

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 EXTRA Models EA-300 and EA-300/S airplanes of the same type design registered in the United States, the FAA is proposing AD action. The proposed AD would require inspecting the rudder control cables to assure that correctly swaged Nicopress® type sleeves are installed at each end of the cables, and replacing any cable assembly where correctly swaged Nicopress® type sleeves are not installed. Accomplishment of the proposed inspection would be required in accordance with EXTRA Service Bulletin No. 300-1-93, dated February 9, 1993, and AC 43.13-1A, Acceptable Methods, Techniques and Practices. The proposed replacement would be required in accordance with the maintenance manual.

#### Cost Impact

The FAA estimates that 23 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 6 workhours per airplane to accomplish the proposed actions, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$500 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$19,780, or \$860 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:

**Extra Flugzeugbau GMBH:** Docket No. 97-CE-91-AD.

**Applicability:** Models EA-300 and EA-300/S airplanes, all serial numbers, 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 control cable from pulling through an incorrectly swaged sleeve, which could result in loss of rudder control with consequent 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, inspect the rudder control cables to assure that correctly swaged Nicopress® type sleeves are installed at each end of the cables. Accomplish this inspection in accordance with EXTRA Service Bulletin No. 300-1-93, dated February 9, 1993, and Advisory Circular (AC) 43.13-1A, Acceptable Methods, Techniques and Practices.

(b) Prior to further flight, replace any cable assembly where correctly swaged Nicopress® type sleeves are not installed with cable assemblies that have correctly swaged Nicopress® type sleeves installed.

(1) Accomplish the replacement in accordance with the maintenance manual.

(2) Accomplish the installation in accordance with EXTRA Service Bulletin No. 300-1-93, dated February 9, 1993, and AC 43.13-1A, Acceptable Methods, Techniques and Practices.

(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 time that provides an equivalent level of safety may be 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 EXTRA Service Bulletin No. 300-1-93 dated February 9, 1993, should be directed to EXTRA Flugzeugbau GmbH, Flugplatz Dinslaken, D-4224 Hoönxe, Germany. 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 German AD No. 93-081, dated March 15, 1993.

Issued in Kansas City, Missouri on February 2, 1998.

**Carolanne L. Cabrini,**

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

[FR Doc. 98-3227 Filed 2-9-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MI56-01-7264b; FRL-5963-6]

### Approval and Promulgation of Implementation Plan; Michigan

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (USEPA) proposes to approve a revision to Michigan's State Implementation Plan (SIP) that was submitted on May

16, 1996, and supplemented on September 23, 1997. The revision included Part 55 of Act 451 of 1994, the Natural Resources and Environmental Protection Act (Part 55). On December 30, 1997, Michigan Department of Environmental Quality (MDEQ) withdrew most of Part 55. In this action, the United States Environmental Protection Agency (USEPA) is proposing to approve sections 324.5524 and 324.5525 which contain control requirements and applicable definitions for fugitive dust sources.

In the final rules section of this **Federal Register**, the USEPA is approving this action as a direct final without prior proposal because USEPA views this as a noncontroversial action and anticipates no adverse comments. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If USEPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The USEPA will not institute a second comment period on this action. Any parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this proposed action must be received by March 12, 1998.

**ADDRESSES:** Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**. Copies of the request and the USEPA's analysis are available for inspection at the following address: (Please telephone Kathleen D'Agostino at (312) 886-1767 before visiting the Region 5 office.) USEPA, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: January 12, 1998.

**David A. Ullrich,**

*Acting Regional Administrator, Region V.*  
[FR Doc. 98-3176 Filed 2-9-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[TX82-1-7336a; FRL-5962-6]

#### Approval and Promulgation of Implementation Plan, Texas: 15% Rate-of-Progress Plan, 1990 Emission Inventory, Motor Vehicle Emission Budget, and Contingency Plan for the Beaumont/Port Arthur Ozone Nonattainment Area

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

**ACTION:** Proposed rule.

**SUMMARY:** In this action, EPA proposes to approve revisions to the Texas State Implementation Plan (SIP) for the Beaumont/Port Arthur ozone nonattainment area for the purpose of satisfying the 15% rate-of-progress requirements of the Clean Air Act as amended in 1990, which will aid in ensuring the attainment of the National Ambient Air Quality Standard for ozone. The EPA is also proposing to approve the associated Motor Vehicle Emission Budget for the area.

In addition, EPA proposes to fully approve revisions to the 1990 base year emissions inventory and the contingency plan for this area.

This proposed action also replaces the proposed limited approval/limited disapproval of the Beaumont/Port Arthur 15% Plan and Contingency Plan published on January 29, 1996, 61 FR 2751. The May 22, 1997 (62 FR 27964), limited approval of the Volatile Organic Compound control measures continues in effect.

In the final rules section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn, and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

Please see the direct final rule of this action located elsewhere in today's **Federal Register** for a detailed description of the Beaumont/Port

Arthur 15% Rate of Progress Plan and Contingency Plan.

**DATES:** Comments on this proposed rule must be postmarked by March 12, 1998. If no adverse comments are received, then the direct final rule is effective on April 13, 1998.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD-L), at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Environmental Protection Agency, Region 6, Multimedia Planning and Permitting Division, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733, telephone (214) 665-7214.

Texas Natural Resource Conservation Commission, 12100 Park 35 Circle, Building F, Austin, Texas 78753.

**FOR FURTHER INFORMATION CONTACT:** Mr. Guy Donaldson of the EPA Region 6 Air Planning Section at the above address, telephone (214) 665-7242.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final action of the same title which is published in the Rules and Regulations section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: January 22, 1998.

**Lynda F. Carroll,**

*Acting Regional Administrator, Region 6.*

[FR Doc. 98-3318 Filed 2-9-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 372

[OPPTS-400122; FRL-5760-2]

#### Emergency Planning and Community Right to Know; Section 313, Toxic Release Inventory Reporting; Notice of Receipt of Petition

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