

Dated: December 24, 1998.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 98-34778 Filed 12-31-98; 8:45 am]

BILLING CODE 3410-15-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 98-086-2]

Validated Brucellosis-Free States; Alabama

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations concerning the interstate movement of swine by adding Alabama to the list of validated brucellosis-free States. We have determined that Alabama meets the criteria for classification as a validated brucellosis-free State. The interim rule relieved certain restrictions on the interstate movement of breeding swine from Alabama.

EFFECTIVE DATE: The interim rule was effective on August 21, 1998.

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Taft, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737-1231, (301) 734-4916.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective and published in the **Federal Register** on August 21, 1998 (63 FR 44776-44777, Docket No. 98-086-1), we amended the brucellosis regulations in 9 CFR part 78 by adding Alabama to the list of validated brucellosis-free States in § 78.43.

Comments on the interim rule were required to be received on or before October 20, 1998. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the

review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 78—BRUCELLOSIS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR 78 and that was published at 63 FR 44776-44777 on August 21, 1998.

Authority: 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 24th day of December 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-34745 Filed 12-31-98; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 98-101-2]

Validated Brucellosis-Free States; South Carolina

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations concerning the interstate movement of swine by adding South Carolina to the list of validated brucellosis-free States. We have determined that South Carolina meets the criteria for classification as a validated brucellosis-free State. The interim rule relieved certain restrictions on the interstate movement of breeding swine from South Carolina.

EFFECTIVE DATE: The interim rule was effective on October 7, 1998.

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Taft, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737-1231, (301) 734-4916.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective and published in the **Federal Register** on

October 7, 1998 (63 FR 53781-53783, Docket No. 98-101-1), we amended the brucellosis regulations in 9 CFR part 78 by adding South Carolina to the list of validated brucellosis-free States in § 78.43.

Comments on the interim rule were required to be received on or before December 7, 1998. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 78—BRUCELLOSIS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 63 FR 53781-53783 on October 7, 1998.

Authority: 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 24th day of December 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-34744 Filed 12-31-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-72-AD; Amendment 39-10967; AD 98-26-24]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-100 and -200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 737-100 and -200 series airplanes, that

currently requires replacement of certain outboard and inboard wheel halves with improved wheel halves; cleaning and inspecting certain outboard and inboard wheel halves for corrosion, missing paint in large areas, and cracks; and repair or replacement of the wheel halves with serviceable wheel halves, if necessary. That AD was prompted by a review of the design of the flight control systems on Model 737 series airplanes. This amendment requires that the actions be accomplished in accordance with revised service information. The actions specified by this AD are intended to prevent failure of the wheel flanges, which could result in damage to the hydraulics systems, jammed flight controls, loss of electrical power, or other combinations of failures; and consequent reduced controllability of the airplane.

DATES: Effective February 8, 1999.

The incorporation by reference of Allied Signal Service Bulletin 737-32-026, dated June 27, 1988, including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988, is approved by the Director of the Federal Register as of February 8, 1999.

The incorporation by reference of certain other publications, as listed in the regulations, was approved previously by the Director of the Federal Register as of September 16, 1997 (62 FR 43067, August 12, 1997).

ADDRESSES: The service information referenced in this AD may be obtained from Allied Signal Aerospace Company, Bendix Wheels and Brakes Division, South Bend, Indiana 46624; and Bendix, Aircraft Brake and Strut Division, 3520 Westmoor Street, South Bend, Indiana 46628-1373. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: David Herron, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2672; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 97-17-01, amendment 39-10102 (62 FR 43067, August 12, 1997), which is applicable to certain Boeing Model 737-100 and -200 series airplanes, was published in the

Federal Register on July 9, 1998 (63 FR 37072). The action proposed to continue to require replacement of certain outboard and inboard wheel halves with improved wheel halves; cleaning and inspecting certain outboard and inboard wheel halves for corrosion, missing paint in large areas, and cracks; and repair or replacement of the wheel halves with serviceable wheel halves, if necessary. The action also proposed to require that the actions be accomplished in accordance with revised service information.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the three comments received.

The commenters support the proposed rule.

Explanation of Changes Made to This Final Rule

The notice of proposed rulemaking (NPRM) references Allied Signal Service Bulletin No. 737-32-026, dated June 27, 1998, including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988, as the appropriate source of service information for accomplishment of the actions specified in paragraph (a)(1) of the NPRM. However, the FAA intended to give credit to any operator that may have accomplished the actions previously in accordance with Allied Signal Service Bulletin No. 737-32-026, dated April 26, 1988 (which was referenced as the appropriate source of service information for accomplishment of certain actions in AD 97-17-01). Reference to Allied Signal Service Bulletin No. 737-32-026, dated April 26, 1988, was inadvertently omitted from paragraph (a)(1) of the NPRM. Therefore, the FAA has revised the final rule to specify that accomplishment of the actions specified in paragraphs (a)(1)(i), (a)(1)(ii), and (a)(1)(iii) of this AD in accordance with Allied Signal Service Bulletin No. 737-32-026, dated April 26, 1988, or Allied Signal Service Bulletin No. 737-32-026, dated June 27, 1988, including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988; prior to the effective date of this AD; is acceptable for compliance with the applicable requirements of this AD.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change

described previously. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 634 Model 737-100 and -200 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 241 airplanes of U.S. registry will be affected by this AD.

Because this AD merely requires that the actions currently required by AD 97-17-01 be accomplished in accordance with revised service information, the AD adds no additional costs and requires no additional work to be performed by affected operators. The current costs associated with this amendment are reiterated in their entirety (as follows) for the convenience of affected operators.

The FAA estimates that it will take approximately 4 work hours per airplane to accomplish the required replacement of wheel halves, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$20,212 per airplane. Based on these figures, the cost impact of the required replacement on U.S. operators is estimated to be \$4,928,932, or \$20,452 per airplane.

The FAA also estimates that it will take approximately 2 work hours per airplane to accomplish the required cleaning and inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required cleaning and inspection on U.S. operators is estimated to be \$28,920, or \$120 per airplane.

Regulatory Impact

The regulations adopted herein will 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 final rule does 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) 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 final evaluation has

been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 39-10102 (62 FR 43067, August 12, 1997), and by adding a new airworthiness directive (AD), amendment 39-10967, to read as follows:

98-26-24 Boeing: Amendment 39-10967. Docket 98-NM-72-AD. Supersedes AD 97-17-01, Amendment 39-10102.

Applicability: Model 737-100 and -200 series airplanes equipped with Bendix main wheel assemblies having part number (P/N) 2601571-1, 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)(1) 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 failure of the wheel flanges, which could result in damage to the hydraulics systems, jammed flight controls, loss of electrical power, or other combinations of failures; and consequent reduced controllability of the airplane; accomplish the following:

Note 2: Allied Signal, Aircraft Landing Systems, Service Information Letter (SIL) #619, dated February 26, 1997, is an additional source of service information for appropriate wheel half serial numbers.

(a) For airplanes equipped with a Bendix main wheel assembly having P/N 2601571-1 with an inboard wheel half with serial number (S/N) B-5898 or lower, or S/N H-1721 or lower; or with an outboard wheel half with S/N B-5898 or lower, or S/N H-0863 or lower; accomplish the following:

(1) Within 180 days after September 16, 1997 (the effective date of AD 97-17-01, amendment 39-10102, 62 FR 43067), and thereafter at each tire change until the replacement required by paragraph (b) of this AD is accomplished: Accomplish the actions specified in paragraphs (a)(1)(i), (a)(1)(ii), and (a)(1)(iii) of this AD, in accordance with the Accomplishment Instructions of Allied Signal Service Bulletin No. 737-32-026, dated April 26, 1988, or Allied Signal Service Bulletin No. 737-32-026, dated June 27, 1988, including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988. After the effective date of this AD, only Allied Signal Service Bulletin No. 737-32-026, dated June 27, 1998, including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988, shall be used.

(i) Clean any inboard and outboard wheel half specified in paragraph (a) of this AD. And

(ii) Inspect the wheel halves for corrosion or missing paint. If any corrosion is found, or if any paint is missing in large areas, prior to further flight, strip or remove paint, and remove any corrosion. And

(iii) Perform an eddy current inspection to detect cracks of the bead seat area.

(2) If any cracking is found during the inspections required by this paragraph, prior to further flight, repair or replace the wheel halves with serviceable wheel halves in accordance with procedures specified in the Component Maintenance Manual.

(b) For airplanes equipped with a Bendix main wheel assembly having P/N 2601571-1 with an inboard wheel half with S/N B-

5898 or lower, or S/N H-1721 or lower; or with an outboard wheel half with S/N B-5898 or lower, or S/N H-0863 or lower; accomplish the following: Within 2 years after September 16, 1997, accomplish the actions specified in paragraphs (b)(1) and (b)(2) of this AD, in accordance with Bendix Service Information Letter 392, Revision 1, dated November 15, 1979. Accomplishment of the replacement constitutes terminating action for the repetitive inspections required by paragraph (a) of this AD.

(1) Remove any inboard wheel half specified in paragraph (b) of this AD, and replace it with an inboard wheel half having P/N 2607046, S/N 5899 or greater, or S/N H-1722 or greater. And

(2) Remove any outboard wheel half specified in paragraph (b) of this AD, and replace it with an outboard wheel half having P/N 2607047, S/N B-5899 or greater, or S/N H-0864 or greater.

(c)(1) 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. 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.

(2) Alternative methods of compliance, approved previously in accordance with AD 97-17-01, amendment 39-10102, are approved as alternative methods of compliance with this AD.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

(e) Except as provided by paragraph (a)(2) of this AD, the actions shall be done in accordance with Bendix Service Information Letter 392, Revision 1, dated November 15, 1979; Allied Signal Service Bulletin No. 737-32-026, dated April 26, 1988; or Allied Signal Service Bulletin No. 737-32-026, dated June 27, 1998; including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988; which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1-6	Original	June 27, 1988.
Attachment 1		
7-14	Original	January 17, 1978.
Attachment 2		
15	Original	June 27, 1988.

(1) The incorporation by reference of Allied Signal Service Bulletin 737-32-026, dated June 27, 1988, including Attachment 1, dated January 17, 1978, and Attachment 2, dated June 27, 1988, is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Bendix Service Information Letter 392, Revision 1, dated November 15, 1979; and Allied Signal Service Bulletin No. 737-32-026, dated April 26, 1988; was approved previously by the Director of the Federal Register as of September 16, 1997 (62 FR 43067, August 12, 1997).

(3) Copies may be obtained from Allied Signal Aerospace Company, Bendix Wheels and Brakes Division, South Bend, Indiana 46624; and Bendix Aircraft Brake and Strut Division, 3520 Westmoor Street, South Bend, Indiana 46628-1373. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on February 8, 1999.

Issued in Renton, Washington, on December 17, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-34097 Filed 12-31-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ACE-44]

Remove Class D Airspace; Fort Leavenworth, KS

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which removes Class D airspace at Fort Leavenworth, KS.

DATES: The direct final rule published at 63 FR 57585 is effective on 0901 UTC, January 28, 1999.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-3408.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on October 18, 1998 (63 FR 57585). The FAA uses the direct final rulemaking procedure for a non-

controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on January 28, 1999. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on December 11, 1998.

Christopher R. Blum,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 98-34772 Filed 12-31-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ACE-58]

Amendment to Class E Airspace; Dubuque, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends Class E airspace area at Dubuque Regional Airport, Dubuque, IA. A review of the Class E airspace area for Dubuque Regional Airport indicates it does not comply with the criteria for 700 feet Above Ground Level (AGL) airspace required for diverse departures as specified in FAA Order 7400.2D. The Class E airspace has been enlarged to conform to the criteria of FAA Order 7400.2D. The intended effect of this rule is to provide additional controlled Class E airspace for aircraft operating under Instrument Flight Rules (IFR) and comply with the criteria of FAA Order 7400.2D.

DATES: *Effective date:* 0901 UTC, March 25, 1999.

Comments for inclusion in the Rules Docket must be received on or before February 2, 1999.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Airspace Branch, Air Traffic Division, ACE-520, Federal Aviation Administration, Docket Number 98-ACE-58, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for

the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION: This amendment to 14 CFR 71 revises the Class E airspace at Dubuque, IA. A review of the Class E airspace for Dubuque Regional Airport indicates it does not meet the criteria for 700 feet AGL airspace required for diverse departures as specified in FAA Order 7400.2D. The criteria in FAA Order 7400.2D for an aircraft to reach 1200 feet AGL is based on a standard climb gradient of 200 feet per mile plus the distance from the ARP to the end of the outermost runway. Any fractional part of a mile is converted to the next higher tenth of a mile. The amendment at Dubuque Regional Airport, IA, will provide additional controlled airspace for aircraft operating under IFR and comply with the criteria of FAA Order 7400.2D. The area will be depicted on appropriate aeronautical charts. Class E airspace areas 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 will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the