

• Report these weather conditions to Air Traffic Control.”

(b) Incorporating the AFM revisions, as required by this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(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.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) All persons affected by this directive may examine information related to this AD at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(f) This amendment becomes effective on November 3, 1998.

Issued in Kansas City, Missouri, on September 18, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-25774 Filed 9-25-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-ANE-07-AD; Amendment 39-10753; AD 98-19-11]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce Limited, Aero Division—Bristol/S.N.E.C.M.A. Olympus 593 Series Turbojet Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments, withdrawal.

SUMMARY: The FAA is withdrawing the final rule; request for comments, which was published on September 16, 1998 (63 FR 49418). The reason for the withdrawal is because it is a duplicate

of a final rule; request for comments, published on September 15, 1998 (63 FR 49278). The September 15, 1998, final rule, remains effective September 30, 1998. The September 15, 1998 amendment adopted a new airworthiness directive (AD) that is applicable to Rolls-Royce Limited, Aero Division—Bristol/S.N.E.C.M.A. Olympus 593 series turbojet engines.

DATES: The final rule; request for comments, published Wednesday, September 16, 1998, at 63 FR 49418, is withdrawn on September 17, 1998.

FOR FURTHER INFORMATION CONTACT: Mary Culver, Technical Publications Specialist, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7125, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: The FAA is withdrawing Docket No. 98-ANE-07-AD; Amendment 39-10753; AD 98-19-11 which was published on September 16, 1998 (63 FR 49418). The reason for the withdrawal is because it is a duplicate of a final rule; request for comments, published on September 15, 1998 (63 FR 49278). The September 15, 1998, final rule that is applicable to Rolls-Royce Limited, Aero Division—Bristol/S.N.E.C.M.A. Olympus 593 series turbojet engines, remains effective September 30, 1998.

Issued in Burlington, Massachusetts, on September 17, 1998.

Kirk Gustafson,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 98-25782 Filed 9-25-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

15 CFR Part 280

[Docket No. 980623159-8238-02]

RIN 0693-AB47

Implementation of the Fastener Quality Act

AGENCY: National Institute of Standards and Technology, United States Department of Commerce.

ACTION: Final rule and extension of implementation date.

SUMMARY: Director of the National Institute of Standards and Technology (NIST), United States Department of Commerce, under authority delegated by the Secretary of Commerce, and

pursuant to Pub. L. 105-234, is postponing the effect of the Fastener Quality regulation by extending its implementation date until June 1, 1999. As a service to the public, those wishing to seek registration or accreditation, or record fastener insignia may continue to do so on a purely voluntary basis under the procedures set out in the regulation.

DATES: Effective September 28, 1998.

FOR FURTHER INFORMATION CONTACT: Dr. Subhas G. Malghan, FQA Program Manager, Technology Services, National Institute of Standards and Technology, Building 820, Room 306, Gaithersburg, MD 20899, telephone number (301) 975-5120.

SUPPLEMENTARY INFORMATION:

Background

The Fastener Quality Act (the Act) protects the public safety by: (1) Requiring that certain fasteners which are sold in commerce conform to the specifications to which they are represented to be manufactured; (2) providing for accreditation of laboratories and registration of manufacturing facilities engaged in fastener testing; and (3) requiring inspection, testing and certification, in accordance with standardized methods, of fasteners covered by the Act.

The Secretary of Commerce, acting through the Director of NIST, published final regulations implementing the Act on September 26, 1996. Those regulations established procedures under which: (1) Laboratories in compliance with the Act may be listed; (2) laboratories may apply to NIST for accreditation; (3) private laboratory accreditation entities (bodies) may apply to NIST for approval to accredit laboratories; and (4) foreign laboratories accredited by their governments or by organizations recognized by the NIST Director under section 6(a)(1)(C) of the Act can be deemed to satisfy the laboratory accreditation requirements of the Act. The regulation also established, within the PTO, a recordation system to identify the manufacturers or distributors of covered fasteners to ensure that the fasteners may be traced to their manufacturers or private label distributors. In addition, the regulations contained provisions on testing and certification of fasteners, sale of fasteners subsequent to manufacture, recordkeeping, applicability of the Act, enforcement, civil penalties, and hearing and appeal procedures. The effective date of those regulations was November 25, 1996, and they were to apply to fasteners manufactured on or after May 27, 1997, the “implementation date”.

On April 18, 1997, as permitted by Section 15 of the Act, NIST announced a one year extension of the implementation date of the regulations to May 26, 1998, because there were an insufficient number of accredited laboratories to conduct the volume of inspection and testing required by the Act and regulations (62 FR 19041 (1997)). During the one year extension, on September 8, 1997, NIST published for public comment proposed amendments to the final rule published in September 1996 (62 FR 47240 (1997)). On April 14, 1998, based on the public comments received on the September 1997 proposed rule, NIST published amendments to the September final rule (63 FR 18260 (1998)). The effective date of the April 1998 amendments to the September 1996 final rule was May 14, 1998. The April 1998 final rule established the procedures for registration of in-process inspection activities of qualifying manufacturing facilities that use Quality Assurance Systems (QAS), revised definitions and related sections for clarity, and corrected editorial errors. Pursuant to section 15 of the Act, the April 1998 final rule also extended the implementation date by sixty days, to July 26, 1998.

On June 30, 1998, NIST announced that an insufficient number of laboratories would be accredited by July 26, 1998 to perform the volume of inspection and testing required by the Act and, pursuant to section 15 of the Act, extended the implementation date to October 25, 1998.

On August 14, 1998, President Clinton signed Pub. L. 105-234, which amends the Fastener Quality Act by: (1) Creating an exemption for certain aircraft fasteners, and (2) postponing the effect of the regulations until the later of June 1, 1999 or 120 days after the Secretary of Commerce transmits to Congress a report on: (1) Changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act; (b) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and (c) any changes in that Act that may be warranted because of the changes reported under paragraphs (a) and (b). The report must be submitted to Congress by February 1, 1999.

To postpone the effect of the regulations, as mandated by Pub. L. 105-234, the Director of NIST is extending the implementation date until

June 1, 1999. Before June 1, 1999, NIST will determine whether further delays are necessary. As a service to the public, those wishing to seek registration or accreditation, or record fastener insignia may continue to do so on a purely voluntary basis under the procedures set out in the regulations.

NIST is publishing technical amendments to § 280.12(a), (b), and (c), § 280.602(k), and § 280.810(c)(3)(i), introductory text, to reflect the extension.

Additional Information

Administrative Procedure Act

Pursuant to authority at 5 U.S.C. 553(b)(B), the Director of NIST has determined that good cause exists to waive the requirement to provide prior notice and an opportunity for public comment for this action as such procedures are unnecessary. The procedures are unnecessary because this action merely implements a mandatory provision of Pub. L. 105-234. The technical amendments to the existing regulations are simply meant to harmonize the existing regulations with the statutory mandate to extend the implementation date. As this action implements a provision of law already in effect, there is good cause, pursuant to 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date as such a delay is unnecessary.

Executive Order 12866

This rule has been determined not to be significant under section 3(f) of Executive Order 12866.

Regulatory Flexibility Act

Since this action is not subject to the requirement to provide prior notice and an opportunity for public comment under 5 U.S.C. 553, or any other law, it is not subject to the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq.

List of Subjects in 15 CFR Part 280

Business and industry, Fastener industry, Imports, Laboratories, Reporting and recordkeeping requirements.

Dated: September 18, 1998.

Robert E. Hebner,

Acting Deputy Director, National Institute of Standards and Technology.

For the reasons set forth in the preamble, Title 15 of the Code of Federal Regulations part 280 is amended as follows:

PART 280—FASTENER QUALITY

1. The authority for part 280 is revised to read as follows:

Authority: 15 U.S.C. 5401 et seq.; Pub. L. 105-234, 112 Stat. 1536.

2. Section 280.12(a), (b), and (c) are revised to read as follows:

§ 280.12 Applicability.

(a) The requirements of the Fastener Quality Act and this part shall be applicable only to fasteners manufactured on or after June 1, 1999.

(b) Metal manufactured prior to June 1, 1999, may not be used to manufacture fasteners subject to the Act and this part unless the metal has been tested for chemistry pursuant to § 280.15 of this part by a laboratory accredited under the Act and this part and the chemical characteristics of the metal conform to those required by the standards and specifications.

(c) Nothing in the Act and this part prohibits selling finished fasteners manufactured prior to June 1, 1999, or representing that such fasteners meet standards and specifications of a consensus standards organization or a government agency.

3. Section 280j.602(k) is revised to read as follows:

§ 280.602 Violations.

* * * * *

(k) *Sale of fasteners manufactured prior to the implementation date as compliant with the Act.* No person shall represent, sell, or offer for sale fasteners manufactured prior to June 1, 1999, as being in conformance with the Act or this part except as provided for in § 280.12(d) or (e) of this part.

* * * * *

4. Section 280.810(c)(3)(i), introductory text, is revised to read as follows:

§ 280.810 Listing of recognized accreditors, accredited registrars, and registered facilities.

* * * * *

(c) *List of facilities.* * * *

(3)(i) If a Facility intends to be listed in accordance with paragraph (c)(1) of this section but the registration process will not be completed by June 1, 1999, the Facility may be provisionally listed on the Facilities List by providing the following to NIST on or before September 30, 1998:

* * * * *

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