

allotments among old farms; (3) apportioning reserves for use in (a) establishing allotments for new farms, and (b) making corrections and adjusting inequities in old farm allotments; and (4) holding referenda.

For four of these five kinds of tobacco, supply and demand are in balance.

Thus, changes in 1999 marketing quotas for these four kinds will likely be small.

#### Request for Comments

This rule proposes to amend 7 CFR part 723, subpart A to include 1999-crop national marketing quotas for fire-cured (type 21), fire-cured (types 22–23), dark-air cured (types 35–36), Virginia sun-cured (type 37) and cigar-filler and binder (types 42–44 and 53–55) tobaccos. These five kinds of tobacco account for about 4 percent of total U.S. tobacco production.

Comments are requested concerning the proposed establishment of the national marketing quotas for the subject tobaccos at the following levels:

##### (1) Fire-Cured (Type 21) Tobacco

The 1999-crop national marketing quota for fire-cured (type 21) tobacco will range from 2.2 to 3.0 million pounds. This range reflects the assumption that the national acreage factor will range from 0.9 to 1.1.

##### (2) Fire-Cured (Types 22–23) Tobacco

The 1999-crop national marketing quota for fire-cured (types 22–23) tobacco will range from 32.0 to 40.0 million pounds. This range reflects the assumption that the national acreage factor will range from 0.8 to 1.0.

##### (3) Dark Air-Cured (Types 35–36) Tobacco

The 1999-crop national marketing quota for dark air-cured (types 35–36) tobacco will range from 9.0 to 11.0 million pounds. This range reflects the assumption that the national acreage factor will range from 0.8 to 1.0.

##### (4) Virginia Sun-Cured (Type 37) Tobacco

The 1999-crop national marketing quota for Virginia sun-cured (type 37) tobacco will range from 110,000 to 140,000 pounds. This range reflects the assumption that the national acreage factor will range from 0.9 to 1.1.

##### (5) Cigar-Filler and Binder (Types 42–44 and 53–55) Tobacco

The 1999-crop national marketing quota for cigar-filler and binder (types 42–44 and 53–55) tobaccos will range from 4.0 to 4.6 million pounds. This range reflects the assumption that the national acreage factor will range from

0.8 to 1.0. Accordingly, comments are requested with respect to the foregoing issues.

#### List of Subjects in 7 CFR Part 723

Acreage allotments, marketing quotas, penalties, reporting and recordkeeping requirements, tobacco.

Accordingly, it is proposed that 7 CFR part 723 be amended as follows:

#### PART 723—TOBACCO

1. The authority citation for 7 CFR part 723 continues to read as follows:

**Authority:** 7 U.S.C. 1301, 1311–1314, 1314–1, 1314b, 1314b–1, 1314b–2, 1314c, 1314d, 1314e, 1314f, 1314i, 1315, 1316, 1362, 1363, 1372–75, 1421, 1445–1, and 1445–2.

2. Section 723.113 is amended by adding paragraph (g) to read as follows:

##### § 723.113 Fire-cured (type 21) tobacco

\* \* \* \* \*

(g) The 1999-crop national marketing quota will range from 2.2 million pounds to 3.0 million pounds.

3. Section 723.114 is amended by adding paragraph (g) to read as follows:

##### § 723.114 Fire-cured (types 22–23) tobacco

\* \* \* \* \*

(g) The 1999-crop national marketing quota will range from 32.0 million pounds to 40.0 million pounds.

4. Section 723.115 is amended by adding paragraph (g) to read as follows:

##### § 723.115 Dark air-cured (types 35–36) tobacco

\* \* \* \* \*

(g) The 1999-crop national marketing quota will range from 9.0 million pounds to 11.0 million pounds.

5. Section 723.116 is amended by adding paragraph (g) to read as follows:

\* \* \* \* \*

##### § 723.116 Sun-cured (type 37) tobacco

\* \* \* \* \*

(g) The 1999-crop national marketing quota will range from 110,000 to 140,000 pounds.

6. Section 723.117 is amended by adding paragraph (g) to read as follows:

##### § 723.117 Cigar-filler and binder (types 42–44 and 53–55) tobacco

\* \* \* \* \*

(g) The 1999-crop national marketing quota will range from 4.8 million pounds to 6.0 million pounds.

Signed at Washington, DC on February 24, 1999.

**Keith Kelly,**

*Administrator, Farm Service Agency.*

[FR Doc. 99–5016 Filed 2–24–99; 4:13 pm]

BILLING CODE 3410–05–P

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96–NM–110–AD]

RIN 2120–AA64

#### Airworthiness Directives; Dornier Model 328–100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to all Dornier Model 328–100 series airplanes, that would have required repetitive inspections for chafing of various control cables, and replacement of any chafed cable with a serviceable cable. That proposal was prompted by chafing of various control cables found during inspections conducted at the manufacturer's facility and at overhaul facilities. This new action revises the proposed rule by expanding the areas to be inspected to detect damage and discrepancies, and providing for corrective action, if necessary; by adding a requirement for repetitive inspections of certain fairleads/swivel guides to detect damage and other discrepancies, and corrective action, if necessary; and by extending the compliance time for the initial inspections. The actions specified by this new proposed AD are intended to prevent failure of the pilot's control cables for the autopilot, elevator, rudder, aileron, and engine, which could result in reduced controllability of the airplane.

**DATES:** Comments must be received by March 23, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 96–NM–110–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from FAIRCHILD DORNIER, DORNIER Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**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:**

**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 shall 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 summarizing 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 Number 96-NM-110-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 96-NM-110-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to all Dornier Model 328-100 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on March 26, 1997 (62 FR 14371). That NPRM would have required inspections for chafing of various control cables, and replacement of any chafed cable with a serviceable cable. That NPRM was prompted by chafing of various control cables found

during inspections conducted at the manufacturer's facility and at overhaul facilities. Such chafing, if not corrected, could cause the pilot's control cables for the autopilot, elevator, rudder, and engine to be ineffective, and could result in reduced controllability of the airplane.

**Actions Since Issuance of Previous Proposal**

Since the issuance of that NPRM, the Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, has advised the FAA that the area of inspection identified in that NPRM for all Dornier 328-100 series airplanes should be expanded to include certain cable locations and fairleads/swivel guides of the rudder and aileron control systems. Those areas are similar in design to the areas proposed to be inspected by that NPRM, and therefore are subject to the same unsafe condition.

The LBA has further advised the FAA that an increase in the initial inspection threshold is warranted, based on in-service experience. The FAA finds that the inspection threshold of 3,000 flight hours recommended by the LBA will provide an acceptable level of safety.

**Explanation of New Service Information**

The manufacturer has issued Dornier 328 Alert Service Bulletin ASB-328-00-011, Revision 1, dated June 5, 1996, which includes the following changes from the original issue of the service bulletin, which was referenced as the appropriate source of service information in the NPRM:

- Revision 1 adds procedures for repetitive detailed visual inspections to detect damage (excessive wear and broken wires) of the rudder control cables in the area of frame 15 and the aileron control cables in the area of fuselage frames 15, 24, and 26; and replacement with new or serviceable cables if damage exceeds specified limits.
- Revision 1 adds procedures for repetitive detailed visual inspections to detect discrepancies (incorrect installation and misalignment) of the engine control cable fairleads/swivel guides in the areas of the fuselage conduit seal housing and the wing/nacelle fairleads/swivel guides, and readjustment of discrepant fairleads/swivel guides.
- Revision 1 extends the compliance time for the initial inspections from 2,000 to 3,000 flight hours.
- Revision 1 provides additional maintenance manual references for accomplishment of certain actions.

- Revision 1 recommends that the inspections be repeated at regular intervals (the original issue of the alert service bulletin recommended that the inspections be repeated one time only).

- Clarify the requirement to adjust the tension in the autopilot cables by specifying accomplishment of the adjustment one time only (during the initial inspection).

The LBA classified this alert service bulletin as mandatory and issued German airworthiness directive 96-001/2, dated August 15, 1996, in order to ensure the continued airworthiness of these airplanes in Germany.

The FAA has revised this supplemental NPRM to require accomplishment of the actions specified in the alert service bulletin described previously.

**Consideration of Comments Received**

Since the issuance of that NPRM, the FAA has given due consideration to the comments received in response to the NPRM.

**Request To Revise Criteria for Cable Replacement Requirements**

One commenter indicates that the proposed requirement to replace any chafed cable—2 regardless of the amount of chafing detected—2 would result in automatic cable replacements for insignificant wear and impose an unjustifiable hardship on operators. The commenter adds that cables having wear and broken wires within the limits specified in the Dornier 328-100 Aircraft Maintenance Manual (which is referenced in Alert Service Bulletin ASB-328-00-011, Revision 1) would meet type design requirements. The commenter proposes that cables be replaced only if the chafe limit exceeds 20% on any strand, stating that this would provide more than enough margin to make it through the next inspection interval.

The FAA partially concurs with the request to revise the replacement criteria. The commenter's suggested limit for chafing is more conservative than the 50-percent limit allowed by the maintenance manual. Based on information provided by the manufacturer and the LBA, the FAA has determined that the limit for wear and broken wires specified by the maintenance manual will meet the strength requirements for the affected type design. The supplemental NPRM has been revised to propose requiring the replacement of damaged cables with new or serviceable cables if the detected damage exceeds the limits specified in the maintenance manual.

## Conclusion

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

## Cost Impact

The FAA estimates that 51 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$18,360, or \$360 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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 the following new airworthiness directive:

**Dornier:** Docket 96–NM–110–AD.

**Applicability:** All Model 328–100 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 prevent failure of the pilot's control cables for the autopilot, elevator, rudder, aileron, and engine, which could result in reduced controllability of the airplane, accomplish the following:

(a) Prior to the accumulation of 3,000 total flight hours, or within 200 flight hours after the effective date of this AD, whichever occurs later: Perform detailed visual inspections to detect damage (extensive wear and broken wires) and discrepancies (incorrect installation and misalignment) of the control cables and fairleads/swivel guides for the autopilot, elevator, rudder, aileron, and engine; as applicable; in accordance with Dornier Alert Service Bulletin ASB–328–00–011, Revision 1, dated June 5, 1996. Repeat the inspections thereafter at intervals not to exceed 1,500 flight hours.

(1) If any damage is found that exceeds the limits specified in the alert service bulletin, prior to further flight, replace the damaged cable with a new or serviceable cable, in accordance with the alert service bulletin.

(2) If any discrepancy is found, prior to further flight, perform applicable corrective actions, in accordance with the alert service bulletin.

(b) Concurrent with the initial inspection required by paragraph (a) of this AD, perform a one-time adjustment of the tension in the autopilot control cables, in accordance with Dornier Alert Service Bulletin ASB–328–00–011, Revision 1, dated June 5, 1996.

(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 German airworthiness directive 96–001/2, dated August 15, 1996.

Issued in Renton, Washington, on February 19, 1999.

**Darrell M. Pederson,**

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

[FR Doc. 99–4794 Filed 2–25–99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Airspace Docket No. 98–ANM–22]

RIN 2120–AA66

#### Proposed Temporary Restricted Area; Orchard, ID

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** The FAA proposes to establish a temporary Restricted Area 3203D (R–3203D) over Orchard, ID, for the period June 5–26, 1999. The Idaho Army National Guard has requested that this temporary restricted area be established to support its annual training requirements. This temporary area would be established adjacent to the existing Restricted Area R–3203A.

**DATES:** Comments must be received on or before April 12, 1999.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ANM–500, Docket No. 98–ANM–22, Federal Aviation Administration, 1601 Lind Avenue, Renton, WA 98055–4056.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. An