

develop in aircraft that have a SAFT P/N 021929-000 (McDonnell Douglas P/N 43BO34LB02) or P/N 021904-000 (McDonnell Douglas P/N 43BO34LB03) nickel cadmium battery installed, the FAA is proposing AD action. The proposed AD would require replacing all battery terminal screws, verifying that the battery contains design specification cells, and replacing the cells if the battery contains non-design specification cells. Accomplishment of the proposed actions would be in accordance with the previously referenced service information.

Cost Impact

The FAA estimates that 1,004 aircraft in the U.S. registry could have at least one of the affected batteries installed and would be affected by the proposed AD, that it would take approximately 16 workhours per aircraft to accomplish the proposed actions, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$78 per battery (two batteries per aircraft = \$156). Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$1,120,464, or \$1,116 per aircraft if all aircraft have two batteries installed.

Compliance Time of the Proposed AD

The unsafe condition specified by the proposed AD is caused by corrosion. Corrosion can occur regardless of whether the aircraft is in operation or is in storage. Therefore, to assure that the unsafe condition specified in the proposed AD does not go undetected for a long period of time, the compliance is presented in calendar time instead of hours time-in-service (TIS).

Regulatory Impact

The regulations proposed herein would not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting 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.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 a new airworthiness directive (AD) to read as follows:

Saft America Inc.: Docket No. 97-CE-116-AD.

Applicability: Part Number (P/N) 021929-000 (McDonnell Douglas P/N 43BO34LB02) and P/N 021904-000 (McDonnell Douglas P/N 43BO34LB03) Nickel Cadmium Batteries that are installed on, but not limited to, McDonnell Douglas DC-9 and MD-80 aircraft, all serial numbers, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision that incorporates one of the affected batteries, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For aircraft 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 at the next scheduled battery maintenance that occurs 3 calendar months after the effective date of this AD or within the next 15 calendar months after the effective date of this AD, whichever occurs first, unless already accomplished.

To prevent the battery from shorting out or exploding if the heads of fasteners become sheared off, which could result in loss of emergency power to electrical flight components or other emergency power systems required in the event of loss of the

aircraft primary power source, accomplish the following:

(a) Replace all battery terminal screws, verify that the battery contains design specification cells, and replace the cells if the battery contains non-design specification cells. Accomplish these actions in accordance with the INSTRUCTIONS section of SAFT Aviation Batteries Mandatory Service Bulletin Document No. A00027, Rev F, dated January 15, 1998.

(b) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta Aircraft Certification Office.

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to SAFT America Inc., 711 Industrial Boulevard, Valdosta, Georgia 31601; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on February 23, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-5203 Filed 2-27-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-CE-141-AD]

RIN 2120-AA64

Airworthiness Directives; Industrie Aeronautiche e Meccaniche Rinaldo Piaggio S.p.A. Model P-180 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Industrie Aeronautiche e Meccaniche Rinaldo Piaggio S.p.A. (Piaggio) Model

P-180 airplanes. The proposed action would require modifying the low pitch stop switch support. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Italy. The actions specified by the proposed AD are intended to prevent low pitch stop switch support displacement, which if not corrected, could result in an improper cockpit indication that the propeller is in the Beta range and cause loss of control of the airplane.

DATES: Comments must be received on or before April 10, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-141-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Industrie Aeronautiche e Meccaniche Rinaldo Piaggio S.p.A., Via Cibrario, 4 16154 Genoa, Italy. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. David O. Keenan, Project Officer, FAA, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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

proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-CE-141-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-141-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Registro Aeronautico Italiano (R.A.I.), which is the airworthiness authority for Italy, notified the FAA that an unsafe condition may exist on certain Piaggio Model P-180 airplanes. The R.A.I. reports that the low pitch stop switch support may come loose in these airplanes. The activating rod of the low pitch stop switch is supported at one end by a steel bushing. It is possible for the bushing to enlarge, which would allow rotation and displacement of the activating rod. This condition, if not corrected, could result in an improper cockpit indication as to whether or not the propeller is in the Beta range and possibly cause loss of control of the airplane.

Relevant Service Information

Piaggio has issued Service Bulletin No. SB-80-0080, dated July 3, 1997, which specifies procedures for modifying the low pitch stop switch support by installing a retaining plate that locks the steel bushing in place.

The R.A.I. classified this service bulletin as mandatory and issued Italian AD 97-217, dated July 28, 1997, in order to assure the continued airworthiness of these airplanes in Italy.

The FAA's Determination

This airplane model is manufactured in Italy and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the R.A.I. has kept the FAA informed of the situation described above.

The FAA has examined the findings of the R.A.I., reviewed all available information, including the service information referenced above, and

determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Piaggio Model P-180 airplanes of the same type design registered in the United States, the proposed AD would require modifying the low pitch stop switch support. Accomplishment of the proposed modification would be in accordance with Piaggio Service Bulletin No. SB-80-0080, dated July 3, 1997.

Cost Impact

The FAA estimates that 5 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 6 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$100.00 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$2,300 or \$460 per airplane.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting 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.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 a new airworthiness directive (AD) to read as follows:

Industrie Aeronautiche E Meccaniche Rinaldo Piaggio S.P.A.: Docket No. 97-CE-141-AD.

Applicability: Model P-180 airplanes (serial numbers 1001, 1002, 1004, and 1006 through 1033), certificated in any category.

Note 1: This AD applies to each airplane 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 airplanes 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 within the next 150 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent low pitch stop switch support displacement, which if not corrected, could result in an improper cockpit indication that the propeller is in the Beta range and cause loss of control of the airplane, accomplish the following:

(a) Modify the low pitch stop switch support in accordance with I.A.M. Rinaldo Piaggio Service Bulletin No. SB-80-0080; Original Issue: July 3, 1997.

(b) Special flight permits may be issued in accordance with sections 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) Questions or technical information related to Piaggio Service Bulletin No. SB-80-0080, dated July 3, 1997, should be directed to I.A.M. Rinaldo Piaggio S.p.A., Via Cibrario, 4 16154 Geona, Italy. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Note 3: The subject of this AD is addressed in Italian AD 97-217, dated July 28, 1997.

Issued in Kansas City, Missouri, on February 23, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-5202 Filed 2-27-98; 8:45 am]

BILLING CODE 4910-13-U

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

15 CFR Part 2004

Proposed Revisions to the Agency's Freedom of Information Act Regulations

AGENCY: The Office of the United States Trade Representative.

ACTION: Proposed rule.

SUMMARY: This document sets forth proposed revisions of the Office of the United States Trade Representative's ("USTR") regulations under the Freedom of Information Act (FOIA). The proposed revisions reflect the principles established by President Clinton and Attorney General Reno in their FOIA Policy Memoranda of October 4, 1993. The proposed regulations also reflect updated cost figures to be used in calculating and charging fees. Additionally, the proposed regulations contain new provisions implementing the Electronic Freedom of Information Act Amendments of 1996.

DATES: Submit comments on or before April 1, 1998.

ADDRESSES: Address all comments concerning this proposed rule to Elizabeth Hyman, Office of the General Counsel, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Hyman at (202) 395-3432.

SUPPLEMENTARY INFORMATION: This document sets forth proposed revisions of the Office of the United States Trade Representative's regulations under the Freedom of Information Act.

New provisions implementing the Electronic Freedom of Information Act

Amendments of 1996 are found at § 2004.3(c)(4) (electronic reading room), § 2004.6 (timing of response), § 2004.5(b) and § 2004.13(c) (deletion marking), § 2004.5(c)(2) (volume estimation), § 2004.3(b)(2) and § 2004.8(b)(3) (format of disclosure), and § 2004.8(b)(8) (electronic searches). For specific sections and subsections implementing the regulations implementing the Electronic Freedom of Information Act Amendments of 1996, the following effective dates apply:

Section 2004.3(c)(4)—electronic reading room—November 1, 1997

Section 2004.6(d), (e), and (f)—processing requests under unusual circumstances, multi-track systems, and with expedited treatment—October 2, 1997; and

Section 2004.5(c)(2)—Volume estimation—October 2, 1997.

Regulatory Flexibility Act

The United States Trade Representative, in accordance with the Regulatory Flexibility Act (5 U.S.C. 606(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant impact on a substantial number of small entities. This is because costs assessed by USTR will be nominal. Under the Freedom of Information Act, agencies may recover only the direct costs for searching for, reviewing, and duplicating the records processed for requesters. Further, the "small entities" that make FOIA requests, as compared with individual requesters and other requesters, are relatively few in number.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, Sec. 1(b), Principles of Regulation. The Office of Management and Budget has determined that this rule is a "significant regulatory action" under Executive Order 12866, Sec. 3(f), Regulatory Planning and Review, and accordingly this rule has been reviewed by that office.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.