

Cost Impact

There are approximately 570 McDonnell Douglas Model DC-9-10, -20, -30, and -40, and C-9 (military) series airplanes of the affected design in the worldwide fleet. The FAA estimates that 316 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 20 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$4,000 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,643,200, or \$5,200 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. However, the FAA has been advised that 219 U.S.-registered airplanes are in compliance in accordance with the requirements of this AD. Therefore, the future economic cost impact of this rule on U.S. operators is now \$504,400.

Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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:

McDonnell Douglas: Docket 97-NM-132-AD.

Applicability: All Model DC-9-10, -20, -30, and -40, and C-9 (military) series airplanes, 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 (b) 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 ice from forming on the control cables in the wheel well of the left main landing gear, which could render the slat, aileron, and spoiler flight controls inoperative and, consequently, could result in reduced controllability of the airplane, accomplish the following:

(a) Within 18 months after the effective date of this AD, modify the piping of the potable water system in accordance with McDonnell Douglas DC-9 Service Bulletin 38-27, Revision 1, dated May 16, 1978.

(b) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(c) Special flight permits may be issued in accordance with sections 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.

Issued in Renton, Washington, on September 9, 1997.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-24340 Filed 9-12-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 107, 108, and 139**

[Docket Nos. 28979 and 28978]

RIN 2120-AD-46 and 2120-AD-45

Airport and Aircraft Operator Security; Notice of Public Meetings

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public meeting.

SUMMARY: This notice announces two public meetings on the notices of proposed rulemaking (NPRM), Airport Security (Parts 107 and 139), and Aircraft Operator Security (Part 108), published in the **Federal Register** on August 1, 1997. The purpose of these meetings is to provide an additional opportunity for the public to comment on the proposals.

DATES: The public meetings will be held on October 15, 1997, at 9:00 a.m., in Washington, DC; and October 22, 1997, at 9:00 a.m., in Fort Worth, TX. Registration will begin at 8:30 a.m. on the day of the meeting at each location.

ADDRESSES: The public meetings will be held at the following locations:

- (1) October 15, 1997, 9:00 a.m., Federal Aviation Administration, 3rd floor Auditorium, 800 Independence Ave., SW, Washington, DC 20591.
- (2) October 22, 1997, 9:00 a.m., Fritz Lanham Federal Building, room 1A03, 819 Taylor St., Fort Worth, TX 76102.

Persons who are unable to attend the meetings may mail their comments on the NPRMs in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Rules Docket (AGC-200), Docket Nos. 28979 (Parts 107 and 139), 28978 (Part 108), 800 Independence Ave., SW, Washington, DC 20591. Written comments to the docket will receive the same consideration as statements made at the public meetings.

FOR FURTHER INFORMATION CONTACT:

Requests to present a statement at the public meetings on the Airport Security (Parts 107 and 139) and Aircraft Operator Security (Part 108) NPRMs and questions regarding the logistics of the

meetings should be directed to Elizabeth Allen, Federal Aviation Administration, Office of Rulemaking (ARM-100), 800 Independence Avenue, SW, Washington, DC 20591, telephone (202) 267-8199; fax (202) 267-5075.

Questions concerning the NPRM on Airport Security (Parts 107 and 139) should be directed to Penny Anderson, Office of Civil Aviation Security Policy and Planning, Civil Aviation Security Division (ACP-100), Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591; telephone (202) 267-3413.

Questions concerning the NPRM on Aircraft Operator Security (Part 108) should be directed to Rhonda Hatmaker, Office of Civil Aviation Security Policy and Planning Civil Aviation Security Division (ACP-100), Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591; telephone (202) 267-3413.

SUPPLEMENTARY INFORMATION:

Participation at the Public Meetings on the NPRMs

Requests from persons who wish to present oral statements at the public meetings on the Airport Security and/or the aircraft Operator Security proposals should be received by the FAA no later than October 9, 1997, for the Washington, DC meeting and no later than October 16, 1997, for the Fort Worth, TX meeting. Such requests should be submitted to Elizabeth Allen as listed in the section titled **FOR FURTHER INFORMATION CONTACT** and should include a written summary of oral remarks to be presented, the date of the meeting the requester wishes to address, and an estimate of time needed for the presentation. Requests received after the dates specified above will be scheduled if there is time available during the meeting; however, the names of those individuals may not appear on the written agenda. The FAA will prepare an agenda of speakers that will be available at the meetings. To accommodate as many speakers as possible, the amount of time allocated to each speaker may be less than the amount of time requested. Those persons desiring to have available audiovisual equipment should notify the FAA when requesting to be placed on the agenda.

Background

The FAA will conduct two public meetings on the recently published Airport Security (Parts 107 and 139) and Aircraft Operator Security (Part 108) proposed rules.

The notices of proposed rulemaking were published in the **Federal Register**

on August 1, 1997 [62 FR 41760 (Parts 107 and 139), and 62 FR 41730 (Part 108)]. The NPRMs proposed to update the overall regulatory structure for airport and air carrier security.

The closing date for comments on these proposals is December 1, 1997. The FAA is planning these meetings to give the public an additional opportunity to comment on these proposed rules.

Persons interested in obtaining a copy of the Airport Security (Parts 107 and 139) and/or the Aircraft Operator Security (Part 108) proposed rules should contact Elizabeth Allen at the address or telephone number provided in **FOR FURTHER INFORMATION CONTACT**.

An electronic copy of these documents may be downloaded using a modem and suitable communications software from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: (703) 321-3339) or the Federal Register's electronic bulletin board service (telephone: (202) 512-1661).

Internet users may reach the FAA's webpage at <http://www.faa.gov> or the Federal Register's webpage at http://www.access.gpo.gov/su_docs to access recently published rulemaking documents.

Public Meeting Procedures

The following procedures are established to facilitate the public meetings on the NPRMs:

1. There will be no admission fee or other charge to attend or to participate in the public meetings. The meetings will be open to all persons who have requested in advance to present statements, or who register on the day of the meeting (between 8:30 a.m. and 9:00 a.m.) subject to availability of space in the meeting room.

2. The public meetings will adjourn after scheduled speakers have completed their statements.

3. The FAA will try to accommodate all speakers; therefore, it may be necessary to limit the time available for an individual or group.

4. Participants should address their comments to the panel. No individual will be subject to cross-examination by any other participant.

5. Sign and oral interpretation can be made available at the meetings, as well as an assistive listening device, if requested 10 calendar days before the meetings.

6. Representatives of the FAA will conduct the public meetings. A panel of FAA personnel involved in this issue will be present.

7. The meetings will be recorded by a court reporter. A transcript of the

meetings and any material accepted by the panel during the meetings will be included in the public dockets [Docket No. 28979 (Parts 107 and 139), and Docket No. 28978 (Part 108)]. Any person who is interested in purchasing a copy of the transcript should contact the court reporter directly. This information will be available at the meetings.

8. The FAA will review and consider all material presented by participants at the public meetings. Position papers or material presenting views or information related to the proposed NPRMs may be accepted at the discretion of the presiding officer and subsequently placed in the public docket. The FAA requests that persons participating in the meetings provide 10 copies of all materials to be presented for distribution to the panel members; others copies may be provided to the audience at the discretion of the participant.

9. Statements made by members of the public meetings panel are intended to facilitate discussion of the issues or to clarify issues. Because the meetings concerning the Airport Security (Parts 107 and 139) and Aircraft Operator Security (Part 108) are being held during the comment period, final decisions concerning issues that the public may raise cannot be made at the meetings. Federal Aviation Administration officials may, however, ask questions to clarify statements made by the public and to ensure a complete and accurate record. Comments made at these public meetings will be considered by the FAA when deliberations begin concerning whether to adopt any or all of the proposed rules.

10. The meetings are designed to solicit public views and more complete information on the proposed rule. Therefore, the meetings will be conducted in an informal and nonadversarial manner.

(49 U.S.C. 106(g), 5103, 40113, 40119, 44701-44702, 44706, 44901-44905, 44907, 44913-44914, 44932, 44935-44936, 46105).

Issued in Washington, DC on September 10, 1997.

Ida Klepper,

Acting Director, Office of Rulemaking.

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POSTAL SERVICE

39 CFR Part 111

Presort Requirements for Periodicals Mail

AGENCY: Postal Service.