

the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

**Authority:** 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new airworthiness directive:

**Boeing:** Applies to all Model 747 series airplanes, certificated in any category, line number 1 through line number 644.

To prevent separation of an engine due to failed H-11 bolts, accomplish the following, unless already accomplished:

A. Prior to accumulation of 10,000 flight hours, or within 10 landings after the effective date of this AD, whichever occurs later, perform a visual inspection of the outboard attach fitting H-11 bolts of all nacelle struts for structural integrity to determine if any H-11 bolts have failed, in accordance with Boeing Service Letter Number 747-SL-57-47, dated April 24, 1986. Repeat the inspections thereafter at intervals not to exceed 6 months.

B. Prior to accumulation of 10,000 flight hours, or within 600 landings after the effective date of this AD, whichever occurs later, perform a visual inspection of the inboard attach fitting joints of all nacelle struts for structural integrity to determine if any H-11 bolts have failed, in accordance with Boeing Service Letter Number 747-SL-57-47, dated April 24, 1986. Repeat the inspections thereafter at intervals not to exceed 12 months.

C. Failed bolts must be replaced prior to further flight.

D. Installation of the Inconel replacement bolts in accordance with Boeing Service Letter 747-SL-57-47, dated April 24, 1986, terminates the repetitive inspections required by paragraphs A. and B., above.

E. Within 24 months after the effective date of this AD, replace all remaining H-11 bolts on the outboard attach fitting of all nacelle struts with Inconel bolts in accordance with Boeing Service Letter 747-SL-57-47, dated April 24, 1986.

F. Within 36 months after the effective date of this AD, replace all remaining H-11 bolts on the inboard attach fitting of all nacelle struts with Inconel bolts in accordance with Boeing Service Letter 747-SL-57-47, dated April 24, 1986.

G. An alternate means of compliance or adjustment of the compliance time, which provide an acceptable level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

H. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

I. For the H-11 bolts that utilized the BACN 10HR 162 nuts, the accomplishment of the inspection requirements of AD 86-05-11 (Amendment 39-5255) is considered an acceptable alternate means of compliance for the initial inspection requirements of paragraph A. and B. of this AD.

All persons affected by this proposal who have not already received information on the inspection procedures from the manufacturer may obtain copies upon request to the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

Issued in Seattle, Washington, on June 11, 1986.

David E. Jones,

Acting Director, Northwest Mountain Region.  
[FR Doc. 86-13687 Filed 6-17-86; 8:45 am].

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### 21 CFR Part 1308

#### Schedules of Controlled Substances; Proposed Placement of Nabilone Into Schedule II

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice is a proposed rule to place the drug, nabilone, into Schedule II of the Controlled Substances Act (21 U.S.C. 801 et seq.). The Administrator of the Drug Enforcement Administration has received a recommendation from the Department of Health and Human Services that nabilone be controlled in Schedule II.

**DATE:** Comments must be submitted on or before July 18, 1986.

**ADDRESS:** Comments and objections should be submitted to the Administrator, Drug Enforcement Administration, 1405 I Street NW., Washington, DC 20537, Attention: DEA Federal Register Representative.

**FOR FURTHER INFORMATION CONTACT:** Howard McClain, Jr., Chief, Drug Control Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 633-1366.

#### SUPPLEMENTARY INFORMATION:

##### List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

The Administrator of the Drug Enforcement Administration received a letter dated April 25, 1986 from the Acting Assistant Secretary for Health,

on behalf of the Secretary of the Department of Health and Human Services, recommending that nabilone be placed into Schedule II of the Controlled Substances Act (Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801-966)). Enclosed with the letter from the Acting Assistant Secretary was a scientific and medical evaluation which listed the factors which the Act requires the Secretary to consider, and summarized the matters considered by the Acting Assistant Secretary in recommending the control of nabilone under the Controlled Substances Act.

The factors considered by the Secretary for nabilone were:

- (1) Its actual or relative potential for abuse;
- (2) Scientific evidence of its pharmacological effect, if known;
- (3) The state of current scientific knowledge regarding the drug;
- (4) Its history and current pattern of abuse;
- (5) The scope, duration and significance of abuse;
- (6) What, if any, risk to the public health;
- (7) Its psychic or physiological dependence liability; and
- (8) Whether the substance is an immediate precursor of a substance already controlled under this title.

Relying on the scientific and medical evaluations and the recommendations of the Acting Assistant Secretary for Health, received in accordance with section 201(f) of the Act (21 U.S.C. 811(f)), the Administrator of the Drug Enforcement Administration, pursuant to sections 201(a) and 201(b) of the Act, (21 U.S.C. 811(a) and 811(b)), finds that:

(1) Based on available information, nabilone has a high potential for abuse.

(2) Nabilone, with final approval of a new drug application by the Food and Drug Administration, has a currently accepted medical use in treatment in the United States, or a currently accepted medical use with severe restrictions.

(3) Abuse of nabilone may lead to severe psychological or physical dependence.

Interested persons are invited to submit their comments or objections in writing regarding this proposal. If a person believes that one or more issues raised by him warrant a hearing, he should so state and summarize the reasons for his belief. In the event comments, objections or requests for a hearing received in response to this proposal raise one or more issues which the Administrator finds warrant a hearing, the Administrator shall order a

public hearing by notice in the **Federal Register** summarizing the issues to be heard and setting the time for the hearing (which will not be less than 30 days after the date of the order). If no objections presenting grounds for a hearing on this proposal are received within the time limitation or if interested parties waive or are deemed to have waived their opportunity for a hearing or to participate in a hearing, the Administrator, after giving consideration to written comments and objections, will issue a final order pursuant to 21 CFR 1308.48 without a hearing.

Pursuant to 5 U.S.C. 605(b), the Administrator certifies that the control of nabilone, as proposed herein, will have no significant impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act (Pub. L. 96-354). These scheduling actions relate to the proposed initial control of a drug not previously approved for marketing in the United States. Substances in Schedule II may be used in medical treatment in the United States.

In accordance with the provisions of section 201(a) of the Controlled Substances Act (21 U.S.C. 811(a)), this proposal to place nabilone into Schedule II is a formal rulemaking "on the record after opportunity for a hearing." Such formal proceedings are conducted pursuant to the provisions of 5 U.S.C. 556 and 557 and as such have been exempted from the consultation requirements of Executive Order 12291 (46 FR 13193).

Therefore, under the authority vested in the Attorney General by section 201(a) of the Act (21 U.S.C. 811(a)) and delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice (28 CFR Part 0.100), the Administrator hereby proposes to amend 21 CFR Part 1308 as follows:

**PART 1308—[AMENDED]**

1. The authority citation for 21 CFR Part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b).

2. Paragraph (f) of § 1308.12 is amended by adding a new item (2) to read as follows:

**§ 1308.12 Schedule II.**

\* \* \* \* \*  
(f) \* \* \*

(2) Nabilone 7379  
[Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-

hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one].

\* \* \* \* \*  
Dated: June 12, 1986.  
**John C. Lawn,**  
*Administrator, Drug Enforcement Administration.*  
[FR Doc. 86-13653 Filed 6-17-86; 8:45 am]  
BILLING CODE 4410-09-M

**DEPARTMENT OF DEFENSE**

**Corps of Engineers, Department of the Army**

**33 CFR Parts 209, 335, 336, 337, and 338**

**Proposed Amendment to Corps of Engineers Operations and Maintenance Regulations for Activities Involving the Discharge of Dredged or Fill Material in Waters of the United States and Ocean Waters**

*Correction*

In FR Doc. 86-12084 beginning on page 19694 in the issue of Friday, May 30, 1986, make the following correction:

On page 19694, in the first column, in the **FOR FURTHER INFORMATION CONTACT** caption, the telephone number should read "355-2235".

BILLING CODE 1505-01-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**49 CFR Part 387**

[BMCS Docket No. MC-122; Notice No. 86-05]

**Minimum Levels of Financial Responsibility for Motor Carriers**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** A petition, seeking authority for motor carriers of property to self-insure, has been received by the FHWA. The petition highlights the "insurance crisis" currently affecting the motor carrier industry. Elsewhere in today's Federal Register the FHWA has adopted an interim rule to permit motor carriers of property to satisfy the financial responsibility requirements of the DOT (FHWA) by self-insuring if they have received approval from the Interstate Commerce Commission (ICC) to self-insure and have maintained an FHWA "satisfactory" safety rating. The FHWA has determined that the issues

associated with its authority to permit motor carriers to self-insure need to be examined in light of current circumstances. This Notice seeks comment from interested parties concerning self-insurance as a viable and effective mechanism for demonstrating financial responsibility as required by the Motor Carrier Act of 1980.

**DATE:** Comments must be received on or before July 18, 1986.

**ADDRESS:** All comments should refer to the docket number that appears at the top of this document and must be submitted (preferably in triplicate) to Room 3404, Bureau of Motor Carrier Safety, 400 Seventh Street SW., Washington, DC 20590. All comments received will be available for examination at the above address from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Neill L. Thomas, Bureau of Motor Carrier Safety (202) 755-1011; or Thomas P. Holian, Officer of the Chief Counsel (202) 426-0346, Federal Highway Administration, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590. Office hours are from 7:45 to 4:15 p.m., ET, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The FHWA has determined that this action does not constitute a major rule under Executive Order 12291. However, because of the public interest in the issue that is addressed in this action, this interim final rule is considered significant under the regulatory policies and procedures of the Department of Transportation. A draft regulatory evaluation will be prepared based upon the data received in response to this notice.

Based on the information available to the FHWA at this time, the action taken in this rulemaking will not have a significant economic impact on a substantial number of small entities. However, the FHWA seeks additional information on this subject in the questions contained in this advance notice.

**Background**

*History*

On July 1, 1980 the President signed the Motor Carrier Act of 1980, 49 U.S.C. 10927 note (1982 and Supp. II 1984). Section 30 of that Act prescribes that minimum levels of financial responsibility be set for for-hire motor carriers of property involved in interstate or foreign commerce and for