

comment on and participate in the development of those standards.

(2) The operator of a non-government facility seeking accreditation to conduct laboratory testing or phytosanitary inspection shall submit an application to the Administrator. The application must be completed and signed by the operator of the facility or his or her authorized representative and must contain the following:

(i) Legal name and full address of the facility;

(ii) Name, address, and telephone and fax number of the operator of the facility or his or her authorized representative;

(iii) A description of the facility, including its physical plant, primary function, scope of operation, and, if applicable, its relationship to a larger corporate entity; and

(iv) A description of the specific laboratory testing or phytosanitary inspection services for which the facility is seeking accreditation.

(3) Upon receipt of the application, APHIS will review the application to identify the scope of the assessment that will be required to adequately review the facility's fitness to conduct the laboratory testing or phytosanitary inspection services for which it is seeking accreditation. Before the assessment of the facility begins, the applicant's representative must agree, in writing, to fulfill the accreditation procedure, especially to receive the assessment team, to supply any information needed for the evaluation of the facility, and to enter into a trust fund agreement as provided by paragraph (c) of this section to pay the fees charged to the applicant facility regardless of the result of the assessment and to pay the charges of subsequent maintenance of the accreditation of the facility. Once the agreement has been signed, APHIS will assemble an assessment team and commence the assessment as soon as circumstances permit. The assessment team will measure the facility's fitness to conduct the laboratory testing or phytosanitary inspection services for which it is seeking accreditation against the specific standards identified by the Administrator for those services by reviewing the facility in the following areas:

(i) *Physical plant.* The facility's physical plant (e.g., laboratory space, office space, greenhouses, vehicles, etc.) must meet the criteria identified in the accreditation standards as necessary to properly conduct the laboratory testing or phytosanitary inspection services for which it seeks accreditation.

(ii) *Equipment.* The facility's personnel must possess or have

unrestricted access to the equipment (e.g., microscopes, computers, scales, triers, etc.) identified in the accreditation standards as necessary to properly conduct the laboratory testing or phytosanitary inspection services for which it seeks accreditation. The calibration and monitoring of that equipment must be documented and conform to prescribed standards.

(iii) *Methods of testing or inspection.* The facility must have a quality manual or equivalent documentation that describes the system in place at the facility for the conduct of the laboratory testing or phytosanitary inspection services for which the facility seeks accreditation. The manual must be available to, and in use by, the facility personnel who perform the services. The methods and procedures followed by the facility to conduct the laboratory testing or phytosanitary inspection services for which it seeks accreditation must be commensurate with those identified in the accreditation standards and must be consistent with or equivalent to recognized international standards for such testing or inspection.

(iv) *Personnel.* The management and facility personnel accountable for the laboratory testing or phytosanitary inspection services for which the facility is seeking accreditation must be identified and must possess the training, education, or experience identified in the accreditation standards as necessary to properly conduct the testing or inspection services for which the facility seeks accreditation, and that training, education, or experience must be documented.

(4) To retain accreditation, the facility must agree to:

(i) Observe the specific standards applicable to its area of accreditation;

(ii) Be assessed and evaluated on a periodic basis by means of proficiency testing or check samples;

(iii) Demonstrate on request that it is able to perform the tests or inspection services representative of those for which it is accredited;

(iv) Resolve all identified deficiencies;

(v) Notify APHIS as soon as possible, but no more than 10 days following its occurrence, of any change in key management personnel or facility staff accountable for the laboratory testing or phytosanitary inspection services for which the facility is accredited; and

(vi) Report to APHIS as soon as possible, but no more than 10 days following its occurrence, any change involving the location, ownership, physical plant, equipment, or other conditions that existed at the facility at the time accreditation was granted.

(c) *Fees and trust fund agreement.* The fees charged by APHIS in connection with the initial accreditation of a non-government facility and the maintenance of that accreditation shall be adequate to recover the costs incurred by the government in the course of APHIS' accreditation activities. To cover those costs, the operator of the facility seeking accreditation must enter into a trust fund agreement with APHIS under which the operator of the facility will pay in advance all estimated costs that APHIS expects to incur through its involvement in the pre-accreditation assessment process and the maintenance of the facility's accreditation. Those costs shall include administrative expenses incurred in those activities, such as laboratory fees for evaluating check test results, and all salaries (including overtime and the Federal share of employee benefits), travel expenses (including per diem expenses), and other incidental expenses incurred by the APHIS in performing those activities. The operator of the facility must deposit a certified or cashier's check with APHIS for the amount of the costs, as estimated by APHIS. If the deposit is not sufficient to meet all costs incurred by APHIS, the operator of the facility must deposit another certified or cashier's check with APHIS for the amount of the remaining costs, as determined by APHIS, before APHIS' services will be completed. After a final audit at the conclusion of the pre-accreditation assessment, any overpayment of funds will be returned to the operator of the facility or held on account until needed for future activities related to the maintenance of the facility's accreditation.

Done in Washington, DC, this 5th day of January 1999.

Craig A. Reed,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99-396 Filed 1-7-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-07-AD; Amendment 39-10978; AD 99-01-13]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A319, A320, and A321 series airplanes, that requires modification of the airplane wiring to separate the electrical inputs sent by the engine interface units (EIU) to certain probe heat computers (PHC). This amendment is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent simultaneous loss of heating to pitot probes 1 and 3, which could result in incorrect airspeed indications to both the pilot's and first officer's airspeed indication systems. Malfunction of these systems could result in reduced controllability of the airplane.

DATES: Effective February 12, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 12, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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: Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A319, A320, and A321 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on October 27, 1998 (63 FR 57263). That action proposed to require modification of the airplane wiring to separate the electrical inputs sent by the engine interface units (EIU) to certain probe heat computers (PHC).

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.

All of the commenters support the proposed rule.

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 as proposed.

Cost Impact

The FAA estimates that 150 airplanes of U.S. registry will be affected by this AD.

It will take approximately 3 work hours per airplane to accomplish the required modification (including testing), at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$27,000, or \$180 per airplane.

Should an operator be required to re-test modified wiring, it will take approximately 1 additional work hour per airplane to accomplish the test, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of any necessary re-test required by this AD on U.S. operators is estimated to be \$60 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 adding the following new airworthiness directive:

99-01-13 Airbus Industrie: Amendment 39-10978. Docket 98-NM-07-AD.

Applicability: Model A319, A320, and A321 series airplanes; excluding airplanes on which Airbus Modification 26403 or Airbus Service Bulletin A320-30-1036, Revision 02, dated February 4, 1998, has been accomplished; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (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 simultaneous loss of heating to pitot probes 1 and 3, which could result in incorrect airspeed indications to both the pilot's and first officer's airspeed indication systems, and reduced controllability of the airplane, accomplish the following:

(a) Within 6 months after the effective date of this AD, modify the airplane wiring to separate the electrical inputs sent by the engine interface units to probe heat computers 1 and 3, and test the modified wiring; in accordance with the service bulletin referenced in paragraph (a)(1) or (a)(2) of this AD, as applicable.

(1) For airplanes equipped with engines manufactured by CFM International (CFMI): Modify and test in accordance with Airbus

Service Bulletin A320-30-1036, dated May 9, 1997; or Airbus Service Bulletin A320-30-1036, Revision 02, dated February 4, 1998.

Note 2: For airplanes equipped with CFMI engines: Accomplishment of the modification and test in accordance with Airbus Service Bulletin A320-30-1036, Revision 01, dated July 7, 1997, is considered acceptable for compliance with paragraph (a)(1) of this AD.

(2) For airplanes equipped with engines manufactured by International Aero Engines AG (IAE): Modify and test in accordance with Airbus Service Bulletin A320-30-1036, Revision 02, dated February 4, 1998.

Note 3: For airplanes equipped with IAE engines: Accomplishment of the modification in accordance with Airbus Service Bulletin A320-30-1036, dated May 9, 1997, or Revision 01, dated July 7, 1997, prior to the effective date of this AD, is considered acceptable for compliance with the modification specified by paragraph (a)(2) of this AD, provided that the modification is tested in accordance with the procedures specified in Airbus Service Bulletin A320-30-1036, Revision 02, dated February 4, 1998.

(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, 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 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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) The modification and test shall be done in accordance with Airbus Service Bulletin A320-30-1036, dated May 9, 1997; or Airbus Service Bulletin A320-30-1036, Revision 02, dated February 4, 1998, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

Note 5: The subject of this AD is addressed in French airworthiness directives 97-203-102(B)R1 and 98-152-114(B), both dated April 8, 1998.

(e) This amendment becomes effective on February 12, 1999.

Issued in Renton, Washington, on December 28, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-50 Filed 1-7-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-297-AD; Amendment 39-10980; AD 99-01-15]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A340-211, -212, -213, -311, -312, and -313 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A340-211, -212, -213, -311, -312, and -313 series airplanes. This action requires repetitive operational tests to ensure proper operation of the actuator of the secondary locks of the thrust reversers; and corrective actions, if necessary. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent the inadvertent opening of a thrust reverser door in the event of failure of the primary and secondary locks of the thrust reverser. Such inadvertent opening could result in reduced controllability of the airplane.

DATES: Effective January 25, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 25, 1999.

Comments for inclusion in the Rules Docket must be received on or before February 8, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-297-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; and ROHR, Inc., 805 Lagoon Drive,

Chula Vista, California 91912. This information may be examined 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.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: 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 all Airbus Model A340-211, -212, -213, -311, -312, and -313 series airplanes. The DGAC advises that it has received reports indicating that the thrust reverser "UNLOCKED" warning message has been displayed on the electronic centralized aircraft monitor (ECAM) in the cockpit during takeoff and, in some instances, during flight. This warning message indicates failure of the primary lock of the thrust reverser. Failure of the primary locks has been attributed to binding/stiffness of the internal mechanism. In all cases, the thrust reverser doors were maintained closed by the secondary locks of the thrust reversers. No defects of the secondary locks have been reported. Malfunction of the actuator of the secondary lock of the thrust reverser, in conjunction with a failure of the primary lock, could result in inadvertent opening of a thrust reverser door. Such inadvertent opening, if not corrected, could result in reduced controllability of the airplane.

Explanation of Relevant Service Information

Airbus has issued Service Bulletin A340-78-4012, Revision 01, dated December 19, 1996, which describes procedures for repetitive operational tests (referred to in the service bulletin as inspections), to ensure proper operation of the actuator of the secondary locks of the thrust reversers. The DGAC classified the Airbus service bulletin as mandatory and issued French airworthiness directive 96-245-050(B)R1, dated April 8, 1998, in order to assure the continued airworthiness of these airplanes in France. Additionally, the DGAC specifies an alternate means of compliance for certain airplanes on which another modification has been accomplished.

The Airbus service bulletin references ROHR Service Bulletin RA34078-47,