

Committee Act and 5 U.S.C. Section 552b(c)(9).

Requests for further information on the meeting should be directed to Ms. Sally Cochran, International Relations Officer, Office of Marine Conservation (OES/OMC), Room 5806, U.S. Department of State, Washington, DC 20520-7818. Ms. Cochran can be reached by telephone on (202) 647-1073 or by FAX (202) 736-7350.

Dated: October 5, 2001.

**Mary Beth West,**

*Deputy Assistant Secretary for Oceans and Fisheries, Department of State.*

[FR Doc. 01-26397 Filed 10-18-01; 8:45 am]

**BILLING CODE 4710-09-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. OST-01-10380]

#### **Hazardous Materials: Knowledge Required for Civil Penalty Enforcement Proceedings; Postponement of Public Meeting and Extension of Comment Period**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Postponement of public meeting and extension of comment period.

**SUMMARY:** Due to exigencies following the events of September 11, 2001, DOT is postponing a public meeting that had been scheduled for November 14, 2001 and extending the comment period to February 28, 2002. The purpose of the public meeting was to solicit comments for consideration by DOT in developing additional guidance as to when a reasonable person, offering, accepting, or transporting a hazardous material in commerce would be deemed to have knowledge of facts giving rise to a violation of the Federal Hazardous Materials law or the Hazardous Materials regulations.

**DATES:** Written comments must be received by February 28, 2002.

**ADDRESSES:** Submit comments to the Dockets Management System, U.S. Department of Transportation, Room PL 401, 400 Seventh Street SW, Washington, DC 20590-0001.

Comments should identify Docket Number OST-01-10380 and be submitted in two copies. You may also submit comments by e-mail by accessing the DOT Dockets Management System website at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** LCDR Thomas Sherman, Intermodal Hazardous Materials Program, Office of Intermodalism, U.S. Department of Transportation, 400 Seventh Street SW,

Washington, DC 20590. Telephone (202) 366-5846; E-Mail:

*Tom.Sherman@ost.dot.gov.*

**SUPPLEMENTARY INFORMATION:** On August 15, 2001, at the request of industry, we published a notice announcing plans to host a public meeting to solicit comments for consideration by DOT in developing additional guidance as to when a reasonable person, offering, accepting, or transporting a hazardous material in commerce would be deemed to have knowledge of facts giving rise to a violation of the Federal Hazardous Materials law or the Hazardous Materials regulations, 66 FR 42909. Due to exigencies following the events of September 11, 2001, DOT has received a request from the Air Transport Association to postpone the meeting. DOT agrees and hereby postpones the meeting that had been scheduled for November 14, 2001. DOT intends to reschedule a public meeting on the same topic in 2002. We are also extending the comment period to February 28, 2002.

Issued in Washington, DC on October 15, 2001.

**Jackie A. Goff,**

*Director, Intermodal Hazardous Materials Program, Office of Intermodalism.*

[FR Doc. 01-26465 Filed 10-18-01; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Aviation Rulemaking Advisory Committee; Air Carrier and General Aviation Maintenance Issues—New Tasks**

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

**ACTION:** Notice of new tasks assigned to the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** The FAA has assigned two new tasks to the Aviation Rulemaking Advisory Committee. The tasks are related to aeronautical repair station regulations. The first task involves evaluating the current system of ratings and classes for aeronautical repair stations and, if appropriate, recommending a new system. The second task involves evaluating the current requirements for quality assurance programs for aeronautical repair stations and recommending whether the FAA should include such systems in the regulations. The Committee has elected to work these tasks itself rather than establish working groups to develop recommendations.

#### **FOR FURTHER INFORMATION CONTACT:**

James J. Ballough, Manager, Continuous Airworthiness Maintenance Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-3546.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The FAA established the Aviation Rulemaking Advisory Committee to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities with respect to aviation-related issues. The Committee addresses a wide range of aviation issues. The committee will address these tasks under Air Carrier and General Aviation Maintenance Issues.

On July 30, 2001, the FAA issued a final rule that revised part 145 of Title 14 of the Code of Federal Regulations (66 FR 41088). In Notice of Proposed Rulemaking No. 99-09 (64 FR 33142; June 21, 1999), the FAA proposed a new system of rating and classes and solicited comments on requirements for a quality assurance program for aeronautical repair stations. Commenters overwhelmingly objected to these proposals. The FAA is seeking advice and recommendations from the Committee before promulgating additional rulemaking on these topics.

#### **Task 1—Repair Station Ratings System Recommendations**

##### *Task Summary*

Recommend a system to rate aeronautical repair stations that mitigates problems associated with the existing system of ratings and accommodate the growth of the aviation industry.

##### *Committee Activity*

- Review the existing system of ratings and classes contained in the current part 145 and any other documents issued by the FAA pertaining to aeronautical repair stations.
- Review comments submitted to FAA in response to the public meetings held in 1989 and the system of ratings proposed in June 1999 in Notice No. 99-09.
- Review challenges reported by Aviation Safety Inspectors (ASIs) under the existing system of ratings.
- Identify the challenges that aeronautical repair stations encounter under the existing system of rating and classes, including those pertaining to:
  - Current business practices that are not regulated that may require some form of control;

- Provisions in the current regulation that prevent repair stations from performing desired business practices; and
- Enforcement problems associated with the current regulations.
- Draft a Technical Report that—
- Presents a review of the existing system of ratings and classes;
- Identifies various options for rating systems;
- Identifies the advantages and disadvantages of each option;
- Provides economic information for each of the alternative rating systems; and
- Recommends a preferred system of ratings.

### Task 2—Repair Station Quality Assurance Program Recommendations

#### Task Summary

Recommend a quality assurance program that reflects the industry requirements of aeronautical repair stations and accounts for the varying scope of repair station operations.

#### Committee Activity

- Review the discussion about quality assurance in the June 1999 Notice of Proposed Rulemaking (Notice No. 99-09).
- Review comments relating to quality assurance submitted to FAA in response to the public meetings held in 1989 and the quality assurance program requirements proposed in Notice No. 99-09.
- Review current industry practices relating to quality assurance issues to—
- Identify quality assurance systems currently used by some repair stations, and
- Analyze the elements of the systems used by the aviation industry.
- Develop a Technical Report that—
- Presents a review of regulatory requirements that comprise a quality assurance program;
- Identifies various options for regulating quality assurance programs;
- Identifies the advantages and disadvantages of each option;
- Provides information on the economic impacts of applying a quality assurance system to various segments of the repair station industry; and
- Recommends a preferred quality assurance program/system.

Delivery Date: The Committee must complete this task by February 28, 2002.

#### ARAC Acceptance of Task

The Committee has accepted these tasks and elected not to establish working groups to assist in analyzing these tasks because the tasks are time critical.

The new tasks and a plan for accomplishing these tasks will be discussed at the next meeting on Air Carrier and General Aviation Maintenance Issues. The Committee may be required to meet every 4 to 6 weeks to accomplish the tasks within the scheduled completion date. Meeting attendance is open to the interested public but space may be limited. The FAA will arrange teleconference capability for individuals wishing to participate in meetings if we receive notification within the time specified in each notice of meeting.

The Secretary of Transportation determined that the information and use of the ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Issued in Washington DC, on October 15, 2001.

#### James Ballough,

*Assistant Executive Director, Air Carrier and General Aviation Maintenance Issues, Aviation Rulemaking Advisory Committee.*

[FR Doc. 01-26460 Filed 10-18-01; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Guidance on Instructions for Continued Airworthiness (ICA)

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

**ACTION:** Request for comments on withdrawal of policy memoranda, clarification of regulatory intent, and implementation guidance.

**SUMMARY:** The FAA invites public comment on its intent to rescind two policy memoranda issued in 1982 and 1983 regarding ICA submittals, and to clarify that ICA are required for all design approvals applied for after January 28, 1981, per Title 14, Code of Federal Regulations (CFR), section 21.50(b). Lastly, a six-point implementation plan is included.

**DATES:** Comments must be received by November 19, 2001.

**FOR FURTHER INFORMATION CONTACT:** Ruth Harder, FAA, Aircraft Certification Service, Aircraft Engineering Division, Delegation and Airworthiness Programs Branch, AIR-140, ARB Room 304, 6500 S. MacArthur Boulevard, Oklahoma City, Oklahoma 73169; telephone: (405) 954-7073; fax: (405) 954-4104; e-mail [ruth.harder@faa.gov](mailto:ruth.harder@faa.gov).

**SUPPLEMENTARY INFORMATION:**

#### Comments Invited

The FAA invites interested parties to comment on this notice. Comments should identify the subject, and be submitted to the address specified under **FOR FURTHER INFORMATION CONTACT**. The FAA will consider all comments received by the closing date before issuing final guidance.

#### Background

The FAA Aircraft Certification Service (AIR) has recently had several certification projects in which the applicability of the requirement to develop Instructions for Continuing Airworthiness (ICA) was a matter of contention. The FAA staff wanted clarity as to whether 14 CFR 21.50(b) requires ICA for supplemental type certificates (STCs) for products for which the original type certificate (TC) was applied for before January 28, 1981. The language of 14 CFR 21.50(b) is clear, stating, in relevant part:

The holder of a design approval, including either the type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, shall furnish at least one set of complete Instructions for Continued Airworthiness \* \* \*

Both STCs and amended TCs (ATCs) are design approvals. Under 14 CFR 21.50(b), all STCs and ATCs for which application was filed after January 28, 1981, must provide ICA. This is regardless of the date of application for the original TC.

FAA's AIR predecessor, the Office of Airworthiness, issued memoranda dated August 3, 1982 and August 8, 1983. Both stated that:

14 CFR 21.50(b) applies only to type certification, supplemental type certification, and amended type certification projects, whose original certification basis includes a requirement for ICA as amended on September 11, 1980 (effective January 28, 1981).

The 1983 memorandum further states that a project to amend 14 CFR 21.50(b) was initiated to reflect this interpretation. An amendment was never issued. These memoranda have sometimes been relied on as a basis for not requiring ICA for some STC projects.

#### FAA Policy

FAA legal counsel has determined that these memoranda did not change the plain meaning of 14 CFR 21.50(b). The 1982 and 1983 memoranda are hereby rescinded. AIR's policy is to require adherence to 14 CFR 21.50(b) by submittal of ICA for all design approvals (TC, STC, and ATC) for which application is made after January 28, 1981.