

Technology Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," 1999 Edition, November 1998, which is incorporated by reference. \* \* \*

\* \* \* \* \*

## PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

3. The authority citation for part 381 continues to read as follows:

**Authority:** 7 U.S.C. 450; 21 U.S.C. 451-470; 7 CFR 2.17, 2.55.

### § 381.121c [Amended]

4. Section 381.121c is amended by revising the second sentence of paragraph (a) to read as follows:

#### § 381.121c Scale requirements for accurate weights, repairs, adjustments, and replacement after inspection.

(a) \* \* \* Such scales shall meet the applicable requirements contained in National Institute of Standards and Technology (NIST) Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," 1999 Edition, November 1998, which is incorporated by reference. \* \* \*

\* \* \* \* \*

**Thomas J. Billy,**  
*Administrator.*

[FR Doc. 99-24571 Filed 9-30-99; 8:45 am]

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## FEDERAL RESERVE SYSTEM

### 12 CFR Part 262

[Docket No. R-1045]

#### Rules of Procedure

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Board is amending its Rules of Procedure to conform the comment period for branch notice applications with the period specified in its Regulation H, Membership of State Banking Institutions in the Federal Reserve System. The Rules of Procedure were not amended when the Regulation was amended, effective September 30, 1998. The Board is also amending the Rules of Procedure to delete the requirements for notices of memberships in cases where membership would confer federal deposit insurance, because there are no longer cases where membership confers federal deposit insurance. In addition,

the Board is amending the Rules of Procedure to clarify that the requirement to publish notice in the community where a proposed branch would be located does not apply to branch applications incidental to merger applications, which are subject to the separate notice requirements for merger applications.

**EFFECTIVE DATE:** October 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Rick Heyke, Counsel, Legal Division, (202) 452-3688. For users of the Telecommunications Device for the Deaf (TDD), contact Diane Jenkins (202) 452-3544, Board of Governors of the Federal Reserve System, 20th and C Streets, NW, Washington, DC 20551.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 208.6(a)(3) of the Board's Regulation H, Public Notice of Branch Applications, provides that a state member bank wishing to establish a domestic branch must publish notice in a newspaper of general circulation at the locations specified in § 262.3 of the Rules of Procedure (12 CFR 262.3) and that the newspaper notice shall provide an opportunity for interested persons to comment on the application for a period of at least 15 days. (12 CFR 208.6(a)(3)(i) and (ii)). Until September 30, 1998, the comment period for branch applications was 30 days and was specified in § 262.3(b) of the Rules of Procedure rather than in Regulation H. The Rules of Procedure were not amended when the regulation was amended, effective September 30, 1998 (63 FR 37637, July 13, 1998), and § 262.3(b)(1)(ii) continues to provide for a 30-day comment period for these applications. (12 CFR 262.3(b)(1)(ii)). It is no longer necessary to specify the comment period for branch applications in the Rules of Procedure since it is specified in Regulation H. Accordingly, the Board is amending the Rules of Procedure to delete the comment period requirement as it relates to branch applications.

Section 262.3(b)(1)(ii)(A) of the Rules of Procedure specifies the location for publication of notice of an application for membership in the Federal Reserve System that would confer federal deposit insurance. Pursuant to Title I, section 115(a) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Pub. L. 102-242), any bank not previously an insured bank admitted to membership may apply separately to the Federal Deposit Insurance Corporation for insurance. (12 U.S.C. 1814 and 1815(a).) Previously, membership conferred insured status (see 12 U.S.C.A. 1814(b) (West 1989)). It is

therefore no longer necessary to specify the location for publication of notice of an application for membership that would confer insurance. Accordingly, the Board is amending the Rules of Procedure to delete the publication location requirement for such applications.

Section 262.3(b)(1)(ii)(B) specifies that in the case of an application to establish a new branch, notices shall be published in the communities in which the head office of the bank and the proposed branch are located. Section 262.3(b)(1)(ii)(D) specifies that in the case of an application by a bank for merger, consolidation, acquisition of assets, or assumption of liabilities (merger), notices shall be published in the communities in which the head offices of the banks involved are located. Such merger applications are also deemed to include applications to establish branches at the branch and/or head office locations being acquired, thereby avoiding a separate filing to establish branches at the acquired locations, and the Board has not required publication under paragraph (b)(1)(ii)(B) in addition to publication under paragraph (b)(1)(ii)(D). Accordingly, the Board is amending the Rules of Procedure to clarify that publication under paragraph (b)(1)(ii)(D) is sufficient in the case of branches acquired through merger, consolidation, acquisition of assets, or assumption of liabilities.

The amendments adopted by the Board are rules of procedure. Accordingly, 5 U.S.C. 553(b), requiring public comment, does not apply. In addition, the amendments are technical amendments that remove an obsolete provision, reflect changes in the Board's Regulation H, and clarify a possible uncertainty. Accordingly, the Board finds good cause not to delay the effective date of the amendments pursuant to 5 U.S.C. 553(d).

#### List of Subjects in 12 CFR Part 262

Administrative practice and procedure, Banks, banking, Federal Reserve System.

For the reasons set forth in the preamble, 12 CFR part 262 is amended as set forth below:

## PART 262—RULES OF PROCEDURE

1. The authority citation for 12 CFR part 262 continues to read as follows:

**Authority:** 5 U.S.C. 552, 12 U.S.C. 321, 1828(c), and 1842.

### § 262.3 [Amended]

2. Amend § 262.3 by revising the first sentence in paragraph (b)(1)(ii),

removing and reserving paragraph (b)(1)(ii)(A), and revising paragraph (b)(1)(ii)(B) to read as follows:

**§ 262.3 Applications.**

\* \* \* \* \*

- (b) \* \* \*  
(1) \* \* \*

(ii) The notice shall be placed in the classified advertising legal notices section of the newspaper, and must provide an opportunity for the public to give written comment on the application to the appropriate Federal Reserve Bank for the period specified in Regulation H (12 CFR part 208) in the case of applications specified in § 262.3(b)(1)(i)(A), and for at least thirty days after the date of publication in the case of applications specified in § 262.3(b)(1)(i)(B) and (C). \* \* \*

\* \* \* \* \*

(B) The community or communities in which the head office of the bank and the proposed branch or other facility (other than an electronic funds transfer facility) are located in the case of an application for the establishment of a domestic branch or other facility that would be authorized to receive deposits, other than an application incidental to an application by a bank for merger, consolidation, or acquisition of assets or assumption of liabilities,

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, September 24, 1999.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 99-25504 Filed 9-30-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 99-NM-119-AD; Amendment 39-11347; AD 99-21-04]

RIN 2120-AA64

**Airworthiness Directives; Airbus Model A330-301, and Model A340-211, -212, -311, and -312 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330-301, and Model A340-211, -212, -311, and -312 series airplanes, that requires repetitive detailed visual inspections of the fuselage belly fairing support structure to detect cracks; and

corrective action, if necessary. This amendment also provides an optional terminating action for the repetitive inspections. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to detect and correct fatigue cracking of the fuselage belly fairing support structure, which could result in reduced structural integrity of the fuselage belly fairing support structure.

**DATES:** Effective November 5, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 5, 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 A330-301, and Model A340-211, -212, -311, and -312 series airplanes was published in the **Federal Register** on August 4, 1999 (64 FR 42289). That action proposed to require repetitive detailed visual inspections of the fuselage belly fairing support structure to detect cracks; and corrective action, if necessary. That action also proposed to provide an optional terminating action for the repetitive inspections.

**Comments**

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

The commenter indicates that it is not affected by the proposed rule.

**Explanation of Change Made to Proposal**

The FAA had added a note to the final rule to clarify the definition of a detailed visual inspection.

**Conclusion**

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**

Currently, there are no Airbus Model A330-301 series airplanes on the U.S. Register. However, should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 5 work hours to accomplish the required inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required AD on U.S. operators is estimated to be \$300 per airplane, per inspection cycle.

Also, there are no Airbus Model A340-211, -212, -311, and -312 series airplanes on the U.S. Register. However, should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 6 work hours to accomplish the required inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required AD on U.S. operators is estimated to be \$360 per airplane, per inspection cycle.

Should an affected airplane be imported and placed on the U.S. Register and an operator elects to accomplish the optional terminating action rather than continue the repetitive inspections, it will take approximately between 10 and 178 work hours per airplane (for Model A330 series airplanes), or between 10 and 188 work hours per airplane (for Model A340 series airplanes), at an average labor rate of \$60 per work hour.

Required parts will cost approximately between \$1,313 and \$13,262 (for Model A330 series airplanes) or between \$1,049 and \$14,311 (for Model A340 series airplanes), per airplane. Based on these figures, the cost impact of this optional terminating action is estimated to be between \$1,913 and \$23,942 (for Model A330 series airplanes) or between \$1,649 and \$25,591 (for Model A340 series airplanes), per airplane.

**Regulatory Impact**

The regulations adopted herein will not have substantial direct effects on the