

*Respondents:* Full-time, salaried veterinarians of the agency of the Government of Mexico responsible for animal health.

*Estimated annual number of respondents:* 4.

*Estimated annual number of responses per respondent:* 51.

*Estimated annual number of responses:* 204.

*Estimated total annual burden on respondents:* 30 hours.

Copies of this information collection can be obtained from Clearance Officer, OCIO, USDA, room 404-W, 14th Street and Independence Avenue SW., Washington, DC 20250.

#### List of Subjects 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry, and poultry products, Reporting and recordkeeping requirements.

Accordingly, we are proposing to amend 9 CFR part 94 as follows:

#### **PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS.**

1. The authority citation for part 94 would continue to read as follows:

**Authority:** 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 94.6, the section heading would be revised, paragraph (c)(5) would be redesignated as paragraph (c)(6), and a new paragraph (c)(5) would be added to read as follows:

**94.6 Carcasses, parts or products of carcasses, and eggs (other than hatching eggs) of poultry, game birds, or other birds; importations from regions where exotic Newcastle disease (END) or *S. enteritidis* is considered to exist.**

\* \* \* \* \*

(c) \* \* \*

(5) Poultry carcasses and parts or products of poultry carcasses that originated in a region considered to be free of END and are processed (cut, packaged, and/or cooked) in a region where END is considered to exist may be imported under the following conditions:

(i) *Shipment to approved establishments.*

(A) The poultry carcasses or parts or products of poultry carcasses must be shipped from the END-free region where they originated in closed containers

sealed with serially-numbered seals applied by an official of the national government of that region. They must be accompanied by a certificate that is signed by an official of that region's national government and specifies the products' region of origin, the processing establishment to which the poultry carcasses or parts or products of poultry carcasses are consigned, and the numbers of the seals applied to the shipping containers.

(B) The poultry carcasses or parts or products of poultry carcasses may be removed from containers at the processing establishment in the region where END is considered to exist only after an official of the foreign region's national government has determined that the seals are intact and free of any evidence of tampering. The official must attest to this fact by signing the certificate accompanying the shipment.

(ii) *Handling of poultry carcasses and parts or products of poultry carcasses.* Establishments<sup>1</sup> in regions where END is considered to exist that process poultry carcasses or parts or products of poultry carcasses for export to the United States:

(A) May not receive or handle any live poultry.

(B) Must keep any records required by this section on file at the facility for a period of at least 2 years after export of processed products to the United States, and must make those records available to USDA inspectors during inspections.

(C) May process poultry carcasses and parts or products of poultry carcasses that originate in both END-free regions and regions where END is considered to exist, provided that:

(1) All areas, utensils, and equipment liable to contact the poultry carcasses and parts or products of poultry carcasses to be processed, including skinning, deboning, cutting, and packing areas, are cleaned and disinfected between processing poultry from regions where END is considered to exist and poultry carcasses and parts or products of poultry carcasses from END-free regions.

(2) Poultry carcasses and parts or products of poultry carcasses intended for export to the United States are not handled, cut, or otherwise processed at the same time as any poultry not eligible for export to the United States.

(3) Poultry carcasses and parts or products of poultry carcasses intended

<sup>1</sup> As a condition of entry into the United States, poultry or poultry products must also meet all of the requirements of the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) and regulations thereunder (9 CFR part 381), including requirements that the poultry or poultry products be prepared only in approved establishments.

for export to the United States are packed in clean new packaging that is clearly distinguishable from that containing any poultry not eligible for export to the United States.

(4) Poultry carcasses and parts or products of poultry carcasses are stored in a manner that ensures that no cross-contamination occurs.

(iii) *Cooperative service agreement.* Operators of processing establishments must enter into a cooperative service agreement with APHIS to pay all expenses incurred by APHIS in inspecting the establishment. APHIS anticipates that such inspections will occur once a year. The cooperative service account must always contain a balance that is at least equal to the cost of one inspection. APHIS will charge the cooperative service account for travel, salary, and subsistence of APHIS employees, as well as administrative overhead and other incidental expenses (including excess baggage charges up to 150 pounds).

(iv) *Shipment to the United States.* Poultry carcasses and parts or products of poultry carcasses to be imported into the United States must be shipped from the region where they were processed in closed containers sealed with serially-numbered seals applied by an official of the national government of that region. The shipments must be accompanied by a certificate signed by an official of the national government of the region where the poultry was processed that lists the numbers of the seals applied and states that all of the conditions of this section have been met. A copy of this certificate must be kept on file at the processing establishment for at least 2 years.

\* \* \* \* \*

Done in Washington, DC, this 2nd day of December 1998.

**Joan M. Arnoldi,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 98-32654 Filed 12-8-98; 8:45 am]

BILLING CODE 3410-34-P

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-106-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Airbus Model A300 and A300-600 Series Airplanes**

**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 Airbus Model A300 and A300-600 series airplanes. This proposal would require replacement of the rivets that attach the pressurized floor panel to gables 4 and 5 with new titanium alloy bolts. This proposal also would require, for certain airplanes, repetitive inspections to detect discrepancies of the rivets; and corrective actions, if necessary. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent failure of the rivets that attach the pressurized floor panel to gables 4 and 5, which could result in the loss of the floor panel and consequent rapid decompression of the airplane.

**DATES:** Comments must be received by January 8, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-106-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

**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 shall identify the Rules Docket number and be submitted in triplicate 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-NM-106-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-106-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A300 and A300-600 series airplanes. The DGAC advises that, during maintenance on a Model A300 series airplane, maintenance personnel discovered several rivets had been sheared off that attach the pressurized floor panel to gable 5 between frames 47 and 48. Those rivets are also used to attach the pressurized floor panel to gable 4. Investigation has revealed that alternate bending stress under the rivet heads caused the rivets to break. The cause of the stress has been attributed to an alternate shear load between the pressurized floor panel and gables 4 and 5. Failure of the rivets, if not corrected, could result in the loss of the floor panel and consequent rapid decompression of the airplane.

The rivets that attach the pressurized floor panel to gables 4 and 5 on certain Model A300-600 series airplanes are similar in design to those on Model A300 series airplanes; therefore, both models may be subject to the same unsafe condition.

**Explanation of Relevant Service Information**

Airbus has issued Service Bulletin A300-53-0331, dated March 18, 1997 (for Model A300 series airplanes), and A300-53-6107, dated March 18, 1997

(for Model A300-600 series airplanes), which describe procedures for replacement of the rivets between frames 47 and 48 at gables 4 and 5 with new titanium alloy bolts.

For certain airplanes, these service bulletins also describe procedures for repetitive detailed visual inspections to detect discrepancies of the existing rivets; corrective actions, if necessary; and eventual replacement of the plain aluminum rivets or blind rivets with titanium alloy bolts.

Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The DGAC classified these service bulletins as mandatory and issued French airworthiness directive 97-176-229(B), dated August 13, 1997, in order to assure the continued airworthiness of these airplanes in France.

**FAA's Conclusions**

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

**Explanation of Requirements of Proposed Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require replacement of the existing rivets that attach the pressurized floor panel to gables 4 and 5 with new titanium alloy bolts. For certain airplanes, this proposal would require repetitive inspections to detect discrepancies of the existing rivets; corrective actions, if necessary; and eventual replacement of the plain aluminum rivets or blind rivets that attach the pressurized floor panel to gables 4 and 5 with titanium alloy bolts.

**Cost Impact**

The FAA estimates that 24 Airbus Model A300 series airplanes of U.S. registry would be affected by this proposed AD. It would take approximately 26 work hours per

airplane to accomplish the proposed replacement, at an average labor rate of \$60 per work hour. Required parts would cost between \$3,160 and \$3,520 per airplane, depending on the service kit purchased. Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators of Airbus Model A300 series airplanes is estimated to be as low as \$4,720 per airplane or as high as \$5,080 per airplane.

The FAA estimates that 61 Airbus Model A300–600 series airplanes of U.S. registry would be affected by this proposed AD. It would take approximately 26 work hours per airplane to accomplish the proposed replacement, at an average labor rate of \$60 per work hour. Required parts would cost between \$3,530 and \$3,550 per airplane, depending on the service kit purchased. Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators of Airbus Model A300–600 series airplanes is estimated to be as low as \$5,090 per airplane or as high as \$5,110 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Should an operator be required to accomplish the proposed inspection, it would take approximately 1 work hour to accomplish, at an average labor rate of \$60 per work hour. Based on this figure, the cost impact of the inspection proposed by this AD on U.S. operators of Airbus Model A300 and A300–600 series airplanes is estimated to be \$60 per airplane, per inspection cycle.

### 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:

**Airbus Industrie:** Docket 98–NM–106–AD.

**Applicability:** Model A300 and A300–600 series airplanes on which Airbus Modification 11523 (reference Airbus Service Bulletins A300–53–0331 and A300–53–6107, both dated March 18, 1997) has not been accomplished, 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 (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 rivets that attach the pressurized floor panel to gables 4 and 5, which could result in the loss of the floor panel and consequent rapid decompression of the airplane, accomplish the following:

(a) Accomplish paragraph (a)(1), or paragraphs (a)(2) and (a)(3), of this AD at the times specified in those paragraphs in accordance with Airbus Service Bulletin A300–53–0331, dated March 18, 1997 (for Airbus Model A300 series airplanes); or Airbus Service Bulletin A300–53–6107, dated March 18, 1997 (for Airbus Model A300–600 series airplanes); as applicable.

(1) Replace the rivets that attach the pressurized floor panel to gables 4 and 5 with new titanium alloy bolts, at the applicable time specified in paragraph (a)(1)(i), (a)(1)(ii), (a)(1)(iii), or (a)(1)(iv) of this AD.

(i) For Airbus Model A300–600 series airplanes, replace the rivets prior to the accumulation of 7,150 total flight cycles.

(ii) For Airbus Model A300 B4–203 series airplanes, replace the rivets prior to the accumulation of 10,000 total flight cycles.

(iii) For Airbus Model A300 B4–2C and B4–103 series airplanes, replace the rivets prior to the accumulation of 12,300 total flight cycles.

(iv) For Airbus Model A300 B2–1C, B2–203, and B2K–3C series airplanes, replace the rivets prior to the accumulation of 14,600 total flight cycles.

(2) Perform a detailed visual inspection to detect any broken or discrepant rivets that attach the pressurized floor panel to gables 4 and 5, at the applicable time specified in paragraph (a)(2)(i), (a)(2)(ii), (a)(2)(iii), or (a)(2)(iv) of this AD. Repeat the inspection thereafter at intervals not to exceed 350 flight cycles until accomplishment of the action required by paragraph (a)(3) of this AD.

(i) For Airbus Model A300–600 series airplanes, inspect the rivets prior to the accumulation of 7,500 total flight cycles, or within 350 flight cycles after the effective date of this AD, whichever occurs later.

(ii) For Airbus Model A300 B4–203 series airplanes, inspect the rivets prior to the accumulation of 10,350 total flight cycles, or within 350 flight cycles after the effective date of this AD, whichever occurs later.

(iii) For Airbus Model A300 B4–2C and B4–103 series airplanes, inspect the rivets prior to the accumulation of 12,650 total flight cycles, or within 350 flight cycles after the effective date of this AD, whichever occurs later.

(iv) For Airbus Model A300 B2–1C, B2–203, and B2K–3C series airplanes, inspect the rivets prior to the accumulation of 14,950 total flight cycles, or within 350 flight cycles after the effective date of this AD, whichever occurs later.

(3) Within 3,000 flight cycles after the effective date of this AD, replace the rivets that attach the pressurized floor panel to gables 4 and 5 with new titanium alloy bolts in accordance with the applicable service bulletin. Accomplishment of this replacement constitutes terminating action for the repetitive inspections.

(b) If any discrepant or broken rivet is detected during any inspection specified in paragraph (a)(2) of this AD, prior to further flight, accomplish either paragraph (b)(1) or (b)(2) of this AD, as applicable, in accordance with Airbus Service Bulletin A300–53–0331, dated March 18, 1997 (for Airbus Model A300 series airplanes); or Airbus Service Bulletin A300–53–6107, dated March 18, 1997 (for Airbus Model A300–600 series airplanes).

(1) If less than 15 discrepant or broken rivets are detected, prior to further flight, replace the discrepant or broken rivets with serviceable rivets and continue the repetitive inspections, in accordance with the applicable service bulletin, until

accomplishment of the action required by paragraph (a)(3) of this AD.

(2) If 15 or more discrepant or broken rivets are detected, prior to further flight, replace all the rivets that attach the pressurized floor panel to gables 4 and 5 with new titanium alloy bolts, in accordance with the applicable service bulletin. Accomplishment of this replacement constitutes terminating action for the repetitive inspections required by this AD.

(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, 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 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(d) 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 3:** The subject of this AD is addressed in French airworthiness directive 97-176-229(B), dated August 13, 1997.

Issued in Renton, Washington, on December 2, 1998.

**John W. McGraw,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-32620 Filed 12-8-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-AGL-63]

#### Proposed Establishment of Class E Airspace; Ada, MN

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class E airspace at Ada, MN. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (Rwy) 33 has been developed for Norman County Ada/Twin Valley Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. This action proposes to create controlled airspace at Norman County Ada/Twin Valley Airport to accommodate the approach.

**DATES:** Comments must be received on or before January 26, 1999.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 98-AGL-63, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Airspace Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

**FOR FURTHER INFORMATION CONTACT:** Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 98-AGL-63." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each

substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, SW, Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to 14 CFR part 71 to establish Class E airspace at Ada, MN, to accommodate aircraft executing the proposed GPS Rwy 33 SIAP at Norman County Ada/Twin Valley Airport by creating controlled airspace at the airport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The area would be depicted on appropriate aeronautical charts. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.