

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain Lockheed Model L-1011-385 series airplanes. That action would have required the replacement of the flap position indicator with an improved flap position indicator. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data that indicate that currently there are adequate annunciation provisions and crew procedures to safely detect and accommodate slat drive failures. Accordingly, the proposed rule is withdrawn.

FOR FURTHER INFORMATION CONTACT:

Hector Hernandez, Aerospace Engineer, Systems and Flight Test Branch, ACE-116A, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone (770) 703-6069; fax (770) 703-6097.

SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to certain Lockheed Model L-1011-385 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on June 17, 1998 (63 FR 33019). The proposed rule would have required the replacement of the flap position indicator with an improved flap position indicator. That action was prompted by a report indicating that an airplane landed at an excessive sink rate and sustained substantial structural damage when the leading edge slats failed to extend for landing and the flightcrew failed to increase airspeed in response, due to inadequate annunciation of the slat failure. The proposed actions were intended to prevent such inadequate annunciation, which could result in the flightcrew being unaware when the leading edge slats fail to extend properly; such failure could result in reduced stall margins, and consequent reduced controllability of the airplane.

Actions That Occurred Since the NPRM Was Issued

Since the issuance of that NPRM, the FAA has received numerous comments from operators claiming that there are adequate annunciation provisions and crew procedures currently in place. The manufacturer and operators have identified three separate locations that

show the position of the slats on Model L-1011 series airplanes:

1. A slat monitor panel at the flight engineer's station displays the position of each of the fourteen individual slat panels by illuminating when each slat reaches the fully extended position, as determined by proximity sensors in each slat's drive mechanism. This slat monitor panel also displays the angular position of both the right and left slat drive trains on a dial-type indicator.

2. A green "LE EXT" annunciation on the flap/slat position indicator on the center instrument panel illuminates when the slats reach the fully extended, 30-degree deflection.

3. Two slat drive fault indicators indicate that the slat drive has been inhibited.

Most but not all slat drive failure modes are detected and actively annunciated by the slat drive fault indicators. Any failure that inhibits the slat travel prior to full extension is clearly indicated on the slat monitor panel and flap/slat position indicator by the "no indication of slat extension" indicator. Current crew procedures call for the flight engineer to check and confirm slat extension prior to landing. To require the production and installation of approximately 180 shipsets of modified indicators (to accommodate the worldwide fleet), which have not been manufactured in more than 15 years, does not is not necessary in light of the additional indications already in place. While the modified indicators do improve slat drive position awareness by actively annunciating the lack of slat extension, currently there are adequate annunciation provisions and crew procedures to safely detect and accommodate slat drive failures.

FAA's Conclusions

Upon further consideration, the FAA has determined that mandating the installation of modified indicators is not necessary or justifiable because current annunciation provisions and crew procedures are adequate to address the identified unsafe condition. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action in the future, nor does it commit the agency to any course of action in the future.

Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive

Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 98-NM-36-AD, published in the **Federal Register** on June 17, 1998 (63 FR 33019), is withdrawn.

Issued in Renton, Washington, on October 2, 2001.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01-25185 Filed 10-5-01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 70

[AR-13-1-7526b; FRL-7072-3]

Clean Air Act Full Approval of Operating Permits Program and Approval and Promulgation of Implementation Plans; State of Arkansas; New Source Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes full approval of the Operating Permit Program of the State of Arkansas and to also approve this rule as it pertains to the State Implementation Plan. In the final rules section of this **Federal Register**, EPA is approving the State's submission as a direct final rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no relevant adverse comments. An explanation for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments will be addressed in a subsequent final rule based on this proposed action. The EPA will not institute a second comment period on this action. Any parties interested in commenting should do so at this time.

DATES: Comments on this proposed action must be received in writing on or before November 8, 2001.

ADDRESSES: Written comments on this action should be addressed to Ms. Jole C. Luehrs, Chief, Air Permits Section (6PD-R), at the EPA Region 6 Office listed below. Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

EPA, Region 6, Air Permits Section (6PD-R), 1445 Ross Avenue, Dallas, Texas 75202-2733.

Arkansas Department of Environmental Quality, Division of Air Pollution Control, 8001 National Drive, P.O. Box 8913, Little Rock, Arkansas 72219-8913.

Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Daron Page, EPA, Region 6, at (214) 665-7222.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule which is published in the final rules section of this **Federal Register**.

Dated: September 20, 2001.

Gregg A. Cooke,

Regional Administrator, Region 6.

[FR Doc. 01-24901 Filed 10-5-01; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[WV-T5-2001-02b; FRL-7074-1]

Clean Air Act Approval of Operating Permit Program Revisions; West Virginia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve revisions to the operating permit program of the State of West Virginia. West Virginia's operating permit program was submitted in response to the Clean Air Act (CAA) Amendments of 1990 that required States to develop, and submit to EPA, programs for issuing operating permits to all major stationary sources and to certain other sources within the States' jurisdiction. The EPA granted final interim approval of West Virginia's operating permit program on November 15, 1995. West Virginia has revised its operating permit program since receiving interim approval and

this action proposes to approve those revisions. In the Final Rules section of this **Federal Register**, EPA is approving the State's operating permit program as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

DATES: Comments must be received in writing by November 8, 2001.

ADDRESSES: Written comments should be mailed to Ms. Makeba Morris, Chief, Permits and Technical Assessment Branch, Mailcode 3AP11, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103 and West Virginia Department of Environmental Protection, Office of Air Quality, 1558 Washington Street, East Charleston, West Virginia, 25311.

FOR FURTHER INFORMATION CONTACT: David Campbell, (215) 814-2196, or by e-mail at campbell.dave@epa.gov.

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action, with the same title, that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: September 25, 2001.

Donald S. Welsh,

Regional Administrator, Region III.

[FR Doc. 01-24712 Filed 10-5-01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-2209, MM Docket No. 01-246, RM-10230]

Radio Broadcasting Services; Asherton, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Jeraldine Anderson proposing the allotment of Channel 284A at Asherton, Texas, as that community's first local FM service. The coordinates for Channel 284A at Asherton are 28-22-58 and 99-45-00. There is a site restriction 6.8 kilometers (4.2 miles) south of the community. Since Asherton is located within 320 kilometers of the U.S.-Mexican border, concurrence of the Mexican Government will be requested for the allotment at Asherton.

DATES: Comments must be filed on or before November 13, 2001, and reply comments on or before November 27, 2001.

ADDRESSES: Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Jeraldine Anderson, 1702 Cypress Drive, Irving, Texas 75061.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-246, adopted September 12, 2001 and released September 21, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center 445 Twelfth Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Qualex International Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission