

(b) If an engine surge event is experienced, prior to the next flight, inspect that engine for evidence of rubbing of the second stage stator vanes on the compressor rotor in accordance with PWC Service Bulletin (SB) No. PW500-72-30063, Revision 2, dated July 10, 1998.

(c) If evidence of rubbing is discovered, prior to further flight, remove from service the engine that experienced rubbing and replace with a serviceable engine.

(d) Within 200 hours time in service (TIS) after the effective date of this AD, or prior to December 31, 1998, whichever occurs first,

rework all affected engines identified by S/N in the applicability of this AD to increase the clearance between the second stage stator vanes and the compressor rotor, in accordance with PWC SB No. PW500-72-30044, Revision 2, dated July 10, 1998.

Completion of this rework constitutes terminating action to the inspection requirements of this AD.

(e) 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 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.

(f) The requirements of this AD shall be done in accordance with the following PWC SBs:

Document No.	Pages	Revision	Date
PW500-72-30063	1-5	2	July 10, 1998.
Total pages: 5.			
PW500-72-30044	1-6	2	July 10, 1998.
Total pages: 6.			

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 Pratt & Whitney Canada, Inc., 1000 Marie-Victorin, Longueuil, Quebec, Canada J4G 1A1; Attn: Supervisor, Publications Customer Service (01CA4); telephone (514) 647-2705, fax (514) 647-2702. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(g) This amendment becomes effective October 21, 1998, to all persons except those persons to whom it was made immediately effective by priority letter AD 98-17-10, issued August 7, 1998, which contained the requirements of this amendment.

Issued in Burlington, Massachusetts, on September 28, 1998.

Diane Romanosky,

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

[FR Doc. 98-26528 Filed 10-5-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-272-AD; Amendment 39-10819; AD 98-21-11]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-700 and -800 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is

applicable to certain Boeing Model 737-700 and -800 series airplanes. This action requires a one-time inspection to determine the serial numbers of the fire detector assemblies and elements for the auxiliary power unit (APU) and engines, and replacement of the assemblies or elements with new or serviceable parts, if necessary. This amendment is prompted by a report indicating that certain fire detector elements were not checked for leaks during manufacturing and, therefore, may not have the correct set points for the fire warning system. The actions specified in this AD are intended to prevent failure of the APU or engine fire detection systems to detect a fire in a timely manner, which could result in egress of an APU or engine compartment fire to other parts of the airplane.

DATES: Effective October 21, 1998.

Comments for inclusion in the Rules Docket must be received on or before December 7, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-272-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Information pertaining to this AD may be examined at the FAA, Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Bernie Gonzalez, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2682; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report from the

manufacturer of the auxiliary power unit (APU) and engine fire detectors installed on Boeing Model 737-700 and -800 series airplanes indicating that certain fire detector elements were not checked for leaks during manufacturing and may be leaking helium gas. Any leaking would cause the set point for the fire warning system to rise, which may lead to an undetected fire and delayed flight crew response. Failure of the APU or engine fire detection system to detect a fire in a timely manner, if not corrected, could result in egress of an APU or engine compartment fire to other parts of the airplane.

FAA's Determination

In order to ensure that APU and engine fire detection assemblies and elements that were not checked for leaks during manufacturing are not installed on the affected airplanes, the FAA has determined that verification of the serial numbers of these components, and replacement of parts having certain serial numbers, is necessary. Accomplishment of these actions will adequately address failure of the APU or engine fire detection system.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 737-700 and -800 series airplanes of the same type design, this AD is being issued to prevent failure of the APU or engine fire detection system to detect a fire in a timely manner, which could result in egress of an APU or engine compartment fire to other parts of the airplane. This AD requires a one-time inspection to determine the serial numbers of the fire detector assemblies and elements for the APU and engines, and replacement of the assemblies or

elements with new or serviceable parts, if necessary. The actions are required to be accomplished in accordance with the Boeing 737 Aircraft Maintenance Manual.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-272-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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, 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:

98-21-11 Boeing: Amendment 39-10819. Docket 98-NM-272-AD.

Applicability: Model 737-700 and -800 series airplanes; line positions 1 through 81 inclusive, except line positions 73 and 80; certificated in any category.

Note 1: This AD applies to each airplane 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 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 (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 failure of the auxiliary power unit (APU) or engine fire detection system to detect a fire in a timely manner, which could result in egress of an APU or engine compartment fire to other parts of the airplane, accomplish the following:

(a) Within 21 days after the effective date of this AD, perform a one-time inspection of the APU and engine fire detector assemblies to determine the serial number of the assemblies and the elements. Replace any fire detector assembly or element as required by paragraph (a)(1), (a)(2), or (a)(3) of this AD in accordance with procedures specified in Chapters 26-11-01-401 and 26-15-01-401 of the Boeing 737 Aircraft Maintenance Manual, as applicable.

Note 2: The serial number of the fire detector assembly is stamped on the support tube.

(1) If any assembly having a serial number 100 through 999 inclusive is installed, prior to further flight, replace it with a new or serviceable assembly having a serial number 1000 or higher.

(2) If any element of the APU fire detectors having a serial number 1 through 1999 inclusive is installed, prior to further flight, replace it with a new or serviceable element having a serial number 2000 or higher.

(3) If any element of the engine fire detectors having a serial number 1 through 4999 inclusive is installed, prior to further flight, replace it with a new or serviceable element having a serial number 5000 or higher.

(b) As of the effective date of this AD, no person shall install on any airplane an APU or engine fire detector assembly or element having a serial number listed in paragraph (b)(1), (b)(2), or (b)(3) of this AD.

(1) For the APU or engine fire detector assembly: Boeing part numbers S332T100-27, -28, -29, -30, -31, -38, -42, -43, and -44; Whittaker part numbers 902013, 902014, 902015-01, 902016-01, 902017-01, 902018-01, 902020, 902862, and 902864; serial numbers 100 through 999 inclusive.

(2) For APU fire detector elements: Whittaker part numbers 8880-01, -02, and -03; serial numbers 1 through 1999 inclusive.

(3) For engine fire detector elements: Whittaker part numbers 8870-01, -02, -03, and -04; serial numbers 1 through 4999 inclusive.

(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, Seattle 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, Seattle ACO.

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

(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 airplane to a location where the requirements of this AD can be accomplished.

(e) This amendment becomes effective on October 21, 1998.

Issued in Renton, Washington, on September 29, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-26659 Filed 10-5-98; 8:45 am]

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DEPARTMENT OF COMMERCE

15 CFR Parts 29a and 29b

[Docket No. 980925248-8248-01]

RIN 0605-AA12

Audit Requirements for State and Local Governments; Audit Requirements for Institutions of Higher Education and Other Non-Profit Organizations

AGENCY: Department of Commerce (DoC).

ACTION: Final rule.

SUMMARY: The Department of Commerce (DoC) is removing 15 CFR Part 29a, "Audit Requirements for State and Local Governments," which was published in the **Federal Register** as 15 CFR Part 8a on July 26, 1985 to implement OMB Circular A-128, "Audits of State and Local Governments," and 15 CFR Part 29b, "Audit Requirements for Institutions of Higher Education and Other Non-Profit Organizations," which was published in the **Federal Register** on April 19, 1991 to implement Office of Management and Budget (OMB) Circular A-133, "Audits of Institutions of Higher Education and Other Nonprofit Organizations," at which time 15 CFR Part 8a was amended to re-designate Part 8a as Part 29a. Revised OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," as published in the **Federal Register** on June 30, 1997 established uniform audit requirements for non-Federal entities that administer Federal awards and implemented the Single Audit Act Amendments of 1996, which were signed into law on July 5, 1996. The provisions of the revised Circular A-133 which was re-titled "Audits of States, Local Governments, and Non-Profit Organizations," as published in the **Federal Register** on June 30, 1997 are implemented for the DoC at 15 CFR Part 14, "Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher

Education, Hospitals, Other Non-Profit, and Commercial Organizations," and at 15 CFR Part 24, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."

EFFECTIVE DATE: October 6, 1998.

FOR FURTHER INFORMATION CONTACT: John J. Phelan, III, Director, Office of Executive Assistance Management, Telephone Number—202-482-4115.

SUPPLEMENTARY INFORMATION: The Department of Commerce (DoC) is removing 15 CFR Part 29a, "Audit Requirements for State and Local Governments," which was published in the **Federal Register** at 15 CFR Part 8a on July 26, 1985 (50 FR 30418) to implement OMB Circular A-128, "Audits of State and Local Governments," and 15 CFR Part 29b, "Audit Requirements for Institutions of Higher Education and Other Non-Profit Organizations," which was published in the **Federal Register** on April 19, 1991 (56 FR 15992) to implement Office of Management and Budget (OMB) Circular A-133, "Audits of Institutions of Higher Education and Other Nonprofit Organizations," at which time 15 CFR Part 8a was amended to re-designate part 8a as part 29a. Revised OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," as published in the **Federal Register** on June 30, 1997 (62 FR 35278) established uniform audit requirements for non-Federal entities that administer Federal awards and implemented the Single Audit Act Amendments of 1996, which were signed into law on July 5, 1996 (Public Law 104-156).

OMB Circular A-128 was rescinded and OMB Circular A-133 was revised by OMB as a result of the consolidation of audit requirements under OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." The provisions of the revised Circular A-133 which was re-titled "Audits of States, Local Governments, and Non-Profit Organizations," as published in the **Federal Register** on June 30, 1997 (62 FR 35279) are implemented for the DoC at 15 CFR Part 14, "Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations," and at 15 CFR part 24, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."

Executive Orders 12866 and 12875

This final rule has been determined to be "not significant" for purposes of Executive Order 12866, "Regulatory Planning and Review." In addition, it has been determined that, consistent with the requirements of Executive Order 12875, "Enhancing Intergovernmental Partnership," this final rule will not impose any unfunded mandates upon State, local, and tribal governments.

Administrative Procedure Act and Regulatory Flexibility Act

Because notice and comments is not required under 5 U.S.C. 553, or any other law, for this rule relating to public property, loans, grants benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this final rule.

Executive Order 12612 (Federalism Assessment)

This action has been reviewed in accordance with the principles and criteria contained in Executive Order 12612. It has been determined that this action does not have sufficient Federalism implications to warrant a full Federalism Assessment under the principles and criteria contained in Executive Order 12612.

Paperwork Reduction Act

These actions do not impose any new reporting or recordkeeping requirements under the Paperwork Reduction Act.

List of Subjects

15 CFR Part 29a

Accounting, Grant programs, Indians, Intergovernmental relations, Loan programs, Reporting and recordkeeping requirements.

15 CFR Part 29b

Accounting, Colleges and universities, Grant programs, Loan programs, Nonprofit organizations, Reporting and recordkeeping requirements.

John J. Phelan,

Director for Executive Assistance Management.

Accordingly, under authority of 5 U.S.C. 301 and 31 U.S.C. 7501, *et seq.*, Title 15 of the Code of Federal Regulations is amended by removing Parts 29a and 29b.

[FR Doc. 98-26770 Filed 10-5-98; 8:45 am]

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