

Saudi Arabia, which is recognized by the OIE as AHS free. The land border is strictly controlled by the Government of Qatar.

APHIS also evaluated Qatar's veterinary service infrastructure and the animal health policies and infrastructures for animal disease control. Our review of information submitted by Qatar indicates that these infrastructures and policies are adequate for disease control.

Both commenters stated that the supplementary information that Qatar submitted should have been made available to the public for review.

Such information was available from the person listed under **FOR FURTHER INFORMATION CONTACT**. In addition, we now publish on the Internet supporting documentation provided by a region when it requests a change in its disease status; however, the request for Qatar was submitted before these procedures were in place. The Internet address is <http://www.aphis.usda.gov/vs/reg-request.html>. This Internet address can be accessed by the public. The public may also call or write the individual listed under **FOR FURTHER INFORMATION CONTACT**.

Therefore, for the reasons given in the proposed rule and in this document, we are adopting the proposed rule as a final rule, without change.

#### Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**. This rule relieves restrictions that require horses imported from Qatar to enter the United States only at the port of New York and be quarantined at the New York Animal Import Center in Newburgh, NY, for at least 60 days. This rule allows horses from Qatar to be shipped to and quarantined at ports designated in § 93.303 and reduces the quarantine period to an average of 3 days to meet the quarantine and testing requirements specified in § 93.308. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be made effective less than 30 days after the date of publication in the **Federal Register**.

#### Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

This final rule will recognize Qatar as free of AHS. This action will allow horses from Qatar to be shipped to and quarantined at ports designated in § 93.303 and will reduce the quarantine and testing period to an average of 3 days to meet quarantine requirements specified in § 93.308.

U.S. importers of competition and breeding horses from Qatar will be affected by this rule. These importers will no longer be required to quarantine horses from Qatar for 60 days at the New York Animal Import Center in Newburgh, NY, at a cost of approximately \$5,296 per horse.

In 1998, the United States imported 41,876 horses, valued at \$206 million. However, there have been no horses imported into the United States from Qatar since 1992. Removing the requirement for a 60-day quarantine for horses from Qatar will make the importation of these horses less expensive and logistically easier. As a result, we anticipate that U.S. importers might begin importing horses from Qatar. However, because the horse population in Qatar in 1998 was approximately 1,500 head, we do not expect that the number of horses exported to the United States will be significant. In fact, in 1997, Qatar exported only 10 horses. Furthermore, most horses imported from Qatar will probably be in the United States on a temporary basis for particular events, such as for races or breeding, and then transported back to Qatar. For these reasons, we anticipate the overall economic effect on U.S. entities will be minimal.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

#### Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 9 CFR Part 93

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, we are amending 9 CFR part 93 as follows:

#### **PART 93—IMPORTATION OF CERTAIN ANIMALS, BIRDS, AND POULTRY, AND CERTAIN ANIMAL, BIRD, AND POULTRY PRODUCTS; REQUIREMENTS FOR MEANS OF CONVEYANCE AND SHIPPING CONTAINERS**

1. The authority citation for part 93 continues to read as follows:

**Authority:** 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

#### **§ 93.308 [Amended]**

2. In § 93.308, paragraph (a)(2) is amended by removing “Qatar;”.

Done in Washington, DC, this 21st day of December 1999.

**Craig A. Reed,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 00–219 Filed 1–4–00; 8:45 am]

**BILLING CODE 3410–34–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 99–SW–91–AD; Amendment 39–11493; AD 99–27–12]

**RIN 2120–AA64**

#### **Airworthiness Directives; Agusta S.p.A. Model A109A and A109A II Helicopters**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to Agusta Model A109A and A109A II helicopters, that currently requires, before further flight, inspecting any tail rotor blade (blade) with 400 or more hours time-in-service (TIS) for a crack and replacing any cracked blade before further flight. This amendment contains the same requirements as the current AD but corrects the paragraph that requires “replacing any cracked blade with an unairworthy blade.” This amendment is prompted by the need to correct the requirement to mandate

“replacing any cracked blade with an airworthy blade.” The actions specified by this AD are intended to prevent fatigue failure of the blade, loss of the tail rotor, and subsequent loss of control of the helicopter.

**DATES:** Effective January 5, 2000. The incorporation by reference of certain publications listed in the regulations was approved previously by the Director of the Federal Register as of January 4, 2000.

Comments for inclusion in the Rules Docket must be received on or before March 6, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-91-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The service information referenced in this AD may be obtained from Agusta, 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605-222595. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Monschke, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5116, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** On December 9, 1999, the FAA issued AD 99-26-13, Amendment 39-11472, Docket No. 99-SW-64-AD, effective January 4, 2000, to require inspecting any tail rotor blade, part number (P/N) 109-0132-02 (all dash numbers), with 400 or more hours TIS for a crack and replacing any cracked blade with an airworthy blade. That action was prompted by three reports of cracked blades and two reports of separation of a tail rotor gearbox. That condition, if not corrected, could result in fatigue failure of a blade, loss of the tail rotor, and subsequent loss of control of the helicopter.

Agusta S.p.A. issued Bollettino Tecnico 109-110, dated July 28, 1999 (technical bulletin), which supersedes Telegraphic Technical Bulletin 109-5, dated January 27, 1987. The technical bulletin specifies dye-penetrant inspecting any blade, P/N 109-0132-02 (all dash numbers), with 400 or more hours TIS, for a crack before further flight and thereafter at intervals not to

exceed 100 hours TIS. The technical bulletin also specifies visually inspecting each blade before the first flight of each day and replacing any cracked blade. In the technical bulletin, the manufacturer reemphasizes the importance of performing a detailed inspection of the blade by publishing additional procedures and requirements for personnel conducting the inspections. Agusta S.p.A. is attempting to develop an improved blade, which would provide a basis for terminating the inspection requirement.

Since the issuance of that AD, the FAA has discovered that the requirement in paragraph (b) of AD-99-26-13 mandates replacing a cracked blade with an *unairworthy* blade. This was an error. The requirement should mandate that any cracked blade be replaced with an *airworthy* blade.

Since an unsafe condition has been identified that is likely to exist or develop on other Agusta Model A109A and A109A II helicopters of the same type design, this AD supersedes AD 99-26-13, effective January 4, 2000. This AD corrects the mistake in AD 99-26-13 and requires that any cracked blade be replaced with an airworthy blade. This AD also requires dye-penetrant inspecting any blade, P/N 109-0132-02 (all dash numbers), with 400 or more hours TIS, for a crack before further flight and thereafter at intervals not to exceed 100 hours TIS. Also, this AD requires visually inspecting each blade before the first flight of each day. The actions are required to be accomplished in accordance with the technical bulletin described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability and structural integrity of the helicopter. Therefore, dye-penetrant inspecting each blade for a crack is required before further flight and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that 54 helicopters will be affected by this AD, that it will take approximately 2.5 work hours to accomplish the inspections, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$48,600 assuming 6 dye penetrant inspections a year.

## Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

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-91-AD.” The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that 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, Incorporation by reference, 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 removing Amendment 39-11472 and by adding a new airworthiness directive (AD), Amendment 39-11493, to read as follows:

**AD 99-27-12 Agusta S.p.A.:** Amendment 39-11493. Docket No. 99-SW-91-AD. Supersedes AD 99-26-13, Amendment 39-11472, Docket No. 99-SW-64-AD.

**Applicability:** Model A109A and A109A II helicopters, with tail rotor blade (blade), part number (P/N) 109-0132-02-all dash numbers, with 400 or more hours time-in-service (TIS), 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 as indicated, unless accomplished previously.

To prevent fatigue failure of a blade, loss of the tail rotor, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, dye-penetrant inspect each blade for a crack in accordance with the Compliance Instructions, Part I, of Agusta S.p.A. Bollettino Tecnico 109-110,

dated July 28, 1999 (technical bulletin). Thereafter, at intervals not to exceed 100 hours TIS, dye-penetrant inspect each blade for a crack in accordance with the Compliance Instructions, Part III, of the technical bulletin. If a crack is found, replace the cracked blade with an airworthy blade before further flight.

(b) Before the first flight each day, visually inspect each blade for a crack using a 3 to 5 power magnifying glass in accordance with the Compliance Instructions, Part II, of the technical bulletin. If a crack is found, replace the cracked blade with an airworthy blade before further flight.

(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, Regulations Group, 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, Regulations Group.

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

(d) Special flight permits will not be issued.

(e) The inspections shall be done in accordance with the Compliance Instructions of Agusta S.p.A. Bollettino Tecnico 109-110, dated July 28, 1999. The incorporation by reference of that document was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of January 4, 2000.

Copies may be obtained from Agusta, 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605-222595. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on January 5, 2000.

**Note 3:** The subject of this AD is addressed in Registro Aeronautico Italiano, Italy, AD 99-325, dated August 2, 1999.

Issued in Fort Worth, Texas, on December 27, 1999.

**Larry M. Kelly,**

*Acting Manager, Rotorcraft Directorate Aircraft Certification Service.*

[FR Doc. 00-17 Filed 1-4-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ACE-54]

#### Amendment to Class E Airspace; Estherville, IA

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends Class E airspace area at Estherville Municipal Airport, Estherville, IA. A review of the Class E Airspace area for Estherville Municipal Airport indicates it does not comply with the criteria for 700 feet Above Ground Level (AGL) airspace required for diverse departures as specified in FAA Order 7400.2D. The Class E airspace has been enlarged to conform to the criteria of FAA Order 7400.2D.

The intended effect of this rule is to provide additional controlled Class E airspace for aircraft operating under Instrument Flight Rules (IFR) and comply with the criteria of FAA Order 7400.2D.

**DATES:** Effective date: 0901 UTC., April 20, 2000.

Comments for inclusion in the Rules Docket must be received on or before February 29, 2000.

**ADDRESSES:** Send comments regarding the rule in triplicate to: Manager, Airspace Branch, Air Traffic Division, ACE-520, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 99-ACE-54, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 revises the Class E airspace at Estherville, IA. A review of the Class E airspace for Estherville Municipal Airport, IA, indicates it does not meet the criteria for 700 feet AGL airspace required for diverse departures as specified in FAA Order 7400.2D. The criteria in FAA Order 7400.2D for an aircraft to reach 1200 feet AGL is based on a standard climb gradient of 200 feet per mile plus the distance from the Airport Reference Point (ARP) to the end of the outermost runway. Any fractional part of a mile is converted to the next higher tenth of a mile. The amendment at Estherville