

Frequency	Field strength (volts per meter)	
	Peak	Average
200 MHz–400 MHz .....	100	100
400 MHz–700 MHz .....	700	50
700 MHz–1 GHz .....	700	100
1 GHz–2 GHz .....	2000	200
2 GHz–4 GHz .....	3000	200
4 GHz–6 GHz .....	3000	200
6 GHz–8 GHz .....	1000	200
8 GHz–12 GHz .....	3000	300
12 GHz–18 GHz .....	2000	200
18 GHz–40 GHz .....	600	200

The field strengths are expressed in terms of peak of the root-mean-square (rms) over the complete modulation period.

The threat levels identified above are the result of an FAA review of existing studies on the subject of HIRF, in light of the ongoing work of the Electromagnetic Effects Harmonization Working Group of the Aviation Rulemaking Advisory Committee.

**Applicability**

As discussed above, these special conditions are applicable to the McDonnell Douglas Model DC–8–71/–73/–73F series airplanes modified by Hollingsead International, Inc. to include the Rockwell Collins FPI–920 liquid crystal flight instruments, ADI and HSI. Should Hollingsead International apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. 4A25 to incorporate the same novel or unusual design features, these special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

**Conclusion**

This action affects only certain novel or unusual design features on the McDonnell Douglas Model DC–8–71/–73/–73F series airplanes modified by Hollingsead International, Inc. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplanes.

The substance of the special conditions has been subjected to the notice and comment period in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not

have been submitted in response to the prior opportunities for comment described above.

**List of Subjects in 14 CFR Part 25**

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

**The Special Conditions**

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the McDonnell Douglas Model DC–8–71/–73/–73F series airplanes modified by Hollingsead International, Inc.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions:* Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on March 27, 2001.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 01–8189 Filed 4–3–01; 8:45 am]

**BILLING CODE 4910–13–U**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 99–NE–21–AD; Amendment 39–12168; AD 2001–07–03]

**RIN 2120–AA64**

**Airworthiness Directives; Hartzell Propeller Inc. Y-Shank Series Propellers**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Hartzell Propeller Inc. Y-shank series propellers, identified by hub serial numbers, that were returned to service by Brothers Aero Services Company, Inc. (BASCO). This AD requires maintenance actions amounting to an overhaul of affected propellers. This amendment is prompted by reports of propellers returned to service by BASCO as overhauled that had numerous unsafe conditions after being returned to service by BASCO. The actions specified by this AD are intended to prevent propeller failure of the propellers returned to service by BASCO, and possible loss of airplane control.

**DATES:** Effective date June 4, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from Hartzell Propeller Inc., Technical Publications Department, One Propeller Place, Piqua, OH 45356; telephone (937) 778–4200, fax (937) 778–4365. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA. The rulemaking docket may be examined at the FAA, New England Region, Office of

the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Tomaso DiPaolo, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, IL 60018; telephone (847) 294-7031, fax (847) 294-7834.

**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 Hartzell Propeller Inc. Y-shank series propellers, identified by hub serial numbers (SN's), that were returned to service by BASCO was published in the **Federal Register** on September 20, 1999 (64 FR 50781).

The FAA examined the results of teardown inspections of six Hartzell Propeller Inc. Y-Shank series propellers returned to service as overhauled by BASCO. Those propellers contained numerous unsafe conditions. BASCO formerly held Air Agency Certificate Number B4TR903J. That certificate was revoked by an Amended Order of Revocation, dated May 12, 1999. The investigation that led to that Order of Revocation revealed that an additional 71 propellers had been returned to service by BASCO from November 1996 through October 1998 that likely have the same unsafe conditions present. The following unsafe conditions have been found in propellers returned to service by BASCO:

- BASCO either introduced or failed to remove potential failure sites (nicks and scratches) in the shank area of the blades,
- BASCO failed to perform a cold rolling operation on propeller blade shanks,
- Scratches were found in the blade internal bearing bore radius,
- Blades were found to be below minimum dimensions,
- Alodine and paint were applied over corrosion on hubs and blades,
- Low pitch blade angles were out of specification,
- The blade surface, beneath the de-ice boots, was not painted nor treated with a chemical conversion coating (Alodine),
- Bolts were incorrectly torqued,
- Wrong parts were used or parts were incorrectly installed,
- Parts intended for removal from service at overhaul and to be replaced with new, unused parts, were reused.

These conditions, if not corrected, could result in propeller failure of the propellers returned to service by BASCO, and possible loss of airplane control.

This AD requires maintenance actions that amount to an overhaul of the affected propellers, identified by hub SN. One of the required actions is a cold rolling operation on the blade shanks, which is part of the manufacturer's recommended overhaul. Not all propeller repair facilities have the equipment to properly perform this operation. Additionally, repair facilities must first be qualified by the manufacturer to perform the process and then repetitively requalify and recalibrate the machine used in the process.

#### Comments Received

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

#### Request for Propeller Model Number Cross Reference to Hub SN's Listed in This AD

Two commenters request that the propeller model number be listed with the corresponding hub SN. One commenter feels that listing the propeller model number will simplify the process of determining whether the propeller is affected by this AD. Another commenter performed a computer search and did not find the AD to be applicable when it was. The FAA agrees in part. Due to the inaccuracies of model identifiers in the repair station documentation, the FAA is unable to delineate specific propeller models without causing greater confusion. In addition, listing all the various propeller models will be too voluminous. However, the applicability paragraph has been rewritten to clarify that the AD applies to the "Y-shank series propellers" identified by hub SN, and by denoting a general model number for the Y-shank series propeller models. Concerning the computer search problems, it is unfortunate that the cumbersome propeller nomenclature system causes difficulties in computer searches. This problem should be directed to the private software company, which may be able to address it in the future.

#### Request To Expand the Applicability to Additional Propellers

Two commenters request that the AD be expanded to mandate that any propeller that was returned to service by BASCO, regardless of manufacturer, be affected by the AD. The commenters believe that the unsafe conditions introduced by BASCO could have been introduced into any propeller they returned to service. The FAA partially

agrees. The FAA is continuing to investigate this concern and will continue to accept comments on this issue. At this point, however, the AD is limited to the denoted propellers, until the FAA has sufficient evidence to support a finding that an unsafe condition is likely to exist on other propellers. If sufficient evidence is found to warrant expanding the applicability to additional propellers, the FAA will revise the AD. It is noted that some of the serial numbers in Table 1 were not recognized by Hartzell, but that the repair station documentation was adequate to substantiate those to be Hartzell propellers with possible partial or fabricated SN's.

#### FAA Determination

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that the changes based upon the above comments will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Economic Impact

The FAA estimates that 77 propellers installed on airplanes of U.S. registry would be affected by this proposed AD and that it would cost on average approximately \$1,300 to overhaul each propeller. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$100,100.

#### Regulatory Impact

This rule does not have federalism implications, as defined in Executive Order 13132, because it does 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this rule.

For the reasons discussed above, I certify that this action (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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy

of it 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 the following new airworthiness directive:

**2001-07-03 Hartzell Propeller Inc.:**

Amendment 39-12168. Docket No. 99-NE-21-AD:

*Applicability.* This AD is applicable to all Hartzell Propeller Inc. Y-shank series propellers and those identified by hub serial numbers (SN's) in Table 1 of this airworthiness directive (AD). The Y-shank series propellers has the letter Y in the model number which can be denoted in general as: ( )HC-( )( )Y( )-( ).

**TABLE 1.—HUB SERIAL NUMBERS**

121, 251, 715, 1111, 1387, 1661, 2383, 2479, 2883, 3059, 3343, 3479, 3717, 3890, 3990, 4690, and 5523
AM911
AN1309, AN2773, AN2826, AN2828, and AN3883
AU42, AU696, AU814, AU992, AU1226, AU1290, AU1416, AU2641, AU2643, AU2658, AU2699, AU2847, AU7186E, AU8364A, AU8418A and AU12997
BP344, BP715, BP1276, BP1772, BP2121, BP3811, BP3763, BP3978, BP5674, BP6126, BP6194, BP7141, BP7297, BP7513, BP8199, BP8708, and BP9586
CH6190 & CH19251
CJ52, CJ54, CJ419, and CJ649
DA1404 and DA1418
DG101
DJ4431, DJ4449, DJ9521A, DJ10407A, DJ11249A, DJ11880A, and DJ11881A
DN3775
DV11 and DV12
FH307 P560

**Note 1:** This AD applies to each propeller 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 propellers 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.

**Note 2:** This AD is limited to propellers returned to service from November 1996 to October 1998 by Brothers Aero Service Company, Inc. (BASCO), Air Agency Certificate Number B4TR903J, revoked by Amended Order of Revocation, dated May 12, 1999.

**Compliance**

Compliance with this AD is required as indicated, unless accomplished previously. To prevent propeller failure of the propellers returned to service by BASCO, and possible loss of airplane control, accomplish the following:

**Required Actions**

- (a) Within 10 hours time-in-service after the effective date of this AD, accomplish the following:
  - (1) Disassemble,
  - (2) Clean,
  - (3) Inspect for the following:
    - (i) Nicks,
    - (ii) Scratches,
    - (iii) Failure of blades to meet minimum dimensions,
    - (iv) Alodine or paint or both applied over corrosion,
    - (v) Lack of chemical conversion coating applied beneath the de-ice boots,
    - (vi) Bolts incorrectly torqued,
    - (vii) Incorrect parts,
    - (viii) Incorrect installation of parts, and
    - (ix) Reinstallation of parts intended for one-time use.

- (4) Repair and replace with serviceable parts, as necessary,
- (5) Perform a cold roll operation on the blade shanks,
- (6) Reassemble and test.

**Note 3:** Information on performing an overhaul of the affected propellers may be found in the applicable Hartzell Propeller Inc. Overhaul Manual.

**Note 4:** For a current list of propeller overhaul facilities approved to perform the blade shank cold rolling procedure contact Hartzell Product Support, telephone: (937) 778-4379. Not all propeller repair facilities have the equipment to properly perform a cold roll of the blade shanks.

**Alternative Methods of Compliance**

(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, Chicago Aircraft Certification Office. Operators shall submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the

Manager, Chicago Aircraft Certification Office.

**Note 5:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago Aircraft Certification Office.

#### Special Flight Permits

(d) Special flight permits may be issued in accordance with §§ 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.

#### Effective Date of This AD

(e) This amendment becomes effective on June 4, 2001.

Issued in Burlington, Massachusetts, on March 27, 2001.

**Diane S. Romanosky,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
[FR Doc. 01-8066 Filed 4-3-01; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 25

[T.D. ATF-437a]

RIN 1512-AC07

#### Delegation of Authority for Part 25

**ACTION:** Treasury Decision, final rule; correction.

**SUMMARY:** This document makes one correction to a final rule published in the **Federal Register** of January 19, 2001, regarding delegation of authorities contained in part 25, title 27 Code of Federal Regulations (CFR).

**DATES:** This rule is effective January 19, 2001.

**FOR FURTHER INFORMATION CONTACT:** Robert Ruhf, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 (202-927-8210).

#### SUPPLEMENTARY INFORMATION:

#### Background

The Bureau of Alcohol, Tobacco and Firearms (ATF) published a document in the **Federal Register** of January 19, 2001 (66 FR 5477). The words "regional director (compliance)" in the last sentence of § 25.284(d) should have been changed to "appropriate ATF officer". This document corrects this error.

#### Correction

In rule FR Doc. 01-1164 published on January 19, 2001, make the following correction:

On page 5480, in the second column, the third and last sentences of § 25.284(d) are corrected to read as follows:

#### § 25.284 Adjustment of Tax.

\* \* \* \* \*

(d) *Beer lost, destroyed or rendered unmerchantable.*

\* \* \* A brewer may not make an adjustment prior to notification required under § 25.282(e). When beer appears to have been lost due to theft, the brewer may not make an adjustment to the tax return until establishing to the satisfaction of the appropriate ATF officer that the theft occurred before removal from the brewery and occurred without connivance, collusion, fraud, or negligence on the part of the brewer, consignor, consignee, bailee, or carrier, or the employees or agents of any of them.

\* \* \* \* \*

Signed: March 29, 2001.

**Bradley A. Buckles,**  
*Director.*

[FR Doc. 01-8261 Filed 4-2-01; 8:45 am]

**BILLING CODE 4810-31-P**

## DEPARTMENT OF JUSTICE

### 28 CFR Part 16

[AAG/A Order No. 224-2001]

#### Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** The Department of Justice is exempting a Privacy Act system of records from subsections (c)(3) and (4), (d), (e)(1), (e)(2), (e)(4)(G) and (H), (e)(5), (f), and (g) of the Privacy Act, 552 U.S.C. 552a. This system of records is maintained by the Executive Office for United States Attorneys and the ninety-four United States Attorneys' offices (see Appendix identified as Justice/USA-999, last published February 3, 1993 (58 FR 6983), and posted on the internet website of the Executive Office for United States Attorneys at <http://www.usdoj.gov/eousa>). The system is entitled, "United States Attorneys' Office, *Giglio* Information Files, JUSTICE/USA-018." The "United States Attorneys' Office, *Giglio* Information Files, JUSTICE/USA-018" enables United States Attorneys' offices to maintain and disclose records of

potential impeachment information received from the Department's investigative agencies, in accordance with *Giglio v. United States*, 405 U.S. 150 (1972). It permits the United States Attorneys' offices to obtain from federal and state agencies and to maintain and disclose for law enforcement purposes records of impeachment information that is material to the defense. The exemptions are necessary as explained in the accompanying rule.

**EFFECTIVE DATE:** April 4, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mary Cahill, 202-307-1823.

**SUPPLEMENTARY INFORMATION:** On December 1, 2000, (65 FR 75201) a proposed rule was published in the **Federal Register** in an invitation to comment. No comments were received.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby stated that the order will not have "a significant economic impact on a substantial number of small entities."

#### List of Subjects in 28 CFR Part 16

Administrative Practices and Procedures, Courts, Freedom of Information Act, Government in the Sunshine Act, and the Privacy Act.

Dated: March 29, 2001.

**Stephen R. Colgate,**

*Assistant Attorney General for Administration.*

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, 28 CFR part 16 is amended as follows:

#### PART 16—[AMENDED]

1. The authority for part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

2. Section 16.81 is amended by redesignating current paragraph (g) as (i) and adding paragraphs (g) and (h) to read as follows:

#### § 16.81 Exemption to the United States Attorneys Systems—limited access.

\* \* \* \* \*

(g) The *Giglio* Impeachment Files (JUSTICE/USA-018) system of records is exempt from 5 U.S.C. 552a subsections (c)(4), (e)(2), (e)(5), and (g) of the Privacy Act, pursuant to 5 U.S.C. 552a(j)(2), and exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G) and (H), and (f), pursuant to 5 U.S.C. 552a(j)(2) and (k)(2). These exemptions apply to the