

(B) New licenses for export to the person described above of MTCR Annex-controlled equipment or technology controlled pursuant to the Arms Export Control Act will be denied for two years; and

(C) No new United States Government contracts relating to MTCR Annex-controlled equipment or technology involving the person described above will be entered into for two years.

With respect to items controlled pursuant to the Export Administration Act of 1979, the export sanctions only apply to exports made pursuant to individual export licenses.

Additionally, because North Korea is a country with a non-market economy that is not a former member of the Warsaw pact (as referenced in the definition of "person" in section 74(8)(B) of the Arms Export Control Act), the following sanctions shall be applied to all activities of the North Korean government relating to the development or production of missile equipment or technology and all activities of the North Korean government affecting the development or production of electronics, space systems or equipment, and military aircraft:

(A) New individual licenses for export to the government activities described above of MTCR Annex-controlled equipment or technology controlled pursuant to the Arms Export Control Act will be denied for two years; and

(B) No new U.S. Government contracts relating to MTCR Annex-controlled equipment or technology involving the government activities described above will be entered into for two years.

These measures shall be implemented by the responsible departments and agencies of the United States Government as provided in Executive Order 12851 of June 11, 1993.

Dated: August 20, 2002.

**Susan F. Burk,**

*Acting Assistant Secretary of State for Nonproliferation, Department of State.*

[FR Doc. 02-21671 Filed 8-22-02; 8:45 am]

**BILLING CODE 4710-25-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending August 16, 2002

The following applications for certificates of public convenience and necessity and foreign air carrier permits were filed under subpart B (formerly subpart Q) of the Department of Transportation's procedural regulations (*See* 14 CFR 301.201 *et seq.*). The due date for answers, conforming applications, or motions to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2002-13159.

*Date Filed:* August 16, 2002.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* September 6, 2002.

*Description:* Application of Valley Air Express, Inc., pursuant to 49 U.S.C. Section 41738 and Subpart B, requesting authority to operate scheduled passenger service as a commuter air carrier.

**Andrea M. Jenkins,**

*Federal Register Liaison.*

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**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Advisory Circular 43-L39, L-39 Albatross Military Jet Recommended Inspection Program and Overhaul Times

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

**ACTION:** Notice of availability of proposed Advisory Circular; extension of comment period.

**SUMMARY:** This notice announces the extension of the comment period on proposed Advisory Circular (AC) 43-L39, L-39 Albatross Military Jet Recommended Inspection Program and Overhaul Times. The proposed AC provides a recommended inspection program and overhaul times for L-39 Albatross aircraft issued experimental

airworthiness certificates for the purpose of exhibition. This AC provides a means, but not the only means, of addressing the inspections and overhaul times for the purpose of complying with continued airworthiness requirements specified in an aircraft's operating limitations. This notice is necessary to give all interested persons the opportunity to present their views on the proposed AC.

**DATES:** Comments must be received on or before November 21, 2002.

**ADDRESSES:** Send all comments on the proposed AC to: Federal Aviation Administration, Continuous Airworthiness Maintenance Division (Attention: AFS-305), 800 Independence Avenue SW., Washington, DC 20591, or electronically to *William.O'Brien@faa.gov*.

**FOR FURTHER INFORMATION CONTACT:** Bill O'Brien, AFS-305, at the address above, by e-mail at *William.O'Brien@faa.gov*, or telephonically at (202) 267-3796.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The proposed AC is available on the FAA Web site at <http://www.faa.gov/avr/afs/acs/ac-idx.htm>, under AC No. 43-L39. Interested persons are invited to comment on the proposed AC by submitting such written data, views, or arguments as they may desire. Please identify AC 43-L39, L-39 Albatross Military Jet Recommended Inspection Program and Overhaul Times, and submit comments, either hard copy or electronic, to the appropriate address listed above. Comments may be inspected at the above address between 9 a.m. and 4 p.m. weekdays, except Federal holidays.

##### Background

The L-39 Albatross aircraft is an all metal, two place, tandem, military jet training aircraft. Almost 3000 L-39 aircraft have been manufactured in the Czech Republic by Aero Vodochody and the aircraft currently constitutes the most numerous former military jet trainer imported into the United States civilian aircraft market. There are currently over 110 registered L-39 aircraft operating in the United States. Additionally, almost 200 L-39 aircraft are undergoing repairs and alterations in the United States in preparation for the issuance of airworthiness certificates.

L-39 aircraft registered in the United States have been issued experimental certificates for the purpose of exhibition. In conjunction with the issuance of experimental certificates for the purpose of exhibition, the Administrator issues operating

limitations under Title 14, Code of Federal Regulations (14 CFR) 91.319. These operating limitations have required the aircraft to be inspected in accordance with a specified program. Applicants for experimental exhibition airworthiness certificates, however, have experienced difficulty in developing or obtaining acceptable inspection programs for L-39 aircraft. This has resulted in a lack of standardization in the inspection programs used to support these aircraft and has significantly increased the time required for these aircraft to obtain airworthiness certification. The FAA therefore has developed the recommended aircraft inspection program specified in this proposed AC. Making this program available to applicants should encourage standardization in the scope and detail of inspection programs referenced in operating limitations and facilitate the issuance of airworthiness certificates to operate L-39 aircraft for the purpose of exhibition.

The FAA recognizes that the manufacturer's inspection program did not originally contemplate civilian operation of the aircraft for the purpose of exhibition and therefore is specifically requesting comments on the scope of the program for civilian application and that portion of the program pertaining to ejection seat inspection. The FAA is particularly interested in comments on how the manufacturer's engine overhaul times can be extended and comments that include more detailed procedures for performing L-39 ejection seat and canopy inspections.

Use of the recommended inspection program and compliance with recommended overhaul times should provide a uniform level of safety for operators of these aircraft while simultaneously streamlining the process for airworthiness certification.

Issued in Washington, DC, on August 19, 2002.

**Louis C. Cusimano,**

*Deputy Director, Flight Standards Service.*

[FR Doc. 02-21578 Filed 8-22-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent to Rule on Application 02-06-C-00-MOT to Impose and Use the Revenue from a Passenger Facility Charge (PFC) at Minot International Airport, Minot, ND

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

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Minot International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before September 23, 2002.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Bismarck Airports District Office, 2301 University Drive Building 23B, Bismarck, North Dakota 58504.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Michael Ryan, Airport Director, City of Minot, North Dakota at the following address: Minot International Airport, 25 Airport Road, Suite 10, Minot, North Dakota 58701-1457.

Air Carriers and foreign air carriers may submit copies of written comments previously provided to the City of Minot, North Dakota under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steven J. Obenauer, Manager, Bismarck Airports District Office, 2301 University Drive, Building 23B, Bismarck, North Dakota 58504, (701) 323-7380. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Minot International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 23, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Minot was substantially complete within the requirements of section 185.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 26, 2002.

The following is a brief overview of the application.

*Proposed charge effective date:* March 26, 2003.

*Proposed charge expiration date:* June 13, 2011.

*Level of the proposed PFC:* \$4.50.

*Total estimated PFC revenue:* \$2,432,182.

*Brief description of proposed projects:*

(1) Runway 13-31 reconstruction, Runway 13-31 and Taxiway C translation and extension, association taxiway reconstruction, (2) land aviation easements, (3) friction measuring equipment, (4) install airport perimeter fencing and associated outflow attenuation structures, (5) preparation of PFC amendment (\$3.00 to \$4.50), (6) preparation of PFC application, (7) snow removal, (8) construct 48-inch storm sewer. Class or classes of air carriers which the public agency has requested not be required to collect PFCs: air taxi/commercial operator (ATCO) filing FAA Form 1800-31. Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Minot, North Dakota—Airport Director's office at the Minot International Airport.

Issued in Des Plaines, Illinois on August 9, 2002.

**Mark McClardy,**

*Manager, Planning and Programming Branch, Airports Division, Great Lakes Region.*

[FR Doc. 02-21577 Filed 8-22-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Denial of Motor Vehicle Defect Petition

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Denial of petition for a defect investigation.

**SUMMARY:** This notice sets forth the reasons for the denial of a petition submitted by Mr. William H. Muzzy III, dated January 23, 2001, to NHTSA under 49 U.S.C. 30162, requesting that the agency commence a proceeding to determine the existence of a defect related to motor vehicle safety in model year 1990 through 1995 Toyota 4Runner vehicles. After a review of the petition and other information, NHTSA has concluded that further expenditure of