

Aerospatiale: Docket 97–NM–273–AD.

Applicability: All Model ATR72 series airplanes, 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 (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 ensure continued structural integrity of these airplanes, accomplish the following:

(a) Within 30 days after the effective date of this AD, revise the Airworthiness Limitations Section of the Instructions for Continued Airworthiness in accordance with Section 9, "Time Limits," of the ATR72 Maintenance Planning Document, Revision 1, dated February 1996. This may be accomplished by inserting a copy of Section 9, "Time Limits," of the ATR72 Maintenance Planning Document, Revision 1, dated February 1996, into the Airworthiness Limitations Section of the Instructions for Continued Airworthiness.

(b) Except as provided in paragraph (c) of this AD: After the actions specified in paragraph (a) of this AD have been accomplished, no alternative inspections or inspection intervals may be approved for the structural elements specified in the documents listed in paragraph (a) of 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 directives 95–105–026 (B), dated May 24, 1995.

Issued in Renton, Washington, on July 27, 1999.

D.L. Riffin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 99–19808 Filed 8–2–99; 8:45 am]
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ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Part 1191

[Docket No. 98–5]

RIN 3014–AA16

Americans With Disabilities Act Accessibility Guidelines; Recreation Facilities; Extension of Comment Period and Public Hearing

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of proposed rulemaking; extension of comment period and public hearing.

SUMMARY: On July 9, 1999, the Architectural and Transportation Barriers Compliance Board (Access Board) published a Notice of Proposed Rulemaking to amend the Americans with Disabilities Act Accessibility Guidelines by adding provisions for newly constructed and altered recreation facilities that are not adequately addressed by the existing guidelines. The comment period was originally scheduled to close on November 8, 1999 during which time one public hearing was scheduled. The Access Board is extending the comment period an additional 30 days to allow for a second public hearing.

DATES: Comments should be received by December 8, 1999. The Access Board will hold public hearings on the proposed rule on August 26, 1999 from 9:00 a.m. to 3:00 p.m. and on November 17, 1999 from 9:30 a.m. to 4:00 p.m.

ADDRESSES: Comments should be sent to the Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., suite 1000, Washington, DC 20004–1111. Fax number (202) 272–5447. E-mail comments should be sent to recreate@access-board.gov. Comments sent by e-mail will be considered only if they include the full name and address of the sender in the text. Comments will be available for inspection at the above address from 9:00 a.m. to 5:00 p.m. on regular business days.

The public hearing on August 26, 1999 will be held at the Hyatt Regency, 300 Reunion Boulevard in Dallas, Texas. The public hearing on November 17, 1999 will be held at the World Trade Center, 164 Northern Avenue, Room 306, Boston, Massachusetts.

FOR FURTHER INFORMATION CONTACT:

Peggy Greenwell, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC 20004–1111. Telephone number (202) 272–5434 extension 34 (Voice); (202) 272–5449 (TTY). These are not toll-free numbers. E-mail address: greenwell@access-board.gov.

SUPPLEMENTARY INFORMATION:

Availability of Copies and Electronic Access

Single copies of the proposed rule may be obtained at no cost by calling the Access Board's automated publications order line (202) 272–5434, by pressing 1 on the telephone keypad, then 1 again, and requesting publication S–37 (Recreation Facilities Notice of Proposed Rulemaking). Persons using a TTY should call (202) 272–5449. Please record a name, address, telephone number and request publication S–37. The proposed rule is available in alternate formats upon request. Persons who want a copy in an alternate format should specify the type of format (cassette tape, Braille, large print, or computer disk). The proposed rule is also available on the Access Board's Internet site (<http://www.access-board.gov/rules/recnprm.htm>).

Extension of Comment Period and Public Hearing

On July 9, 1999, the Architectural and Transportation Barriers Compliance Board (Access Board) published a Notice of Proposed Rulemaking to amend the Americans with Disabilities Act Accessibility Guidelines (ADAAG) by adding a new special application section for newly constructed and altered recreation facilities that are not adequately addressed by the existing guidelines. 64 FR 37326 (July 9, 1999). The new section covers amusement rides, boating facilities, fishing piers and platforms, golf courses, miniature golf, exercise equipment and machines, bowling lanes, shooting ranges, swimming pools, wading pools, and spas. The proposed rule also amends several existing ADAAG provisions to specifically address certain recreation facility features and adds provisions for saunas and steam rooms, and benches.

Finally, the proposed rule adds a provision for boat and ferry docks.

The comment period was originally scheduled to close on November 8, 1999 during which time one public hearing was scheduled. To facilitate substantive public review of the proposed rule, the Access Board is extending the comment period an additional 30 days to allow for a second public hearing.

Interested members of the public may contact the Access Board at (202) 272-5434 extension 18 or (202) 272-5449 (TTY) to preregister to give testimony or may register on the day of the hearings.

Lawrence W. Roffee,

Executive Director.

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FEDERAL MARITIME COMMISSION

46 CFR Part 535

[Docket No. 99-13]

The Content of Ocean Common Carrier and Marine Terminal Operator Agreements Subject to the Shipping Act of 1984

AGENCY: Federal Maritime Commission.

ACTION: Notice of inquiry.

SUMMARY: The Federal Maritime Commission is issuing this Inquiry to solicit comments concerning the appropriate content of agreements filed with the Commission pursuant to the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act of 1998. The comments received will assist the Commission in preparing a proposal to update or refine the existing content standards.

DATES: Submit comments on or before October 4, 1999.

ADDRESSES: Address all comments concerning this Inquiry to: Bryant L. VanBrakle, Secretary, Federal Maritime Commission, 800 North Capitol St., N.W., Room 1046, Washington, D.C. 20573-0001.

FOR FURTHER INFORMATION CONTACT:

Florence A. Carr, Director, Bureau of Economics and Agreement Analysis, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, D.C. 20573-0001, (202) 523-5787

Thomas Panebianco, General Counsel, Federal Maritime Commission, 800 North Capitol St., N.W., Washington, D.C. 20573-0001, (202) 523-5740

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission ("Commission") is seeking comments

from interested parties regarding possible changes to its rules that govern the content of ocean common carrier and marine terminal operator agreements filed with the Commission. This proceeding is being initiated in response to the suggestions of several commenters in a recent rulemaking, Docket No. 98-26, *Ocean Common Carrier and Marine Terminal Operator Agreements Subject to the Shipping Act of 1984*, 64 FR 11236 (March 8, 1999), urging the Commission to address, by rule, the issue of what is required to be included in agreements subject to the Shipping Act of 1984, 46 U.S.C. app. 1701 *et seq.* ("1984 Act"), as amended by the Ocean Shipping Reform Act of 1998, Pub. L. 105-258, 112 Stat. 1902 ("OSRA").

Effective May 1, 1999, in Docket No. 98-26, the Commission amended its rules governing agreements among ocean common carriers and marine terminal operators to reflect changes made to the 1984 Act by OSRA. As part of that proceeding, the Commission also eliminated some agreement form and manner requirements that had previously been in effect. The Commission stated, however, that the elimination of the form and manner requirements had no substantive effect on the content requirements for agreements. Rather, the Commission retained the content requirements, which mirror section 5(a) of the 1984 Act, which section was not changed by OSRA. Section 5(a) requires that "a true copy of every agreement entered into with respect to any activity described in section 4 (a) or (b) of this Act shall be filed with the Commission. * * *

46 U.S.C. app. 1704(a).

Section 4, as amended by OSRA, describes the agreements that are within the scope of the 1984 Act. Section 4(a) applies to agreements by or among ocean common carriers to

(1) discuss, fix, or regulate transportation rates, including through rates, cargo space accommodations, and other conditions of service;

(2) pool or apportion traffic, revenues, earnings, or losses;

(3) allot ports or restrict or otherwise regulate the number and character of sailings between ports;

(4) limit or regulate the volume or character of cargo or passenger traffic to be carried;

(5) engage in exclusive, preferential, or cooperative working arrangements among themselves or with one or more marine terminal operators;

(6) control, regulate, or prevent competition in international ocean transportation; or

(7) discuss and agree on any matter related to service contracts.

46 U.S.C. app. 1703(a).

Section 4(b) applies to agreements among marine terminal operators and among one or more marine terminal operators and one or more ocean common carriers to

(1) discuss, fix, or regulate rates or other conditions of service; or

(2) engage in exclusive, preferential, or cooperative working arrangements, to the extent that such agreements involve ocean transportation in the foreign commerce of the United States.

46 U.S.C. app. 1703(b).

The Commission's rules governing agreements echo the requirement in section 5(a) of the 1984 Act that agreements filed with the Commission must be true and complete. 46 CFR 535.103(g) provides:

An agreement filed under the Act must be clear and definite in its terms, must embody the complete understanding of the parties, and must set forth the specific authorities and conditions under which the parties to the agreement will conduct their present operations and regulate the relationships among the agreement members.

Similarly, 46 CFR 535.407(a) states:

Any agreement required to be filed by the Act and this part shall be the complete agreement among the parties and shall specify in detail the substance of the understanding of the parties.

In comments filed in Docket No. 98-26, a number of carrier commenters expressed concerns that elimination of form and manner requirements could create uncertainty as to what substantive content should be included in filed agreements. The Commission rejected these arguments; however, it further determined that it would institute a subsequent rulemaking proceeding on the issue of the content of filed agreements in response to requests from a nearly unanimous carrier community. The carrier commenters sought more specific requirements as to what matters do or do not have to be filed. They also suggested that the Commission's rules should provide protections for confidential business information, provide maximum flexibility for carriers to modify cooperative arrangements without overly burdensome filing requirements or waiting periods, and possibly include guidance tailored for different types of arrangements. 64 FR at 11238-9.

At this juncture, the Commission is undertaking a review of its existing agreement content regulations to determine whether, and in what manner, they should be updated or refined. Comments received in response to this Inquiry will assist the