

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 asymmetric engine thrust on the airplane when the autothrottle is engaged, which could result in roll and yaw disturbances, and consequent reduced controllability of the airplane, accomplish the following:

(a) Within 18 months or 3,500 flight hours after the effective date of this AD, whichever occurs first, accomplish paragraph (a)(1) or (a)(2) of this AD, as applicable.

(1) For Model A300, A300-600, and A310 series airplanes: Replace the four bearings located on both throttle control levers with new sealed bearings, in accordance with Airbus Service Bulletin A300-76-0018, dated October 12, 1995, as revised by Airbus Service Bulletin Change Notice O.A., dated February 18, 1997 (for Model A300 series airplanes); Airbus Service Bulletin A300-76-6010, dated October 12, 1995, as revised by Airbus Service Bulletin Change Notice O.A., dated February 18, 1997 (for Model A300-600 series airplanes); or Airbus Service Bulletin A310-76-2013, dated October 12, 1995, as revised by Airbus Service Bulletin Change Notice O.A., dated February 18, 1997; as applicable.

(2) For Model A310 and A300-600 series airplanes equipped with full authority digital engine control (FADEC): Replace the two throttle support assemblies equipped with rollers with new throttle support assemblies equipped with bearings, in accordance with Airbus Service Bulletin A310-76-2014, Revision 2, dated January 6, 1997 (for Model A310 series airplanes); or Airbus Service Bulletin A300-76-6011, Revision 2, dated January 6, 1997 (for Model A300-600 series airplanes); as applicable.

Note 2: Replacements accomplished prior to the effective date of this AD in accordance with Airbus Service Bulletin A310-76-2014, Revision 1, dated March 25, 1996; or Airbus Service Bulletin A300-76-6011, Revision 1, dated March 25, 1996; are considered acceptable for compliance with the applicable action specified in paragraph (a)(2) of this AD.

(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, 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.

(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.

Note 4: The subject of this AD is addressed in French airworthiness directive 96-270-209 (B), dated November 20, 1996.

Issued in Renton, Washington, on November 20, 1997.

Stewart R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-31158 Filed 11-26-97; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF THE TREASURY

31 CFR Part 103

RIN 1506-AA12

Financial Crimes Enforcement Network; Bank Secrecy Act Regulations; Exemptions From the Requirement to Report Transactions in Currency—Phase II; Extension of Comment Period; Request for Comments

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Proposed regulations; extension of comment period; request for additional comments.

SUMMARY: The Financial Crimes Enforcement Network ("FinCEN") is extending the comment period for the proposed Bank Secrecy Act regulations relating to exemptions from the requirement to report transactions in currency, published on September 8, 1997. FinCEN is also soliciting comments regarding additional alternatives to the proposed requirement to estimate, and to file annual reports of, the aggregate currency deposits and withdrawals of certain customers, and regarding certain other matters.

DATES: Written comments on all aspects of the proposed rule are welcome and must be received on or before January 16, 1998.

ADDRESSES: *Written comments should be submitted to:* Office of Legal Counsel, Financial Crimes Enforcement Network, Department of the Treasury, 2070 Chain Bridge Road, Vienna, VA 22182, *Attention:* NPRM—CTR Exemptions, Phase II. Comments may also be submitted by electronic mail to the following Internet address: "regcomments@fincen.treas.gov" with the caption in the body of the text, "Attention: NPRM—CTR Exemptions, Phase II." For additional instructions on the submission of comments, see Supplementary Information under the heading "Submission of Comments" in the notice of proposed rulemaking on this topic.

FOR FURTHER INFORMATION CONTACT: Peter Djinis, Associate Director (703) 905-3819, and Charles Klingman, Financial Institutions Policy Specialist, Office of Program Development FinCEN, (703) 905-3602; Stephen R. Kroll, Legal Counsel (703) 905-3534, Cynthia L. Clark, Acting Senior Counsel for Regulatory Affairs, (703) 905-3758, and Albert R. Zarate, Attorney-Advisor, Office of Legal Counsel, FinCEN, (703) 905-3807.

SUPPLEMENTARY INFORMATION: On September 8, 1997, FinCEN issued proposed regulations (62 FR 47156) to reform and simplify the process by which banks may exempt transactions of retail and other businesses from the requirement to report transactions in currency in excess of \$10,000. As part of the simplified exemption system, the proposed regulations introduced two new classes of exempt persons: "non-listed businesses" and "payroll customers." To prevent abuse of the new system, however, the proposed regulations would require a bank initially to estimate and then to report annually the aggregate currency deposits and withdrawals of any non-listed business or payroll customer that the bank exempted. In the proposal, FinCEN solicited comments on a number of matters, including alternative ways to counter potential abuse of the proposed system.

FinCEN announced (62 FR 58909, October 31, 1997) that it would hold an

open working meeting on November 7, 1997, in Washington, D.C. to discuss the proposed regulations. At the meeting a number of commenters expressed their views and concerns concerning a number of matters, including most importantly the requirement in the proposed rule that banks estimate when granting an exemption, and file annual reports of, aggregate currency deposits and withdrawals by non-listed businesses and payroll customers. The decision to extend the comment period, and the request for additional comments contained in this document, result from that meeting.

Annual Reporting of Aggregate Currency Transactions

In light of the comments made at the meeting, FinCEN does not believe that additional comments concerning the proposed estimation and aggregate currency reporting provision are necessary to complete the administrative record. Thus persons who attended the meeting, and other commenters, need not, if they do not wish to, file written comments regarding these provisions.

The comments made at the open meeting did indicate, however, that it is important that alternatives to annual aggregate currency reporting be brought forward by interested parties. The preamble to the proposed rule specifically sought comment on several such possible alternatives. FinCEN is considering an additional alternative about which it would like to receive specific comments.

The proposed alternative has two elements.

1. The initial designation of a non-listed business or payroll customer as an "exempt person" under the rule would include a specific statement by the bank of the manner in which it applies its "know-your-customer" standards to the tracking of currency deposits of commercial businesses. (The necessary statements could be made once for all exempt persons designated by a bank, as reflective of general bank policies.)

2. The annual renewal of the status of a non-listed or payroll customer as an exempt person would include a certification by the bank. The bank would certify that during the preceding year there was no transaction involving any accounts of the person at the bank that would have required the bank to file a suspicious transaction report with respect to that person under 31 CFR 103.21 (that is, no transaction had occurred with respect to the account that the bank knew, suspected, or had

reason to suspect was described in 31 CFR 103.21(a)(2)(i), (ii), or (iii)).¹

FinCEN specifically invites comment on this alternative and on ways to allow such an alternative to operate with clear lines and without uncertainty or unnecessary burdens. It also again invites suggestion of any other alternatives to the proposed requirement that a bank initially estimate and subsequently report annually the aggregate currency deposits and withdrawals of a non-listed business or payroll customer that the bank wishes to exempt.

Uniform Treatment of Accounts of Exempt Persons

FinCEN understands from comments at the November 7 meeting that banks are concerned about the use of the words "shall" in proposed 31 CFR 103.22(d)(5)(v) and "may" in proposed 31 CFR 103.22(d)(5)(vi). As stated in the notice of proposed rulemaking, the intent of the proposed rule is to reform and simplify the process by which banks may exempt transactions from the reporting requirements. FinCEN believes that relief would be better provided by making both provisions optional rather than mandatory, so that institutions may, but need not, treat all accounts of a person at a single institution as exempt. FinCEN would appreciate comments on whether such a change would improve the operation of the proposed rule.

Commingleing

Other comments at the November 7 meeting indicated that banks were not exempting certain publicly traded businesses, such as grocery stores, under the first phase of exemptive relief, 31 CFR 103.22(h), because of the uncertainty about the treatment of currency deposits that commingle receipts from the sale of groceries with receipts from the sale of money services products such as money orders or money transmissions. FinCEN specifically solicited comments on this matter in the proposed rule, as it relates not only to the treatment of non-listed companies but also listed companies.

The extent to which segregation of funds is required in circumstances such as these is still under consideration, and FinCEN repeats here the request, made in the notice of proposed rulemaking, for comments on that issue. Any rule requiring a grocery store or similar

¹ Under the proposed rule, non-listed businesses are businesses, otherwise eligible for exemption, whose stock is not listed on the nation's major securities exchanges. Payroll customers are businesses, otherwise eligible for exemption, that require cash withdrawals for payroll purposes.

entity that qualifies as a listed entity under 31 CFR 103.22(h)(2)(iii), (iv), or (v) to segregate money from the sale of money services products in order to secure treatment as an "exempt person" for any deposit, will not become effective until the effective date of the proposed regulations, when issued in final form.

Dated: November 24, 1997.

Stephen R. Kroll,

Federal Register Liaison Officer, Financial Crimes Enforcement Network.

[FR Doc. 97-31299 Filed 11-26-97; 8:45 am]

BILLING CODE 4820-03-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 799

[OPPTS-42187K; FRL-5759-2]

RIN 2070-AC76

Proposed Test Rule for Hazardous Air Pollutants; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: EPA is extending the public comment period from December 1, 1997 to January 9, 1998, on the proposed rule published in the **Federal Register** of June 26, 1996 (61 FR 33178)(FRL-4869-1) requiring the testing of 21 hazardous air pollutants (HAPs) for certain health effects. This extension is needed to allow the Agency more time to amend the HAPs test rule proposal.

DATES: Written comments on the proposed rule must be received by EPA on or before January 9, 1998.

ADDRESSES: Submit three copies of written comments on the proposed HAPs test rule, identified by docket control number (OPPTS-42187A; FRL-4869-1) to: Environmental Protection Agency, Office of Pollution Prevention and Toxics (OPPT), Document Control Office (7407), Rm. G-099, 401 M St., SW., Washington, DC 20460.

Comments and data may also be submitted electronically to oppt.ncic@epamail.epa.gov. Follow the instructions under Unit II. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

FOR FURTHER INFORMATION CONTACT: For general information, Susan B. Hazen, Director, Environmental Assistance Division (7408), Rm. ET-543B, Office of Pollution Prevention and Toxics,