

for credit unions if the agency listed, in addition to the approved activities, or categories of activities, a process for a credit union to request additional activities that may be within the credit union's incidental authority. The NCUA Board would specify the manner in which credit unions could apply for confirmation that an incidental power is permissible. The NCUA Board further requests that commenters suggest standards to be considered when analyzing the permissibility of an activity, or a category of activities as an incidental power. The Board is also interested in receiving comments on examples of activities and categories of activities which could be considered as incidental to the business of credit unions.

Some credit unions may not realize they may earn money from their incidental power activities. Therefore, staff is considering whether the revised regulation should explicitly state that FCUs are not limited in the amount they may earn from incidental powers activities to clear up any lingering confusion.

The second section would authorize group purchasing activities and limit compensation to the credit union's cost amount. Generally, this section would track the current regulation. The NCUA Board believes it may be helpful to include a fuller description of what a group purchasing plan is and clarify "cost amount." The NCUA Board is also considering including in the regulation a provision regarding the sale of mailing lists. The provision would likely incorporate NCUA's long-standing position that an FCU may sell mailing lists as a means of facilitating group purchasing for members but that, as for all group purchasing activities, an FCU's compensation is limited. In connection with a provision on mailing lists, the NCUA Board intends to incorporate its longstanding view that no information about the member other than a member's name and address, such as personal information about the member's business with the credit union, can be included in the sale of the mailing list. This view is consistent with NCUA's longstanding interpretation of the confidentiality provision contained in the standard FCU Bylaws. The NCUA Board is also requesting comment on whether a member should have the option to elect to have their name deleted from any mailing list provided to a third party.

The NCUA Board is seeking comment on the limit of compensation to the credit union's cost amount, whether any limit is appropriate, and should reasonable value be added to the credit

union's cost when applying the compensatory limit. The NCUA Board is also requesting comment on how the term "reasonable value" should be defined.

The third section would focus on insurance products activities as a longstanding incidental authority. This section would track the current regulation and state that an FCU may receive unlimited compensation with respect to the sale of insurance products that are directly related to a credit union loan or the opening and maintenance of any type of share account. In addition, the term "insurance products" would be defined for purposes of this regulation.

The fourth section would set forth the current conflict of interest provision applicable to group purchasing activities, including insurance activities. The regulation currently states that "[n]o director, committee member, or senior management employee of a Federal credit union or any immediate family member of any such individual may receive any compensation or benefit, directly or indirectly, in conjunction with any activity under this Part." The current section defines "immediate family member" and "senior management employee," but the meaning of the phrase "in conjunction with any activity" has been the cause of some confusion. Thus, the NCUA Board believes it would be helpful to clarify how this phrase should be applied.

By the National Credit Union Administration Board on November 18, 1999.

**Becky Baker,**

*Secretary of the Board.*

[FR Doc. 99-30695 Filed 11-24-99; 8:45 am]

**BILLING CODE 7535-01-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-ANE-51-AD]

RIN 2120-AA64

#### **Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines**

**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 General Electric Company (GE) GE90 series turbofan engines. This proposal would reduce the cyclic life

limits for certain mid fan shafts with undesirable microstructure, and remove from service those mid fan shafts prior to exceeding the new limits and replace with serviceable parts. Reports of magnetic particle inspections conducted by the manufacturer identifying segregation in the raw material, resulting in lower fatigue life properties, prompted this proposal. The actions specified by the proposed AD are intended to prevent mid fan shaft failure, which could result in an uncontained engine failure and damage to the aircraft.

**DATES:** Comments must be received by December 27, 1999.

**ADDRESSES:** Submit comments to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-ANE-51-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ane-adcomment@faa.gov". Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** William S. Ricci, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7742, fax (781) 238-7199.

#### **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 should identify the Rules Docket number and be submitted 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 notice may be changed in light of the comments received.

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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-ANE-51-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, New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-ANE-51-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

#### Discussion

The Federal Aviation Administration (FAA) has received reports from General Electric Company (GE) that the cyclic life limits for certain mid fan shafts installed on GE90-90B, -85B, and -76B series turbofan engines must be reduced. The manufacturer advises that retained austenite has been observed in these mid fan shafts due to segregation in the raw material. Material property testing indicates that reduced low cycle fatigue (LCF) properties result, requiring reduced life limits. This condition, if not corrected, could result in mid fan shaft failure, which could result in an uncontained engine failure and damage to the aircraft.

#### Proposed Actions

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 reduce the cyclic life limits for affected mid fan shafts, and remove from service those mid fan shafts prior to exceeding the new limits and replace with serviceable parts.

#### Economic Analysis

There are approximately 118 engines of the affected design in the worldwide fleet. The FAA estimates that 4 engines installed on aircraft of US registry would be affected by this proposed AD and that the prorated life reduction would cost approximately \$71,000 per engine. Based on these figures, the total cost impact of the proposed AD on US operators is estimated to be \$284,000.

#### Regulatory Impact

This proposal does not have federalism implications, as defined in Executive Order No. 13132, because it 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this proposal.

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:

**General Electric Company:** Docket No. 98-ANE-51-AD.

**Applicability:** General Electric Company (GE) GE90-90B, -85B, and -76B series turbofan engines, with mid fan shafts, part numbers (P/Ns) 1767M71G01, 1767M71G02, and 1767M75G02, installed. These engines are installed on but not limited to Boeing 777 series aircraft.

**Note 1:** This airworthiness directive (AD) applies to each engine identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For engines 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 (c) 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 prevent mid fan shaft failure, which could result in an uncontained engine failure and damage to the aircraft, accomplish the following:

#### Reduced Life Limits

(a) Remove from service mid fan shafts and replace with serviceable parts prior to the following new, lower cyclic life limits:

(1) For mid fan shafts, P/N 1767M71G01, installed on GE90-85B and -90B series engines, the new life limit is 4,200 cycles-since-new (CSN).

(2) For mid fan shafts, P/N 1767M71G02, installed on GE90-85B and -90B series engines, the new life limit is 4,200 CSN.

(3) For mid fan shafts, P/N 1767M75G02, installed on GE90-76B, -85B, and -90B series engines, the new life limit is 8,200 CSN.

(b) This AD establishes new life limits for mid fan shafts, P/N 1767M71G01, 1767M71G02, and 1767M75G02. Except as provided in paragraph (c) of this AD, no alternate life limits for these affected parts may be approved.

#### Alternative Methods of Compliance

(c) 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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

#### Ferry Flights

(d) 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 aircraft to a location where the inspection requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on October 18, 1999.

**David A. Downey,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
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