

**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 (d) 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 in the body of this AD, unless already accomplished.

To detect and correct the installation of improperly designed fuel venting system parts, which could result in an inadequate fuel supply to the engine with loss of engine power, accomplish the following:

(a) Within the next 50 hours time-in-service (TIS) after the effective date of this AD, inspect to assure that the fuel filler cap has a 2.5 millimeter (mm) diameter hole drilled through it or that a vinyl piping is connected to the filler neck inside the cabin. Accomplish this inspection in accordance with Avions Pierre Robin Service Bulletin No. 135, dated May 17, 1994.

(b) If neither of the conditions specified in paragraph (a) of this AD exists, prior to further flight, replace the fuel filler cap with a fuel filler cap that has a 2.5 mm diameter hole drilled through it, part number (P/N) 52.23.07.010 (or FAA-approved equivalent P/N). Accomplish this replacement in accordance with the applicable maintenance manual.

(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.

(d) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be used if approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) Questions or technical information related to the service information referenced in this AD should be directed to Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 33-3 80 44 20 50; facsimile: 33-3 80 35 60 80. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in French AD 94-130(A), dated June 8, 1994.

Issued in Kansas City, Missouri, on February 22, 1999.

**Marvin R. Nuss,**

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

[FR Doc. 99-5036 Filed 3-1-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-79-AD]

RIN 2120-AA64

#### Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Avions Pierre Robin Model R2160 airplanes. The proposed AD would require replacing the wing attachment bolts and associated hardware. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for France. The actions specified in this proposed AD are intended to prevent a wing from separating from the airplane caused by damaged wing attachment bolts, which could result in loss of control of the airplane.

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

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-79-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 33-3 80 44 20 50; facsimile: 33-3 80 35 60 80. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Karl M. Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

## 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 should 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 that summarizes 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 No. 98-CE-79-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, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-79-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

### 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 Avions Pierre Robin Model R2160 airplanes. The DGAC reports that possible damage (distortion, fretting, corrosion, damaged threads) could exist in the wing attachment bolts on the above-referenced airplanes.

This condition, if not corrected, could result in a wing separating from the airplane with consequent loss of control of the airplane.

### Relevant Service Information

Avions Pierre Robin has issued the following:

- Service Bulletin No. 145, rev. 2, dated January 11, 1999, which specifies inspecting the torque value of the wing attachment bolts; and
- NOTE NAV 96-3, dated May 2, 1996, which includes the procedures for replacing the wing attachment bolts and all associated hardware.

The DGAC classified this service information bulletin as mandatory and issued French AD 96-051(A) R1, dated June 5, 1996, in order to assure the continued airworthiness of these airplanes in France.

#### The FAA's Determination

This airplane model is manufactured in France and is 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, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Avions Pierre Robin Model R2160 airplanes of the same type design registered in the United States, the FAA is proposing AD action. The proposed AD would require replacing the wing attachment bolts and associated hardware.

Accomplishment of the proposed replacement would be required in accordance with Avions Pierre Robin NOTE NAV 96-3, dated May 2, 1996.

#### Differences Between Service Bulletin, French AD, and This Proposed AD

Avions Robin Service Bulletin No. 145, rev. 2, dated January 11, 1999, and NAV 96-3, dated May 2, 1996, specify checking the torque value of the wing attachment bolts at each 100-hour maintenance visit, and French AD 96-051(A) R1, dated June 5, 1996, requires these checks for those airplanes registered for operation in France.

These checks are part of the maintenance schedule and are considered a general maintenance item. Because the FAA has no justification to mandate AD action for general maintenance, the proposed AD only incorporates the replacement of the

wing attachment bolts and associated hardware and does not include the torque value checks.

#### Cost Impact

The FAA estimates that 10 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 40 workhours per airplane to accomplish the proposed replacements, and that the average labor rate is approximately \$60 per work hour. Parts cost approximately \$200 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$26,000, or \$2,600 per airplane.

#### 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 action (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) 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 has been placed 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 a new airworthiness directive (AD) to read as follows:

**Avions Pierre Robin:** Docket No. 98-CE-79-AD.

Applicability: Model R2160 airplanes, serial numbers 001 through 264, 266 through 269, and 272 through 288; 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 (d) 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 in the body of this AD, unless already accomplished.

To prevent a wing from separating from the airplane caused by damaged wing attachment bolts, which could result in loss of control of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, replace the wing attachment bolts and associated hardware, in accordance with Avions Pierre Robin NOTE NAV 96-3, dated May 2, 1996.

(b) As of the effective date of this AD, no person may install, on any affected airplane, wing attachment bolts and associated hardware that are not specified in Avions Pierre Robin NOTE NAV 96-3, dated May 2, 1996, unless the parts are an FAA-approved equivalent to that referenced in the service information.

(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.

(d) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be used if approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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(e) Questions or technical information related to the service information referenced in this AD should be directed to Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 33-3 80 44 20 50; facsimile: 33-3 80 35 60 80. This service

information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in French AD 96-051(A) R1, dated June 5, 1996.

Issued in Kansas City, Missouri, on February 22, 1999.

**Marvin R. Nuss,**

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

[FR Doc. 99-5035 Filed 3-1-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 97

[FRL-6305-8]

#### Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice to reopen comment period.

**SUMMARY:** The EPA is reopening the comment period for the notice of proposed rulemaking published on October 21, 1998 at 63 FR 56292, under section 126 of the Clean Air Act (CAA) to allow comment on how the proposed section 126 action may be affected by a recently proposed action by EPA to revoke the 1-hour national ambient air quality standard (NAAQS) for ozone for certain of the areas in States that have submitted petitions.

**DATES:** The EPA is establishing a comment period ending on March 26, 1999.

**ADDRESSES:** Comments must be postmarked by the last day of the comment period and sent directly to the Docket Office listed in **ADDRESSES** (in duplicate form if possible).

Comments may be submitted to the Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-97-43, U.S. Environmental Protection Agency, 401 M Street SW, room M-1500, Washington, DC 20460, telephone (202) 260-7548. Comments and data may also be submitted electronically by following the instructions under **SUPPLEMENTARY INFORMATION** of this document. No confidential business information (CBI) should be submitted through e-mail.

This document was immediately available after signature on EPA's web site at <http://www.epa.gov/airlinks>. Documents relevant to this action are

available for inspection at the Docket Office, at the above address, between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays. A reasonable copying fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning today's action should be addressed to Carla Oldham, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, MD-15, Research Triangle Park, NC, 27711, telephone (919) 541-3347.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Related Information

The official record for this rulemaking, as well as the public version, has been established under docket number A-97-43 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located at the address in **ADDRESSES** at the beginning of this document. Electronic comments can be sent directly to EPA at: A-and-R-Docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number A-97-43. Electronic comments on this NPR rule may be filed online at many Federal Depository Libraries.

The EPA has issued a separate rule on nitrogen oxides (NO<sub>x</sub>) transport entitled, "Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone," (63 FR 57356, October 27, 1998; see notices included in the docket for this rulemaking). The rulemaking docket for that rule, hereafter referred to as the NO<sub>x</sub> State implementation plan (SIP) call (NO<sub>x</sub> SIP call), contains information and analyses that are relied upon in today's notice. Therefore, EPA is including by reference the entire NO<sub>x</sub> SIP call record for purposes of the section 126 rulemaking. Documents related to the NO<sub>x</sub> SIP call rulemaking are available for inspection in Docket No. A-96-56 at the address and times given above. In addition, the proposed

NO<sub>x</sub> SIP call and associated documents are located at <http://www.epa.gov/ttn/oarpg/otagsip.html>. Modeling and air quality assessment information can be obtained in electronic form at <http://www.epa.gov.scrum001/regmodcenter/t28.htm>. Information related to the budget development can be found at <http://www.epa.gov/capi>.

Additional information relevant to this section 126 rulemaking is available on the Agency's Office of Air Quality Planning and Standards (OAQPS) Technology Transfer Network (TTN) via the web at <http://www.epa.gov/ttn/>. If assistance is needed in accessing the system, call the help desk at (919) 541-5384 in Research Triangle Park, NC. Documents related to the Ozone Transport Assessment Group (OTAG), which did substantial technical work upon which the NO<sub>x</sub> SIP call and the section 126 rulemaking are based, may be downloaded directly from OTAG's webpage at <http://www.epa.gov/ttn/otag>. The OTAG's technical data are located at <http://www.iceis.mcnc.org/OTAGDC>.

##### I. Reopening of Comment Period

In August 1997, eight Northeastern States filed petitions under section 126 seeking to mitigate what they described as significant transport of one of the main precursors of ground-level ozone, NO<sub>x</sub>, across State boundaries. The eight petitioning States are Connecticut, Maine, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Vermont (States or Petitioner States).

All of the Petitioner States directed their petitions at the 1-hour ozone NAAQS. Three of the States, Massachusetts, Pennsylvania, and Vermont, also directed their petitions at the new 8-hour ozone standard. In notices dated September 30, 1998 (63 FR 52213) and October 21, 1998 (63 FR 56292), EPA proposed action on the petitions. The October 21, 1998 notice of proposed rulemaking (section 126 NPR) contains the longer, more detailed version of the proposal. Familiarity with that notice is assumed for purposes of today's action. In the section 126 NPR, EPA proposed action under the 1-hour and/or the 8-hour standard as specifically requested in each State's petition.

In the section 126 NPR, EPA proposed which upwind States should be linked to each of the Petitioner States under the 1-hour NAAQS and, to the extent relevant, the 8-hour NAAQS. These links, which are identified in tables II-1 and II-2 in the section 126 NPR (63 FR 56303) are based on determinations made in the NO<sub>x</sub> SIP call. For the 1-