

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 copy of the final evaluation prepared for this action is contained 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, Incorporation by reference, 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 USC 106(g), 40113, 44701.

##### **§39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

97-08-02 **Schempp-Hirth K.G.:**

Amendment 39-9990; Docket No. 96-CE-19-AD.

**Applicability:** The following sailplane models and serial numbers, certificated in any category:

Models and Serial numbers:

Standard-Cirrus—all serial numbers.

Nimbus-2 and Nimbus-2B—all serial numbers.

Mini-Nimbus HS-7 and Mini-Nimbus B—serial numbers 1 to 159.

Discus a and Discus b—serial numbers 1 to 446.

**Note 1:** This AD applies to each sailplane 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 sailplanes 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 (f) 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 as indicated in the body of this AD, unless already accomplished.

To prevent corrosion in the elevator caused by water entering the elevator control rod, which could result in elevator failure and subsequent loss of control of the sailplane, accomplish the following:

(a) Prior to further flight after the effective date of this AD, accomplish a load test of the elevator control system in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note.

**Note 2:** Sections 61.107 (d)(1) and 61.127 (d)(1) of the Federal Aviation Regulations (14 CFR 61.107 (d)(1) and 14 CFR 61.127 (d)(1)) give the authorization for glider/sailplane operators to disassemble and reassemble the elevator control system (for storage purposes between flights). The "prior to further flight after the effective date of this AD" compliance time in paragraph (a) of this AD was established to coincide with the next reassembly of the elevator control system.

(b) If any discrepancies are found during the load test required by paragraph (a) of this AD, prior to further flight, replace the elevator vertical actuating tube in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note.

(c) Within the next six calendar months after the effective date of this AD, unless already accomplished (performing the actions in paragraph (b) of this AD), replace the elevator vertical actuating tube in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note.

(d) The elevator control system load test as required by paragraph (a) of this AD may be performed by the sailplane owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.11 of the Federal Aviation Regulations (14 CFR 43.11).

(e) 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 sailplane to a location where the requirements of this AD can be accomplished.

(f) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 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 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be

obtained from the Small Airplane Directorate.

(g) The load test and replacement required by this AD shall be done in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Schempp-Hirth Flugzeugbau GmbH, Kребenstrasse 25, Postfach 1443, D-73230 Kirchheim/Teck, Germany. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment (39-9990) becomes effective on May 30, 1997.

Issued in Kansas City, Missouri, on April 1, 1997.

**Henry A. Armstrong,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 97-8836 Filed 4-7-97; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 97-ASO-6]

#### Amendment of Class E2 Airspace; Brunswick Malcolm-McKinnon Airport, GA

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment modifies the Class E2 airspace at Brunswick Malcolm-McKinnon Airport, GA from continuous to part time, as the required weather observations for Class E2 surface area airspace have been reduced from 24 to 16 hours a day. Therefore, the Class E2 airspace must be amended to reflect its part time status. During the times the Class E2 surface area airspace is not effective, the airspace below 700 feet AGL becomes Class G, uncontrolled airspace. A NOTAM establishing the effective days and times of this airspace will be issued. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

**DATES:** *Effective Date:* 0901 UTC, July 17, 1997. *Comment Date:* Comments must be received on or before May 19, 1997.

**ADDRESSES:** Send comments in triplicate to: Federal Aviation Administration, Docket No. 97-ASO-6, Manager, Operations Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

**FOR FURTHER INFORMATION CONTACT:** Benny L. McGlamery, Operations Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments on the Rule

Although this action is a final rule, which involves modifying the Class E2 surface area airspace at the Brunswick Malcolm-McKinnon Airport, GA, from continuous to part time, comments are invited on the rule. This rule will become effective on the date specified in the **DATES** section. However, after the review of any comments and, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and in determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the rule that might suggest the need to modify the rule.

##### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies Class E2 surface area airspace at Brunswick Malcolm-McKinnon Airport, GA, from continuous to part time.

This action lessens the impact on users of this airspace. Class E2 airspace designations are published in Paragraph 6002 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996. The Class E2 airspace designation listed in this document will be published subsequently in the Order.

Under the circumstances presented, the FAA concludes that there is an immediate need to modify the Class E2 airspace at the Brunswick Malcolm-McKinnon Airport, GA, from continuous to part time, to ensure that users of this airspace will be able to

comply with appropriate federal regulations governing non-controlled airspace. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

##### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

##### PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

*Paragraph 6002 Class E airspace areas designated as a surface area for an airport.*

\* \* \* \* \*

##### ASO GA E2 Brunswick Malcolm-McKinnon Airport, GA [Revised]

Brunswick, Malcolm-McKinnon Airport, GA (Lat. 31°09'08" N, long. 81°23'29" W)

McKinnon NDB

(Lat. 31°09'13" N, long. 81°23'22" W)

Glynco Jetport

(Lat. 31°15'33" N, long. 81°27'58" W)

Within a 4-mile radius of Malcolm-McKinnon Airport and within 3 miles each side of the 221° and 032° bearings from the McKinnon NDB and extending from the 4-mile radius to 7 miles southwest and

northeast of the NDB. This Class E airspace area is effective during the days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in College Park, Georgia, on March 24, 1997.

**Wade T. Carpenter,**

*Acting Manager, Air Traffic Division, Southern Region.*

[FR Doc. 97-8615 Filed 4-7-97; 8:45 am]

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 23

#### Guides for the Jewelry, Precious Metals, and Pewter Industries

**AGENCY:** Federal Trade Commission.

**ACTION:** Final guides.

**SUMMARY:** The Federal Trade Commission (the "Commission") announces that it has concluded a review of Section 23.7 of the Guides for the Jewelry, Precious Metals, and Pewter Industries ("the Guides"), 16 CFR Part 23. Section 23.7 of the Guides addresses claims about platinum products. In a separate **Federal Register** Notice ("FRN"), dated May 30, 1996, the Commission announced revisions to other sections of the Guides.<sup>1</sup> That FRN did not change the section regarding platinum products, but instead requested additional comments on possible revisions to that section.<sup>2</sup> The Commission has now revised the section to simplify it and to bring its guidance into closer accord with international standards.

**EFFECTIVE DATE:** April 8, 1997.

**ADDRESSES:** Requests for copies of this document should be sent to the Public Reference Branch, Room 130, Federal Trade Commission, Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Constance M. Vecellio, Attorney, (202) 326-2966, or Robin P. Rosen, Attorney, (202) 326-3740, Division of Enforcement, Federal Trade Commission, Washington, DC 20580.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Commission is revising section 7 of the Guides for the Jewelry, Precious Metals, and Pewter Industries, 16 CFR 23.7, as described in detail below. The Commission published an FRN

<sup>1</sup> 61 FR 27178 *et seq.* (May 30, 1996).

<sup>2</sup> 61 FR 27224 (May 30, 1996).