

removing and reserving paragraph (b)(1)(ii)(A), and revising paragraph (b)(1)(ii)(B) to read as follows:

**§ 262.3 Applications.**

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(ii) The notice shall be placed in the classified advertising legal notices section of the newspaper, and must provide an opportunity for the public to give written comment on the application to the appropriate Federal Reserve Bank for the period specified in Regulation H (12 CFR part 208) in the case of applications specified in § 262.3(b)(1)(i)(A), and for at least thirty days after the date of publication in the case of applications specified in § 262.3(b)(1)(i)(B) and (C). \* \* \*

\* \* \* \* \*

(B) The community or communities in which the head office of the bank and the proposed branch or other facility (other than an electronic funds transfer facility) are located in the case of an application for the establishment of a domestic branch or other facility that would be authorized to receive deposits, other than an application incidental to an application by a bank for merger, consolidation, or acquisition of assets or assumption of liabilities,

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, September 24, 1999.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 99-25504 Filed 9-30-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NM-119-AD; Amendment 39-11347; AD 99-21-04]

RIN 2120-AA64

#### **Airworthiness Directives; Airbus Model A330-301, and Model A340-211, -212, -311, and -312 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330-301, and Model A340-211, -212, -311, and -312 series airplanes, that requires repetitive detailed visual inspections of the fuselage belly fairing support structure to detect cracks; and

corrective action, if necessary. This amendment also provides an optional terminating action for the repetitive inspections. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to detect and correct fatigue cracking of the fuselage belly fairing support structure, which could result in reduced structural integrity of the fuselage belly fairing support structure.

**DATES:** Effective November 5, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 5, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### **FOR FURTHER INFORMATION CONTACT:**

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A330-301, and Model A340-211, -212, -311, and -312 series airplanes was published in the **Federal Register** on August 4, 1999 (64 FR 42289). That action proposed to require repetitive detailed visual inspections of the fuselage belly fairing support structure to detect cracks; and corrective action, if necessary. That action also proposed to provide an optional terminating action for the repetitive inspections.

#### **Comments**

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

The commenter indicates that it is not affected by the proposed rule.

#### **Explanation of Change Made to Proposal**

The FAA had added a note to the final rule to clarify the definition of a detailed visual inspection.

#### **Conclusion**

The FAA has determined that air safety and the public interest require the adoption of the rule with the change described previously. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

#### **Cost Impact**

Currently, there are no Airbus Model A330-301 series airplanes on the U.S. Register. However, should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 5 work hours to accomplish the required inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required AD on U.S. operators is estimated to be \$300 per airplane, per inspection cycle.

Also, there are no Airbus Model A340-211, -212, -311, and -312 series airplanes on the U.S. Register. However, should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 6 work hours to accomplish the required inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required AD on U.S. operators is estimated to be \$360 per airplane, per inspection cycle.

Should an affected airplane be imported and placed on the U.S. Register and an operator elects to accomplish the optional terminating action rather than continue the repetitive inspections, it will take approximately between 10 and 178 work hours per airplane (for Model A330 series airplanes), or between 10 and 188 work hours per airplane (for Model A340 series airplanes), at an average labor rate of \$60 per work hour.

Required parts will cost approximately between \$1,313 and \$13,262 (for Model A330 series airplanes) or between \$1,049 and \$14,311 (for Model A340 series airplanes), per airplane. Based on these figures, the cost impact of this optional terminating action is estimated to be between \$1,913 and \$23,942 (for Model A330 series airplanes) or between \$1,649 and \$25,591 (for Model A340 series airplanes), per airplane.

#### **Regulatory Impact**

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to 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. Section 39.13 is amended by adding the following new airworthiness directive:

##### 99-21-04 AIRBUS INDUSTRIE:

Amendment 39-11347. Docket 99-NM-119-AD.

**Applicability:** Model A330-301 series airplanes, except those airplanes on which Airbus Modification 42332 (reference Airbus Service Bulletin A330-53-3012, dated June 26, 1995) has been accomplished; and Model A340-211, -212, -311, and -312 series airplanes, except those airplanes on which Airbus Modification 42331 or 42332 (reference Airbus Service Bulletin A340-53-4020, dated June 26, 1995), has been accomplished; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (d) 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 the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To detect and correct fatigue cracking of the fuselage belly fairing support structure, which could result in reduced structural integrity of the fuselage belly fairing support structure, accomplish the following:

##### Repetitive Inspection

(a) Prior to the accumulation of 4,000 total flight cycles, or within 500 flight hours after the effective date of this AD, whichever occurs later, perform a detailed visual inspection of the fuselage belly fairing support structure for cracks, in accordance with Airbus Service Bulletin A330-53-3029, dated June 26, 1995 (for Model A330 series airplanes); or A340-53-4038, Revision 1, dated February 6, 1996 (for Model A340 series airplanes); as applicable. Thereafter, repeat the inspection at intervals not to exceed 2,800 flight cycles.

**Note 2:** For the purposes of this AD, a detailed visual inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc. may be used. Surface cleaning and elaborate access procedures may be required."

##### Repair

(b) If any crack is found during any inspection required by paragraph (a) of this AD, prior to further flight, repair in accordance with Airbus Service Bulletin A330-53-3012, dated June 26, 1995 (for Model A330 series airplanes); or A340-53-4020, dated June 26, 1995 (for Model A340 series airplanes); as applicable. Accomplishment of this action constitutes terminating action for the repetitive inspections required by this AD for only that repaired part.

##### Optional Terminating Action

(c) Modification of the belly fairing support structure in accordance with Airbus Service Bulletin A330-53-3012, dated June 26, 1995 (for Model A330 series airplanes); or A340-53-4020, dated June 26, 1995 (for Model A340 series airplanes); as applicable; constitutes terminating action for the requirements of this AD.

##### Alternative Methods of Compliance

(d) 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

##### Special Flight Permits

(e) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

##### Incorporation by Reference

(f) The actions shall be done in accordance with Airbus Service Bulletin A330-53-3029, dated June 26, 1995; Airbus Service Bulletin A340-53-4038, Revision 1, dated February 6, 1996; Airbus Service Bulletin A330-53-3012, dated June 26, 1995; or Airbus Service Bulletin A340-53-4020, dated June 26, 1995; as applicable. Airbus Service Bulletin A340-53-4038, Revision 1, dated February 6, 1996, has the following effective pages:

##### LIST OF EFFECTIVE PAGES

Page No.	Revision level shown on page	Date shown on page
1, 2 .....	1 .....	February 6, 1996.
3-31 .....	Original .....	June 26, 1995.

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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 4:** The subject of this AD is addressed in French airworthiness directives 95-256-023(B) R1 and 95-258-037(B) R1, both dated December 17, 1997.

(g) This amendment becomes effective on November 5, 1999.

Issued in Renton, Washington, on September 27, 1999.

##### D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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