; and all Model ATR72 series airplanes; that currently requires revising the Airplane Flight Manual (AFM) to modify procedures for calculating takeoff performance when Type II or IV de-icing or anti-icing fluids have been used. This amendment requires revising the existing AFM revision to correct the performance values for Model ATR-72 series airplanes and to provide an additional method of compliance for all airplanes. This amendment is prompted by issuance of mandatory continuing airworthiness information by a civil aviation authority. The actions specified by this AD are intended to ensure that the flightcrew is advised of the potential effects of Type II or IV de-icing or anti-icing fluids on the airplane's performance during takeoff, and to ensure that the flightcrew is advised of the revised performance calculations for takeoff to address these effects.

**DATES:** Effective October 15, 2003.

**ADDRESSES:** Information pertaining to this amendment may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Gary Lium, Aerospace Engineer, International Branch, ANM-116, Transport Airplane

Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1112; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 2001-16-10, amendment 39-12379 (66 FR 44032, August 22, 2001), which is applicable to all Aerospatiale Model ATR42-200, -300, -320, and -500 series airplanes; and all Model ATR72 series airplanes; was published in the **Federal Register** on February 24, 2003 (68 FR 8555). The action proposed to require revising the Airplane Flight Manual (AFM) to modify procedures for calculating takeoff performance when Type II or IV de-icing or anti-icing fluids have been used.

**Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received from a single commenter.

**Request To Change Paragraph (b)**

The commenter does not agree that the follow-on procedures for Type II or Type IV de-icing fluid use, as specified in paragraph (b) of the proposed rule, are adequate. The commenter states that using these types of fluid on the subject airplanes can cause higher-than-normal stick forces during rotation. The commenter notes that a lightly loaded ATR airplane typically has a rotation speed of under 100 knots, and due to the shearing dynamics of the de-icing fluid, there may be fluid on the tail during rotation. The commenter adds that it objects to the solutions for these problems, as specified in the proposed rule and recommended by the airplane manufacturer and the Direction Générale de l'Aviation Civile (which is the airworthiness authority for France). The commenter states that Compliance Method Number 1 would result in a flightcrew aborting the takeoff after  $V_1$  (takeoff decision speed), which negates the procedures the flightcrews have been trained to use and would seriously jeopardize safety of flight. The commenter adds that Compliance Method Number 2 should be used only in a dire emergency, because both crew members should not be manipulating the controls during a critical phase of flight, such as takeoff.

The FAA does not agree that a potential unsafe condition could occur should an operator choose to use Compliance Method Number 1. This compliance method necessitates an

increase in required runway length in order to provide the necessary margins in a case of late rotation or an aborted takeoff after  $V_1$ . This should not be interpreted as a reconsideration of the concept of  $V_1$  as a decision speed, or as an incentive to abort takeoff after  $V_1$ . Flightcrews should be trained to continue the takeoff after  $V_1$ , even in the case of increased pitch control forces. However, despite published procedures and training, the possibility that a flightcrew would consider the pitch control forces so high that takeoff is impossible, and decide to abort the takeoff after  $V_1$ , cannot be excluded. In such a case, the AFM procedures specified in this final rule would provide an additional margin for accelerate-stop distance.

In addition, we do not agree that implementation of Compliance Method Number 2 would cause an unsafe condition. The use of this procedure would include a mandatory pre-takeoff briefing between the flightcrew members regarding the need for assistance in rotating the airplane if necessary. Thus, the co-pilot would be prepared for such a request should the pilot decide to ask for assistance. No change to the final rule is necessary in this regard.

The commenter previously requested an alternative method of compliance (AMOC) for AD 2001-16-10, amendment 39-12379. (The requirements of that AD are restated in paragraph (a) of the proposed rule.) After receiving the AMOC, the commenter implemented new training procedures for its flightcrews to teach them to anticipate the additional stick forces that may be required when using Type II or Type IV de-icing fluid. The training procedures have been added to the training manuals and training curriculum, and the commenter notes that following those procedures is safer than following those specified in the proposed rule. The commenter does not make a specific request; however, we infer that the commenter wants its procedures to be used by all operators.

Although the commenter has an FAA-approved AMOC allowing the use of other training procedures, we do not agree that those training procedures can be used by all operators. Since 1991, there have been five incidents of aborted takeoff after  $V_1$  following the use of Type II or Type IV de-icing fluid. Analysis of in-service experience has shown that following inadequate procedures for the use and application of Type II and Type IV de-icing fluids could lead to high control forces during rotation. If combined with the lack of flightcrew awareness or insufficient