

(2) Remove any fuel nozzle having a part number not listed in Table 1 of this AD, and replace it with a fuel nozzle having a part number listed in Table 1 of this AD, in accordance with the applicable alert service bulletin. When an operator's entire fleet has only fuel nozzles having a part number listed in Table 1 of this AD installed, the AFM revision required by paragraph (c) of this AD may be removed from the AFM, and the placard required by paragraph (d)(1) of this AD may be removed from each airplane.

(e) Except as provided by paragraphs (b) and (f) of this AD, if all fuel nozzles installed on any airplane in a specific operator's fleet have one of the General Electric part numbers listed in Table 1 of this AD, no further action is required by this AD.

Spares

(f) As of the effective date of this AD, no person shall install any fuel nozzle NOT having one of the General Electric part numbers listed in Table 1 of this AD on any airplane unless the requirements specified by paragraphs (c)(1), (c)(2), and (d)(1) of this AD have been accomplished for the operator's entire fleet.

Alternative Methods of Compliance

(g)(1) 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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

(g)(2) Alternative methods of compliance, approved previously in accordance with AD 98-08-23, amendment 39-10472, are approved as alternative methods of compliance with this AD.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(h) 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 December 9, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 99-32510 Filed 12-14-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-347-AD]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Model BAe 146 and Avro 146-RJ 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 all British Aerospace Model BAe 146 and Avro 146-RJ series airplanes. This proposal would require a one-time inspection to detect cracking or corrosion of the forward attachment bolts of the engine pylon to wing interface, and corrective action, if necessary. It would also require re-installation with re-protected and sealed bolts torqued to a lower level. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to detect and correct corrosion or cracking of the forward attachment bolts of the engine pylon to wing interface, which could result in reduced structural integrity of the engine pylon attachment.

DATES: Comments must be received by January 14, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-347-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 British Aerospace Regional Aircraft American Support, 13850 Mclearn Road, Herndon, Virginia 20171. 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 99-NM-347-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. 99-NM-347-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on all British Aerospace Model BAe 146 and Avro 146-RJ series airplanes. The CAA advises that in-service airplanes have suffered a total of eight failures of engine pylon to wing forward attachment bolts, due to corrosion in the bolt head undercut. This condition, if not corrected, could result in reduced structural integrity of the engine pylon attachment.

Explanation of Relevant Service Information

British Aerospace has issued Service Bulletin SB.54-10, dated September 16,

1999, which describes procedures for a one-time dye penetrant or magnetic particle inspection to detect cracking, and a one-time detailed visual inspection to detect corrosion, of the forward attachment bolts of the engine pylon to wing interface. If any cracking is found, the bolts are to be replaced with new parts. If any corrosion is found, the bolts are to be cleaned or replaced with new parts, depending on the location and severity of the corrosion. The service bulletin also details re-installation with re-protected and sealed bolts torqued to a lower level. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The CAA classified this service bulletin as mandatory and issued British airworthiness directive 006-09-99 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

These airplane models are manufactured in the United Kingdom and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

The FAA estimates that 35 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 20 work hours (including removal and reinstallation of the engines) per airplane to accomplish the proposed inspection, 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 \$42,000, or \$1,200 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:

British Aerospace Regional Aircraft

(Formerly British Aerospace Regional Aircraft Limited, Avro International Aerospace Division; British Aerospace, PLC; British Aerospace Commercial Aircraft Limited): Docket 99-NM-347-AD.

Applicability: All Model BAe 146 and Avro 146-RJ 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 (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 detect and correct cracking or corrosion of the forward attachment bolts of the engine pylon to wing interface, which could result in reduced structural integrity of the engine pylon attachment, accomplish the following:

Inspection and Corrective Action

(a) Within 4 years since date of manufacture, or within 2,000 flight cycles after the effective date of this AD, whichever occurs later: Perform applicable inspections (dye penetrant, magnetic particle, and detailed visual) to detect discrepancies (including damage, cracking, and corrosion) of the forward attachment bolts of the engine pylon to wing interface on each engine, in accordance with British Aerospace Service Bulletin SB.54-10, dated September 16, 1999. If any discrepancy is detected, prior to further flight, perform applicable corrective actions in accordance with the service bulletin.

Note 2: For the purposes of this AD, a detailed visual 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."

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

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.

Note 4: The subject of this AD is addressed in British airworthiness directive 006-09-99.

Issued in Renton, Washington, on December 9, 1999.

D.L. Rigin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

15 CFR Part 280

[Docket No. 980623159-9316-03]

RIN 0693-AB47

Procedures for Implementation of the Fastener Quality Act

AGENCY: National Institute of Standards and Technology and the Bureau of Export Administration and the Patent and Trademark Office, United States Department of Commerce.

ACTION: Notice of proposed rulemaking; request for comments.

SUMMARY: The Director of the National Institute of Standards and Technology (NIST), United States Department of Commerce, and the Under Secretary of the Bureau of Export Administration, United States Department of Commerce, and the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, United States Department of Commerce, request comments on proposed changes to the regulations pertaining to the implementation of the Fastener Quality Act ("the FQA") to incorporate amendments to the FQA contained in the Fastener Quality Act Amendments of 1999 ("the Act"). The proposed changes include the elimination of testing and paperwork requirements and of NIST's role in evaluating and approving bodies that accredit

laboratories and registrars. The proposed changes also set forth procedures under which NIST will accept petitions for approval of certain documents and self-declarations for accreditation bodies.

The proposed changes amend the enforcement provisions of the regulations to eliminate violations that are not violations of the FQA, as amended and adding violations imposed by the Act. In addition, the proposed changes amend the recordal of insignia provisions of the regulations to remove all references to private label distributors and to provide that fasteners whose insignia must be recorded are those fasteners that are required by the applicable consensus standards to bear "an insignia" rather than a "raised or depressed insignia," and that these fasteners are not subject to the recordal requirements if the specifications provide otherwise.

DATES: Comments must be received no later than January 14, 2000.

ADDRESSES: Comments on the proposed revisions must be submitted to: Dr. Subhas Malghan, Director's Office, Technology Services, National Institute of Standards and Technology, Mail Stop 2000, Gaithersburg, MD 20899-2000, telephone number (301) 975-4510.

FOR FURTHER INFORMATION CONTACT: Dr. Subhas Malghan, Director's Office, Technology Services, National Institute of Standards and Technology, Mail Stop 2000, Gaithersburg, MD 20899-2000, telephone number (301) 975-4510.

SUPPLEMENTARY INFORMATION:

Background

The Fastener Quality Act (FQA) was originally enacted in 1990 to protect the public safety by: (1) Requiring that certain fasteners which are sold in commerce conform to the specifications to which they are represented to be manufactured, (2) Providing for accreditation of laboratories engaged in fastener testing; and (3) Requiring inspection, testing and certification, in accordance with standardized methods, of fasteners covered by the Act. Since its enactment, the FQA has been amended three times (Pub. L. 104-113, Pub. L. 105-234, and Pub. L. 106-34). The Department of Commerce published final implementing regulations for the original FQA on September 26, 1996 and for the FQA as amended by Pub. L. 104-113 on September 8, 1998.

On June 8, 1999, the Fastener Quality Act Amendments of 1999 (the Act) (Pub. L. 106-34, 113 Stat. 118) were enacted "to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and

counterfeit fasteners and eliminate unnecessary requirements, and for other purposes." The Act made significant changes to the FQA. Under the Act, the Secretary retains his enforcement functions and the responsibility for establishing and maintaining an insignia recordation program, and the National Institute of Standards and Technology (NIST) must continue its fastener laboratory accreditation program established under the National Voluntary Laboratory Accreditation Program (15 CFR part 285). In addition, the Act creates new responsibilities for NIST, including: Acting upon petitions requesting approval of documents setting forth guidance/requirements for certification of manufacturing systems as fastener quality assurance systems by accredited third parties; acting upon petitions requesting approval of documents setting forth guidance/requirements for accreditation of laboratories; and acting upon petitions requesting approval of documents setting forth guidance/requirements for approval of accreditation bodies to accredit laboratories. NIST also must accept affirmations, in the form of self-declarations that the accreditation bodies meet the requirements of the applicable Guide, from accreditation bodies accrediting third parties who certify manufacturing systems as fastener quality assurance systems and from accreditation bodies accrediting laboratories.

The Act eliminates many of the responsibilities delegated by the Secretary of Commerce to NIST under the FQA, including: Establishing procedures for private entities (domestic and foreign) to accredit laboratories; establishing conditions for recognizing foreign laboratories accredited by their governments or organizations; establishing the size, selection, and integrity of samples of fasteners to be inspected if not provided in the standards and specifications to which the fasteners are manufactured; establishing a required form for written inspection and testing reports; establishing what entities must retain custody of laboratory testing reports and certificates of conformance and for what period of time.

Part 1: Summary of Proposed Amendments Regarding Testing and Certification of Fasteners, Laboratory Accreditation, and Sale of Fasteners

The Fastener Quality Act Amendments of 1999 ("the Act") repealed 15 U.S.C. 5404 through 5406. Therefore, the Department proposes the repeal of the regulations implementing those sections, found at 15 CFR part 280