

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 removing amendment 39-9102 (59 FR 67176, December 29, 1994), and by adding a new airworthiness directive to read as follows:

**Pratt & Whitney:** Docket No. 94-ANE-54. Supersedes AD 94 2606, Amendment 39-9102.

**Applicability:** Pratt & Whitney (PW) JT9D-59A, -70A, 7Q, and -7Q3 series turbofan engines, installed on but not limited to Airbus A300 series, Boeing 747 series, and McDonnell Douglas DC-10 series aircraft.

**Note 1:** This airworthiness directive (AD) applies to each engine 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 engines 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 diffuser case rupture, an uncontained engine failure, and damage to the aircraft, accomplish the following:

(a) Perform initial and repetitive fluorescent penetrant inspections (FPI) or eddy current inspections (ECI) of diffuser case rear rails for cracks in accordance with the Accomplishment Instructions of PW JT9D (SB) No. 5749, Revision 8, dated October 30, 1998, as follows:

(1) For engines on-wing that have not had the diffuser case rear rail FPI or ECI inspected using the procedures referenced in PW JT9D SB No. 5749, Revision 4, dated April 25, 1989; Revision 5, dated September 29, 1995; Revision 6, dated May 8, 1998; Revision 7, dated August 19, 1998; or Revision 8, dated October 30, 1998; Section 2, Part 1A (1)-(3), accomplish the following:

(i) Perform an initial on-wing inspection within 25 cycles of the effective date of this AD in accordance with Section 2, Part 2 of PW JT9D SB No. 5749, Revision 8, dated October 30, 1998.

(ii) Thereafter, except as provided in paragraph (a)(4) of this AD, perform on-wing inspections in accordance with the time requirements listed in Section 2, Part 2 of PW JT9D SB No. 5749, Revision 8, dated October 30, 1998.

(2) For engines on-wing that have had the diffuser case rear rail FPI or ECI inspected using the procedures referenced in PW JT9D SB No. 5749, Revision 4, dated April 25, 1989; Revision 5, dated September 29, 1995; Revision 6, dated May 8, 1998; Revision 7, dated August 19, 1998; or Revision 8, dated October 30, 1998; Section 2, Part 1 A (1)-(3), perform initial and repetitive on-wing inspections in accordance with PW JT9D SB 5749, Revision 8, dated October 30, 1998, within the time requirements listed in Section 2, Part 2 of that SB, except as provided in paragraph (a)(4) of this AD.

(3) Remove from service diffuser cases that do not meet the return to service criteria stated in PW JT9D SB No. 5749, Revision 8, dated October 30, 1998, Section 2, Part 2 D, and replace with serviceable parts.

(4) For engines that are overdue for an inspection on the effective date of this AD, accomplish the required inspection within 25 cycles in service of the effective date of this AD.

(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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal 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.

(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 aircraft to

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

Issued in Burlington, Massachusetts, on January 5, 1999.

**David A. Downey,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 99-492 Filed 1-8-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-ALG-71]

#### Proposed Modification of Class E Airspace; Toledo, OH

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposed to modify Class E airspace at Toledo, OH. A Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAP), 291° helicopter point in space approach, has been developed for Fulton County Health Center Heliport, a GPS SIAP 136° helicopter point in space approach, has been developed for Medical College of Ohio Hospital Heliport, a GPS SIAP 168° helicopter point in space approach, has been developed for Wood County Hospital Heliport, a GPS SIAP 276° helicopter point in space approach, has been developed for St. Vincent Hospital Heliport, and a GPS SIAP 306° helicopter point in space approach, has been developed for Toledo Hospital Heliport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing these approaches. This action proposes to modify existing controlled airspace for Toledo, OH, in order to include the point in space approaches serving these hospital heliports.

**DATES:** Comments must be received on or before February 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-71, 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-71." 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 comment 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 modify Class E airspace at Toledo, OH, to accommodate aircraft executing the proposed GPS SIAP 291° helicopter point in space approach for Fulton County Health Center Heliport, a GPS SIAP 136° helicopter point in space approach for Medical College of Ohio Hospital Heliport, a GPS SIAP 168° helicopter point in space approach for Wood County Hospital Heliport, a GPS SIAP 276° helicopter point in space approach for St. Vincent Hospital Heliport, and a GPS SIAP 306° helicopter point in space approach for Toledo Hospital Heliport by modifying existing controlled airspace. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing these approaches. The area would be depicted on appropriate aeronautical charts. Class E airspace 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.

**List of Subjects in 14 CFR part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 part 71 continues to read as follows:

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

**§ 71.1 [Amended]**

2. The corporation by reference in 14 CFR 71.1 of the 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 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**AGL OH E5 Toledo, OH [Revised]**

That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at lat. 41° 40' 00" N., long. 84° 20' 00" W, to lat. 41° 49' 00" N., long. 83° 37' 00" W., to lat. 41° 45' 00" N., long. 83° 22' 00" W, to lat. 41° 34' 00" N., long. 83° 19' 00" W, to lat. 41° 15' 00" N., long. 83° 34' 00" W, to lat. 41° 22' 00" N., long. 84° 05' 00" W, to lat. 41° 30' 00" N., long. 84° 15' 00" W, to the point of beginning.

\* \* \* \* \*

Issued in Des Plaines, Illinois on December 24, 1998.

**Michelle M. Behm,**

*Acting Manager, Air Traffic Division.*

[FR Doc. 99-500 Filed 1-8-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Airspace Docket No. 98-AGL-67]

**Proposed Modification of Class E Airspace; Defiance, OH**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to modify Class E airspace at Defiance, OH. A Global Positioning System (GPS) Standard Instrument Approach