

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 99-SW-01-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that notice and prior public comment are unnecessary in promulgating this regulation, and therefore it can be issued immediately to correct an unsafe condition since none of these model helicopters are registered in the U.S. It is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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, 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 a new airworthiness directive to read as follows:

#### AD 99-23-07 Eurocopter France:

Amendment 39-11403. Docket No. 99-SW-01-AD.

#### Applicability:

- Model SA330F or G helicopters not modified by MOD 0723672;
- Model SA330J helicopters not modified by either MOD 0723672 or optional Eurocopter Service Bulletin 30.16, dated January 19, 1999; and
- AS332C, L, and L1 helicopters not modified by either MOD 0725855 or both MOD 0725974 and MOD 0725998 as noted in Eurocopter Service Bulletin 01.00.54R1, dated July 12, 1999, with Multi-Purpose Air Intakes (MPAI) installed, certificated in any category.

**Note 1:** This AD applies to each helicopter 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 helicopters 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 before further flight, unless accomplished previously.

To prevent clogging of the MPAI seal P2 air system line due to ice formation, which could result in deflation of the MPAI seal, loss of engine power, and subsequent loss of control of the helicopter, accomplish the following:

(a) Insert the following statement prohibiting flight in certain atmospheric conditions into the Limitations section of the Rotorcraft Flight Manual (RFM):

"A. Flight under the following conditions is prohibited:

1. Flight in clouds or fog at an OAT equal to or lower than 3 degrees Celsius (37.4 degrees Fahrenheit).
2. Flight in rain at an OAT within the temperature range of -3 degrees to +3 degrees Celsius (26.6 degrees to 37.4 degrees Fahrenheit).

B. Flight under the following conditions is prohibited unless the Multi-Purpose Air Intake seals have been visually checked for proper inflation immediately prior to entering the specified atmospheric conditions:

1. Flight in falling or recirculating snow at an OAT equal to or higher than -3 degrees Celsius (26.6 degrees Fahrenheit).

2. Takeoff after extended ground taxiing or holding in falling snow at an OAT equal to or above -3 degrees Celsius (26.6 degrees Fahrenheit)."

(b) This AD revises the Limitations section in the RFM by prohibiting flight in certain atmospheric conditions and prohibiting flight in other specified atmospheric conditions unless operation of the MPAI seal has been visually checked prior to entering the specific atmospheric conditions.

(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, Rotorcraft Standards Staff, FAA, Rotorcraft Directorate. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(d) Special flight permits will not be issued.

(e) This amendment becomes effective on November 22, 1999.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 98-201-068(A)R2, dated September 22, 1999, and AD 98-202-080(A)R1, dated January 27, 1999.

Issued in Fort Worth, Texas, on October 29, 1999.

#### Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-28945 Filed 11-4-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ASO-1]

RIN 2120-AA66

#### Modification of the San Juan Low Offshore Airspace Area, PR

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the San Juan Low Offshore Airspace Area by extending it to include the airspace northwest of San Juan, PR, between the 100-mile radius of the Fernando Luis Ribas Dominici Airport and the San Juan Control Area/Flight Information Region (CTA/FIR) and Miami CTA/FIR boundary. This action increases the airspace managed by domestic air traffic control (ATC). Extension of this Class E airspace area will enhance the management of air traffic operations and result in more efficient use of that airspace.

**EFFECTIVE DATE:** 0901 UTC, December 30, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Terry Brown, 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:**

**Background**

On March 2, 1993, the FAA published a final rule (58 FR 12128) which, in part, designated the San Juan Low Offshore Airspace Area. This designation was necessary to comply with the Airspace Reclassification final rule (56 FR 65638; December 17, 1991). The San Juan Low Offshore Airspace Area consists of Class E airspace from 5,500 feet mean sea level (MSL) up to, but not including, FL 180 within a 100-mile radius of the Fernando Luis Ribas Dominicki Airport, San Juan, PR. This airspace, however, is inadequate to support the Caribbean Special Area Navigation (RNAV) Routes currently being evaluated in the Bahamas/Caribbean area due to the rapid growth of air traffic activity in the area. Therefore, there is a need to designate additional airspace wherein domestic ATC procedures will be used to provide more efficient control of aircraft operations.

On June 7, 1999, the FAA proposed to amend the San Juan Low Offshore Airspace Area (64 FR 30261). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. In response to the notice, the FAA received one comment from the Air Line Pilots Association supporting this action. Except for editorial changes, this rule is the same as that proposed in the notice.

**The Rule**

This action amends 14 CFR part 71 by amending the San Juan Low Offshore Airspace Area. This extended area will consist of that portion of offshore airspace northwest of San Juan, PR, between the 100-mile radius of the Fernando Luis Ribas Dominicki Airport and the San Juan CTA/FIR and Miami CTA/FIR boundary.

This modification will support the implementation of the Caribbean Special RNAV Routes for aircraft equipped with advanced navigation systems by creating a seamless environment of controlled airspace between Florida and Puerto Rico. Increasing the airspace managed by domestic ATC procedures will enhance safety, increase system capacity, reduce

the cost of aircraft operations, and decrease controller workload.

Offshore airspace area designations are published in paragraph 6007 of FAA Order 7400.9G, dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Offshore airspace area listed in this document will be published subsequently in the Order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. This regulation therefore: (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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**International Civil Aviation Organization (ICAO) Considerations**

As part of this rule relates to navigable airspace outside the United States, this notice was submitted in accordance with the ICAO International Standards and Recommended Practices.

The application of International Standards and Recommended Practices by the FAA, Office of Air Traffic Airspace Management, in areas outside U.S. domestic airspace is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are

consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Because this amendment involves, in part, the designation of navigable airspace outside of the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

*Paragraph 6007 Offshore Airspace Areas*  
\* \* \* \* \*

**San Juan Low, PR [Revised]**

That airspace extending upward from 5,500 feet MSL from the point of intersection of the San Juan Oceanic CTA/FIR and Miami Oceanic CTA/FIR boundary at lat. 21°08'00" N., long. 67°45'00" W., thence from that point southeast via a straight line to intersect a 100-mile radius of the Fernando Luis Ribas Dominicki Airport at lat. 19°47'28" N., long. 67°09'37" W., thence clockwise via a 100-mile radius of the Fernando Luis Ribas Dominicki Airport to lat. 18°53'05" N., long. 67°47'43" W., thence from that point northwest via a straight line to intersect the point where the Santo Domingo FIR turns northwest at lat. 19°39'00" N., long. 69°09'00" W., thence from that point northeast along the San Juan CTA/FIR and

Miami CTA/FIR boundary to the point of beginning.

\* \* \* \* \*

Issued in Washington, DC, on November 1, 1999.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 99-29042 Filed 11-4-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Airspace Docket No. 99-AEA-12]

RIN 2120-AA66

#### Change Name of Using Agency for Restricted Area R-5203; Oswego, NY

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

**ACTION:** Final rule.

**SUMMARY:** This action changes the name of the using agency for Restricted Area R-5203; Oswego, NY, from "Air National Guard, Northeast Air Defense Sector/DOS, Rome, NY," to "Air National Guard, 174th Fighter Wing, Hancock Field, NY." This change is required due to a realignment of responsibilities within the Air National Guard.

**EFFECTIVE DATE:** 0901 UTC, December 30, 1999.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, 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:**

#### Background

As a result of a realignment of responsibilities within the Air National Guard, the using agency for Restricted Area R-5203 is being changed from the Northeast Air Defense Sector, Rome, NY, to the 174th Fighter Wing, Hancock Field, NY. The Air National Guard requested this change to facilitate more efficient scheduling of the restricted area.

#### The Rule

This action amends 14 CFR part 73 by changing the using agency for Restricted Area R-5203, Oswego, NY, from "Air National Guard, Northeast Air Defense Sector/DOS, Rome, NY," to "Air National Guard, 174th Fighter Wing, Hancock Field, NY."

Since this administrative change will not alter the boundaries, altitudes, or

time of designation for R-5203 or the activities conducted therein; I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Section 73.52 of part 73 was republished in FAA Order 7400.8G, dated September 1, 1999.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

This action involves a minor administrative change to amend the name of the using agency of an existing restricted area. There are no changes to the dimensions of the restricted area, or to air traffic control procedures or routes as a result of this action. Therefore, this action is not subject to environmental assessments and procedures in accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act of 1969.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

#### PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### § 73.52 [Amended]

2. § 73.52 is amended as follows:

\* \* \* \* \*

#### R-5203 Oswego, NY [Amended]

By removing "Using agency. Air National Guard, Northeast Air Defense Sector/DOS, Rome, NY," and adding "Using agency. Air National Guard,

174th Fighter Wing, Hancock Field, NY."

\* \* \* \* \*

Issued in Washington, DC, on October 28, 1999.

**Paul Gallant,**

*Acting Manager, Airspace and Rules Division.*

[FR Doc. 99-29040 Filed 11-4-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### 15 CFR Parts 738, 740, and 746

[Docket No. 990923261-9261-01]

RIN 0694-AB99

#### Exports to Kosovo

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) to exempt the Serbian province of Kosovo ("Kosovo") from certain license requirements for exports and reexports to Serbia of items subject to the Export Administration Regulations (EAR).

**EFFECTIVE DATE:** This rule is effective November 5, 1999.

**FOR FURTHER INFORMATION CONTACT:** James A. Lewis, Director, Office of Strategic Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482-4196.

**SUPPLEMENTARY INFORMATION:**

#### Background

In Resolution 1203 (adopted on October 24, 1998), the United Nations Security Council (UNSC) expressed alarm at what it described as the continuing grave humanitarian situation throughout Kosovo and the impending humanitarian catastrophe there. In response to the Serbian government's continued ethnic cleansing in its Kosovo province and its rejection of the proposed peace agreement accepted by the Kosovars, NATO (including the United States) took military action intended to halt the mass killing and dislocation of ethnic Albanians in Kosovo and to prevent a widening of the conflict.

In response to the situation in Kosovo, Executive Order 13121 of April 30, 1999, tightened existing U.S. economic sanctions against Serbia, including the province of Kosovo. On May 4, 1999, BXA published a rule amending the