

effect if OMB receives it within 30 days of publication of this proposed rule.

This proposed rule would amend the regulations to allow fresh (chilled or frozen) pork and pork products from the Mexican States of Baja California Sur, Coahuila, Nuevo Leon, Tamaulipas, Sinaloa, Campeche, and Quintana Roo to transit the United States, under certain conditions, for export to another country.

Implementing this proposed rule would necessitate the use of several information collection activities, including the completion of an import permit application, the placement of serially number seals on product containers, and the forwarding of a written, pre-arrival notification to APHIS port personnel.

We are asking OMB to approve these information collection activities in connection with our efforts to ensure that fresh pork and pork products transiting the United States from Mexico pose a negligible risk of introducing hog cholera into the United States.

We are soliciting comments from the public (as well as affected agencies) concerning our proposed information collection and recordkeeping requirements. These comments will help us:

(1) Evaluate whether the proposed information collection is necessary for the proper performance of our agency's functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond (such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses).

Estimate of burden: Public reporting burden for this collection of information is estimated to average .744 hours per response.

Respondents: Exporters in Mexico, and full-time, salaried veterinarians of Mexico's Animal Health Inspection Service.

Estimated annual number of respondents: 20.

Estimated annual number of responses per respondent: 12.5.

Estimated annual number of responses: 250.

Estimated total annual burden on respondents: 186 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 in 9 CFR Part 94

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

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

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), VELOGENIC VISCEROTROPIC 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 § 94.15, paragraph (b) introductory text would be revised to read as follows:

§ 94.15 Animal products and materials; movement and handling.

* * * * *

(b) Pork and pork products from Baja California, Baja California Sur, Campeche, Chihuahua, Coahuila, Nuevo Leon, Quintana Roo, Sinaloa, Sonora, Tamaulipas, and Yucatan, Mexico, that are not eligible for entry into the United States in accordance with this part may transit the United States for immediate export if the following conditions are met:

* * * * *

Done in Washington, DC, this 13th day of July, 1999.

Charles P. Schwalbe,

Acting Administrator, Animal and Plant Health Inspection Service.

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BILLING CODE 3410-34-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-378-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 727 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 Boeing Model 727 series airplanes. This proposal would require modification of the pressure web of the nose landing gear wheel well. This proposal is prompted by reports of fatigue cracks in the pressure web of the nose landing gear wheel well. The actions specified by the proposed AD are intended to prevent cracking of the pressure web of the nose landing gear wheel well, which could result in loss of airplane pressurization.

DATES: Comments must be received by September 2, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-378-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Walt Sippel, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2774; fax (425) 227-1181.

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-378-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-378-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

In 1990, the FAA issued AD 90-06-09, amendment 39-6488 (55 FR 8370, March 7, 1990), which required incorporation of certain structural modifications on certain Boeing Model 727 series airplanes, in accordance with Boeing Document No. D6-54860, Revision C, dated December 11, 1989, "Aging Airplane Service Bulletin Structural Modification Program—Model 727." One of those modifications was installation of reinforcement straps and stiffeners on the sidewall, top, and forward bulkhead panels of the pressure web of the nose landing gear wheel well. That AD was prompted in part by reports of fatigue cracks in the pressure web of the nose landing gear wheel well.

Since the issuance of AD 90-06-09, the airplane manufacturer has notified the FAA that certain Model 727 series airplanes were inadvertently not included in the effectivity listing of Boeing Document No. D6-54860, Revision C, and hence, were also omitted from the applicability of that AD. Because such cracking has been attributed to fatigue, those airplanes

may also be subject to the same unsafe condition. Cracking in the pressure web of the nose landing gear wheel well could result in loss of airplane pressurization.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 727-53-0145, Revision 1, dated December 7, 1989, which describes procedures for repetitive inspections of the sidewall, top, and forward bulkhead panels of the pressure web of the nose landing gear wheel well, and repair, if necessary. The service bulletin also describes procedures for a modification that involves installation of reinforcement straps and stiffeners on the sidewall, top, and forward bulkhead panels of the pressure web of the nose landing gear wheel well. Such installation would eliminate the need for the repetitive inspections in that area. Accomplishment of the modification specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletin

Operators should note that, although the service bulletin describes procedures for repetitive inspections of the pressure web of the nose landing gear wheel well, and repair, if necessary, this AD proposes to mandate only the modification of the pressure web of the nose landing gear wheel well. The FAA has determined that long-term continued operational safety will be better assured by design changes to prevent cracks, rather than repetitive inspections. Long-term inspections may not provide the degree of safety assurance necessary for the transport airplane fleet. This, coupled with a better understanding of the human factors associated with numerous continual inspections, has led the FAA to consider placing less emphasis on inspections and more emphasis on design improvements. The decision to propose mandating only the modification and not the repetitive inspections described previously is in consonance with these conditions.

Operators should also note that this proposed AD would be applicable to airplanes not included in the effectivity listing of the service bulletin. AD 90-06-09 mandated the modification of the pressure web of the nose landing gear wheel well for airplanes listed in Boeing Document No. D6-54860, Revision C, dated December 11, 1989, "Aging Airplane Service Bulletin Structural Modification Program—Model 727." The airplanes to which this proposed AD would be applicable are included in the effectivity listing of Revision H, dated May 9, 1996, of that document.

Cost Impact

There are approximately 24 airplanes of the affected design in the worldwide fleet. The FAA estimates that 13 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 82 work hours per airplane to accomplish the proposed modification, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$701 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$73,073, or \$5,621 per airplane.

The cost impact figure discussed above is 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.

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:

Boeing: Docket 98-NM-378-AD.

Applicability: Model 727 series airplanes; line numbers 124, 126, 130, 146, 221, 287, 331, 339, 345, 355, 416, 439, 516, 532, 540, 608, 631, 650, 717, 777, 788, 791, 837, and 1087; 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 (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 cracking of the pressure web of the nose landing gear wheel well, which could result in loss of airplane pressurization, accomplish the following:

Modification

(a) Prior to the accumulation of 60,000 total flight cycles, or within 4 years after the effective date of this AD, whichever occurs later, install reinforcement straps and stiffeners on the sidewall, top, and forward bulkhead panels of the pressure web of the nose landing gear wheel well, in accordance with Part II of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0145, Revision 1, dated December 7, 1989.

Alternative Methods of Compliance

(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, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings. 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(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.

Issued in Renton, Washington, on July 13, 1999.

D. L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-18368 Filed 7-16-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-110-AD]

RIN 2120-AA64

Airworthiness Directives; Dornier Model 328-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain Dornier Model 328-100 series airplanes. That action would have required a one-time inspection to determine if the rigging bushings in the rudder control system protrude above the surface of the flange in which they are installed, and replacement of any discrepant bushing with a new bushing. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data that shows that all affected airplanes have already been inspected and modified (if necessary) in accordance with the proposed rule. Accordingly, the proposed rule is withdrawn.

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: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to certain Dornier Model 328-100 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on September 25, 1997 (62 FR 50264). The proposed rule would have required a one-time inspection to determine if the rigging bushings in the rudder control system protrude above the surface of the flange in which they are installed, and replacement of any discrepant bushing with a new bushing. That action was prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The proposed actions were intended to prevent jamming in the rudder control system, and consequent reduced controllability of the airplane.

Actions that Occurred Since Issuance of the NPRM

Since the issuance of that NPRM, Dornier has provided information that shows that all affected airplanes in the worldwide fleet have already been inspected in accordance with the proposed NPRM. Additionally, for any airplane on which a bushing was found to protrude, that bushing has been replaced with a new bushing of correct length. Therefore, the unsafe condition that was addressed in the NPRM no longer exists. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this notice of proposed rulemaking constitutes only such action, and does not preclude the agency from issuing another notice in the future, nor does it commit the agency to any course of action in the future.

Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore, is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.