

(a) Within 10 days after the effective date of this AD, perform a visual inspection to detect discrepancies that include but are not limited to frayed, chafed, or nicked wires and wire insulation in the areas specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) At the area around the entry light connector of the sliding ceiling panel above the forward left passenger door (1L) at station location $x = 24.75$, $y = 435$, and $z = 64.5$; and

(2) At the area above the forward right passenger door (1R) at station location $x = -30$, $y = 430$, and $z = 70$ in the area of bracket part number 4225419-1.

(b) If any discrepancy is detected during the visual inspection required by paragraph (a) of this AD, prior to further flight, repair in accordance with Chapter 20, Standard Wiring Practices of the MD-11 Wiring Diagram Manual, dated January 1, 1998.

(c) Within 10 days after accomplishing the visual inspection required by paragraph (a) of this AD, submit a report of the inspection results (both positive and negative findings) to the Manager, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 627-5350; fax (562) 627-5210. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(d) 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 ACO. 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.

(e) 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.

(f) This amendment becomes effective on December 28, 1998.

Issued in Renton, Washington, on December 3, 1998.

John W. McGraw,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-32791 Filed 12-9-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ASO-17]

Establishment of Class E2 Airspace; Atlanta Dekalb-Peachtree Airport, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes Class E2 airspace at Atlanta, GA, for the Dekalb-Peachtree Airport. An automated weather observing system transmits the required weather observations continuously to The William B. Hartsfield, Atlanta International Airport Traffic Control Tower, the controlling facility for the airport, when the Dekalb-Peachtree Airport Traffic Control Tower is closed. Therefore, the airport now meets the criteria for Class E2 surface area airspace. The Class E airspace will consist of that airspace extending upward from the surface to but not including 700 feet within a 4-mile radius of Dekalb-Peachtree Airport. **EFFECTIVE DATE:** 0901 UTC, March 25, 1999.

FOR FURTHER INFORMATION CONTACT: Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

SUPPLEMENTARY INFORMATION:

History

On October 15, 1998, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E2 airspace at Atlanta, GA, (63 FR 55354). This action provides adequate Class E airspace for IFR operations at Dekalb-Peachtree Airport. Designations for Class E2 airspace extending upward from the surface of the earth are published in FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR part 71.1. The Class E designation listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comment objecting to the proposal was received.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E2 airspace at

Atlanta, GA for the Dekalb-Peachtree Airport. An automated weather observing system transmits the required weather observations continuously to The William B. Hartsfield, Atlanta International Airport Traffic Control Tower, the controlling facility for the airport, when the Dekalb-Peachtree Airport Traffic Control Tower is closed. Therefore, the airport now meets the criteria for Class E2 surface area airspace.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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 rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 6002 Class E Airspace Designated as Surface Areas

* * * * *

ASO GA E2 Atlanta Dekalb-Peachtree Airport, GA [New]

Atlanta Dekalb-Peachtree Airport

(Lat. 33°52'30"N, long. 84°18'08"W)

Within a 4-mile radius of the Dekalb-Peachtree Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will therefore be continuously published in the Airport/Facility Directory.

* * * * *

Issued in College Park, Georgia, on November 25, 1998.

Nancy B. Shelton,

Acting Manager, Air Traffic Division Southern Region.

[FR Doc. 98-32820 Filed 12-9-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 91 and 121

General Operating and Flight Rules

CFR Correction

In Title 14 of the Code of Federal Regulations, parts 60 to 139, revised as of Jan. 1, 1998, make the following corrections:

1. On page 173, left column, the date in Sec. 9 of the effective date note for SFAR No. 50-2 is corrected to read "January 31, 1999".

2. On page 261, in Appendix G to part 91, right column, under *Section 2. Aircraft Approval*, in paragraphs (c) (2)(i), (ii), (3)(i) and (ii) the symbol "#'' is corrected to read "±".

3. On page 452, § 121.402, paragraph (a), add the word "flight" between the words "provide" and "training" in the sixth line.

4. On page 520, § 121.713, paragraph (b)(2), "§ 119.35" is corrected to read "§ 119.36".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 141

Pilot Schools

CFR Correction

In Title 14 of the Code of Federal Regulations, parts 140 to 199, revised as of Jan. 1, 1998, page 22, Appendix A to part 141, paragraph 4(a) is corrected by removing the words "as provided in section No. 5 of this appendix" beginning in the third line, and moving them to line 6 after the word "training".

BILLING CODE 1505-01-D

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 140

Requests for Exemptive, No-Action and Interpretative Letters

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission ("CFTC" or "Commission") is adopting Rule 140.99, which establishes procedures for the filing of requests for the issuance of exemptive, no-action and interpretative letters from the Commission's staff. The Commission believes that implementation of these procedures will significantly assist the Commission, its staff and requesters by assuring a focused presentation of the guidance sought, the issues raised thereby, and the relevant legal authorities.

DATES: Effective January 11, 1999.

FOR FURTHER INFORMATION CONTACT:

David M. Battan, Chief Counsel, Christopher W. Cummings, Special Counsel, or Helene D. Schroeder, Attorney-Advisor, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581. Telephone: (202) 418-5450.

SUPPLEMENTARY INFORMATION:

I. Requests for Exemptive, No-Action and Interpretative Letters

In the course of administering the Commodity Exchange Act ("Act")¹ and the rules, regulations and orders promulgated thereunder by the Commission,² Commission staff receives written requests for advice on, or interpretation of, particular provisions of the Act or Commission rules and the application of those provisions to proposed transactions or activities. Where appropriate, Commission staff provides the relief, advice or guidance sought through the issuance of exemptive, no-action or interpretative letters ("Letters"), respectively.³

On January 22, 1998, the Commission published for comment Proposed Rule 140.99 (the "Proposal")⁴ to establish procedures for requesting Letters. As stated in the Proposal, although a

procedural rule such as Rule 140.99 is not required to be published for comment, the Commission decided to seek comment in the belief that input from interested persons would assist it in fashioning a final rule.⁵ The comment period on the Proposal originally was due to expire on March 22, 1998. To maximize public participation in this rulemaking process, the Commission extended the comment period for an additional thirty days,⁶ and the comment period closed on April 22, 1998. The input received was very helpful, and a number of changes were made to the Proposal following consideration of the comments.⁷

While the commenters generally were supportive of the Commission's intention to establish uniform procedures for persons requesting Letters, they expressed various concerns of which the most significant are discussed below. Before addressing the comments received and the final rules the Commission is issuing hereby, the Commission wishes to emphasize that under the new rules Commission staff will continue to be receptive to informal inquiries and to engage in discussions with industry participants, counsel, members of the public, and others, by telephone, in face-to-face meetings or otherwise, regarding the application of the provisions of the Act and the Commission's rules, with the caveat that any advice given in the context of those discussions does not bind the Commission or its staff.⁸ The Commission's goal in adopting new Rule 140.99 is to ensure that, where an issue has been framed and defined sufficiently that a request for a Letter is appropriate, proper procedures exist for submitting that request.

II. Section-By-Section Analysis

A. Definitions—Section 140.99(a)

The Proposal defined "exemptive letter," "no-action letter," and "interpretative letter" for purposes of Rule 140.99. Briefly stated, the Proposal defined: (1) an exemptive letter as involving a grant of exemptive relief by the staff of the Division of Trading and Markets or the Division of Economic

⁵ See 63 FR 3287.

⁶ *Requests for Exemptive, No-Action and Interpretative Letters*, 63 FR 14866 (March 27, 1998).

⁷ The Commission received eight comment letters in response to the Proposal: two from registered futures commission merchants; two from commodity industry associations; one from a securities industry association; two from bar associations; and one from a law firm.

⁸ See Rule 140.99(e), which provides that no response to a request for a Letter is effective unless it is in writing, signed by appropriate Commission staff and transmitted in final form to the requester.

¹ 7 U.S.C. 1 *et seq.* (1994).

² Commission regulations are found at 17 CFR Ch. I. *et seq.* (1998).

³ These types of letters are proposed to be defined in Rules 140.99(a)(1), (a)(2) and (a)(3), respectively, and each is discussed in Part II, below.

⁴ *Requests for Exemptive, No-Action and Interpretative Letters*, 63 FR 3285.