

Executive Order 12612

The regulations proposed 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 rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12988: Civil Justice Reform

This proposed rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

List of Subjects in 8 CFR Part 103

Administrative practice and procedure, Authority delegations (Government agencies), Fees, Forms, Freedom of information, Privacy, Reporting and recordkeeping, requirements, Surety bonds.

Accordingly, part 103 of chapter I of title 8 of the Code of Federal Regulations is proposed to be amended as follows:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. The authority citation for part 103 continues to read as follows:

Authority: 5 U.S.C. 552, 552(a); 8 U.S.C. 1101, 1103, 1201, 1252 note, 1252b, 1304, 1356; 31 U.S.C. 9701; E.O. 12356, 47 FR 14874, 15557; 3 CFR, 1982 Comp., p.166; 8 CFR part 2.

2. In § 103.7, paragraph (b)(1) is amended by revising the entries for the following forms listed, to read as follows:

§ 103.7 Fees.

* * * * *

(b) * * *

(1) * * *

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Form I-360. For filing a petition for an Amerasian, Widow(er), or Special Immigrant—\$110.00, except there is no fee for a petition seeking classification as an Amerasian.

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Form N-300. For filing an application for declaration of intention—\$50.00.

Form N-336. For filing request for hearing on a decision in naturalization proceedings under section 336 of the Act—\$170.00.

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Form N-470. For filing an application for section 316(b) or 317 of the Act benefits—\$80.00.

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Dated: May 11, 1999.

Janet Reno,

Attorney General.

[FR Doc. 99-12375 Filed 5-14-99; 8:45 am]

BILLING CODE 4410-10-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-372-AD]

RIN 2120-AA64

Airworthiness Directives; Learjet Model 23, 24, 25, 28, 29, 31, 55, and 60 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Learjet Model 23, 24, 25, 28, 29, 31, 55, and 60 series airplanes. This proposal would require a one-time detailed visual inspection of the electrical wire leads of the horizontal stabilizer anti-ice system to verify that the numbers on the wire leads correctly correspond to the numbers on the connected airframe wiring; installation of a wire ID strap on the left- and right-hand sides of each terminal block; and installation of a warning placard. This proposal is prompted by a report of severe flight control buffeting of a Learjet Model 55 series airplane due to a malfunction of the horizontal stabilizer anti-ice system. The actions specified by the proposed AD are intended to prevent undetected accretion of ice on the leading edge of the horizontal stabilizer, which could result in the loss of pitch control and consequent reduced controllability of the airplane.

DATES: Comments must be received by July 1, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-372-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 Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas.

FOR FURTHER INFORMATION CONTACT: Jose Flores, Senior Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4133; fax (316) 946-4407.

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 98-NM-372-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. 98-NM-372-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received a report indicating that a Learjet Model 55 series airplane declared an emergency during flight due to severe flight control buffeting; the airplane landed safely. Following a detailed visual inspection of the horizontal stabilizer anti-ice system, it was determined that the wiring on two terminal strips was incorrectly connected, which caused electrical heating elements of the anti-ice system to operate out of sequence and allowed ice to build up on the horizontal stabilizer. When operating correctly, the center electrical heating element is provided with continuous electrical power. Incorrect wiring can cause the center element to cycle on and off and, subsequently, the anti-ice system will not function properly, which can cause the ice to build up on the leading edge of the horizontal stabilizer. Further investigation revealed that during routine maintenance of the airplane's anti-ice system, the wire numbers connecting the airplane wiring through two terminal strips were incorrectly matched to the electrical heating elements in the leading edge, which led to miswiring of the connection. This condition, if not corrected, could result in undetected accretion of ice on the leading edge of the horizontal stabilizer, and consequent loss of pitch control and reduced controllability of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved Learjet Service Bulletins SB 23/24/25-30-3, (for Model 23, 24, and 25 series airplanes), SB 28/29-30-3 (for Model 28 and 29 series airplanes), SB 31-30-05 (for Model 31 series airplanes), SB 55-30-3 (for Model 55 series airplanes), and SB 60-30-4 (for Model 60 series airplanes); all dated October 27, 1998; which describe procedures for a one-time detailed visual inspection of the electrical wire leads of the horizontal stabilizer anti-ice system to verify that the numbers on the wire leads correctly correspond to the numbers on the connected airframe wiring; installation of a wire ID strap on the left- and right-hand sides of each terminal block; and installation of a warning placard. The new placard will provide clear and visible warning that reads: "WARNING—PROPER CONNECTION OF BOOT WIRING IS CRITICAL, REFER TO WIRING/SERVICE MANUAL." Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletins

Operators should note that, although the service bulletins recommend accomplishing the detailed visual inspection and installations within 300 flight hours (after the release of the service bulletin), the FAA has determined that a compliance time of 300 flight hours would not address the identified unsafe condition in a timely manner. In developing an appropriate compliance time for this proposed AD, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the inspection and installations (one work hour). In light of all of these factors, the FAA finds a 100-flight-hour compliance time for initiating the required actions to be warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety.

Cost Impact

There are approximately 1,010 airplanes of the affected design in the worldwide fleet. The FAA estimates that 806 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed inspection and installations, and that the average labor rate is \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$48,360, or \$60 per airplane.

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:

Learjet: Docket 98-NM-372-AD.

Applicability: Model 23, 24, 25, 28, 29, 31, 55, and 60 series airplanes; as listed in Learjet Service Bulletins SB 23/24/25-30-3, SB 28/29-30-3, SB 31-30-05, SB 55-30-3, and SB 60-30-4, all dated October 27, 1998; 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 (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 undetected accretion of ice on the leading edge of the horizontal stabilizer, which could result in the loss of pitch control and consequent reduced controllability of the airplane, accomplish the following:

One-Time Inspection

(a) Within 100 flight hours after the effective date of this AD: Perform a one-time detailed visual inspection of the electrical wire leads of the horizontal stabilizer anti-ice system to verify that the numbers on the wire leads correctly correspond to the numbers on the connected airframe wiring, in accordance with Learjet Service Bulletins SB 23/24/25-30-3, (for Model 23, 24, and 25 series airplanes), SB 28/29-30-3 (for Model 28 and 29 series airplanes), SB 31-30-05 (for Model 31 series airplanes), SB 55-30-3 (for Model 55 series airplanes), or SB 60-30-4 (for Model 60 series airplanes); all dated October 27, 1998; as applicable.

Note 2: For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation or assembly to detect damage, failure or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc. may be used. Surface cleaning and elaborate access procedures may be required."

Corrective Action

(1) If no discrepancy is detected during the inspection required by paragraph (a) of this AD: Concurrent with the inspection, install a wire ID strap on the left- and right-hand sides of each terminal block, and install a warning placard on each terminal block, in accordance with the applicable service bulletin.

(2) If any discrepancy is detected during the inspection required by paragraph (a) of this AD: Prior to further flight, repair the discrepancy in accordance with the procedures specified in Chapter 30 of the Learjet Airplane Wiring Manual. Concurrent with the repair, install a wire ID strap on the left- and right-hand sides of each terminal block, and install a warning placard on each terminal block; in accordance with the applicable service bulletin.

Alternative Methods of Compliance

(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, Wichita Aircraft Certification Office (ACO), FAA, Small 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, Wichita ACO.

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

Special Flight Permits

(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.

Issued in Renton, Washington, on May 10, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-12298 Filed 5-14-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 95-AWA-4]

Proposed Modification of the Orlando Class B Airspace Area, Orlando, FL; and Modification of the Orlando Sanford Airport Class D Airspace Area, Sanford, FL

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to modify the Orlando Class B airspace area, Orlando, FL; and the Orlando Sanford Airport Class D airspace area, Sanford, FL. Specifically, this action proposes to modify several subareas within the lateral boundaries of the existing Orlando Class B airspace area; and lower the vertical limits of the Orlando Sanford Airport Class D airspace area. The FAA is proposing this action to enhance safety, reduce the potential for midair collision, and improve the management of air traffic operations into, out of, and through the Orlando terminal area while accommodating the concerns of airspace users.

DATES: Comments must be received on or before June 30, 1999.

ADDRESSES: Send comments on the proposal in triplicate to the Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket, AGC-200, Airspace Docket No. 95-AWA-4, 800 Independence Avenue, SW., Washington, DC 20591. Comments may also be sent electronically to the following Internet address: 9-NPRM-CMTS@faa.gov. 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 informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Sheri Edgett Baron, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and should be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 95-AWA-4." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will also be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703-321-3339) or the Government Printing Office's electronic bulletin board service (telephone: 202-512-1661) using a modem and suitable communications software.

Internet users may reach the FAA's web page at <http://www.faa.gov> or the Government Printing Office's webpage