

(g) This amendment becomes effective on July 2, 1999.

Issued in Renton, Washington, on May 20, 1999.

D.L. Riggin, Acting Manager,

Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-13483 Filed 5-27-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-ANE-19-AD; Amendment 39-11179; AD 99-11-08]

RIN 2120-AA64

Airworthiness Directives; General Electric Aircraft Engines CF34 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to General Electric Aircraft Engines (GE) CF34 series turbofan engines, that requires installation of a main fuel control (MFC) that incorporates a flange vent groove and installation of an MFC with improved overspeed protection. This amendment is prompted by reports of rapid uncommanded engine acceleration events. The actions specified by this AD are intended to prevent uncommanded engine accelerations, which could result in an engine overspeed, uncontained engine failure, and damage to the airplane.

DATES: *Effective date:* July 27, 1999. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 27, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from GEAE Technical Publications, Attention: N. Hanna MZ340M2, 1000 Western Avenue, Lynn, MA 01910; telephone (781) 594-2906, fax (781) 594-0600. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman Brown, Controls Specialist, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA

01803-5299; telephone (781) 238-7181, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to General Electric Aircraft Engines (GE) CF34 series turbofan engines was published in the **Federal Register** on September 18, 1998 (63 FR 49877). That action proposed to require, within 800 hours time in service (TIS), or 120 days after the effective date of this AD, whichever occurs first, installation of an MFC incorporating a flange vent groove. In addition, the action proposed to require installation of an MFC with improved overspeed protection: for CF34-3A1 and -3B1 series engines, installed on Canadair Regional Jet airplanes, within 4,000 hours TIS after the effective date of this AD, or 24 months after the effective date of this AD, whichever occurs first; and for CF34-1A, -3A, -3A1, -3A2, and -3B series engines, installed on Canadair Challenger airplanes, at the next hot section inspection, or within 60 months after the effective date of this AD, whichever occurs first. The actions are required to be accomplished in accordance with GE CF34 Alert Service Bulletin (ASB) No. A73-18, Revision 1, dated September 24, 1997; CF34 ASB No. A73-32, Revision 2, dated May 29, 1998; CF34 ASB No. A73-33, Revision 1, dated May 29, 1998; and CF34 ASB No. A73-19, Revision 1, dated February 20, 1998.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public.

Since the publication of the notice of proposed rule making (NPRM), GE has issued Revision 2, dated May 29, 1998, to ASB A73-32 that added effectivity information to the Planning Information section of ASB A73-32. GE has also issued Revision 1, dated May 29, 1998 to ASB 73-33 that added effectivity information to the Planning Information section of ASB A73-33. The ASB revisions have not affected the technical or economic content of this proposed AD. We have added the updated ASB revisions to paragraphs (a), (b)(1), and (b)(2) of the compliance section of this AD. GE has implemented the vent groove and improved overspeed protection design changes in new MFC's. In addition, we have made editorial changes to the compliance section of this AD to improve readability and to remove ambiguity. We changed the requirement "with a flange vent groove reworked in

accordance with" in paragraph (a) to "with a flange vent groove modified in accordance with." We made the change so that you are not restricted to installing only reworked MFC's, and to allow you to install a new MFC with the design improvements. We added the base part number 6078T55 of the MFC to each of the POX numbers to remove any ambiguity over the MFC's that must be replaced. We changed the requirement "Install a reworked MFC with improved overspeed protection" in paragraph (b) to "Install a serviceable MFC with improved overspeed protection." We made the change to allow you to install a new MFC that incorporates the improved overspeed protection design change, and so you are not restricted to installing only reworked MFC's. We added the word "within" to the requirements of paragraphs (b)(1), (b)(2), and (b)(3) to allow you to perform the actions before reaching the specified calendar times after the effective date of the AD. We removed the new MFC P/N's from paragraphs (b)(1), (b)(2), and (b)(3) and changed "install MFC" to "install a serviceable MFC." We removed the P/N's so that you will not have to request an alternate method of compliance in accordance with paragraph (d) of this AD if a new MFC P/N is certificated for use on the applicable engines. We also added a new paragraph (c) that defines a serviceable MFC.

After careful review of the available data, including the changes noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The regulations adopted herein will 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 final rule does 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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

99-11-08 General Electric Aircraft

Engines: Amendment 39-11179. Docket 98-ANE-19-AD.

Applicability: General Electric Aircraft Engines (GE) CF34-1A, CF34-3A, -3A1, -3A2, and CF34-3B and -3B1 series turbofan engines, installed on but not limited to Bombardier, Inc. Canadair airplane models CL-600-2A12, -2B16, and -2B19.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (d) 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, unless accomplished previously.

To prevent uncommanded engine accelerations, which could result in an engine overspeed, uncontained engine failure, and damage to the airplane, accomplish the following:

(a) For all CF34-3A1 -3B, and -3B1 engines, with main fuel control (MFC) part numbers (P/N's) 6078T55P02, 6078T55P03, 6078T55P04, 6078T55P05, 6078T55P06, 6078T55P07, 6078T55P08, 6078T55P09, or 6078T55P10 installed, within 800 hours time in service (TIS), or 120 days after the effective date of this AD, whichever occurs first, install an MFC with a flange vent groove modified in accordance with the Accomplishment Instructions of GE CF34 Alert Service Bulletin (ASB) No. A73-18, Revision 1, dated September 24, 1997, or CF34 ASB No. A73-32, Revision 1, dated September 24, 1997, or Revision 2, dated May 29, 1998, as applicable.

(b) Install a serviceable MFC with improved overspeed protection as follows:

(1) For all CF34-1A, -3A, and -3A2 series engines, install a serviceable MFC at the next hot section inspection, or within 60 months after the effective date of this AD, whichever occurs first, in accordance with step 2A through step 2G of the Accomplishment Instructions of CF34 ASB No. A73-33, dated November 21, 1997, or Revision 1, dated May 29, 1998.

(2) For CF34-3A1, and -3B series engines installed on Canadair aircraft models CL601

or CL604 (Challenger airplanes), install a serviceable MFC at the next hot section inspection, or within 60 months after the effective date of this AD, whichever occurs first, in accordance with step 2A through step 2G of the Accomplishment Instructions of CF34 ASB No. A73-33, dated November 21, 1997, or Revision 1, dated May 29, 1998.

(3) For CF34-3A1 and -3B1 series engines installed on Canadair aircraft model CL601RJ (Regional Jet airplanes), install a serviceable MFC within 4,000 hours TIS after the effective date of this AD, or within 24 months after the effective date of this AD, whichever occurs first, in accordance with step 2A through step 2G of the Accomplishment Instructions of CF34 ASB No. A73-19, Revision 1, dated February 20, 1998.

(c) For the purposes of this AD, a serviceable MFC is defined as a new MFC that incorporates the improved overspeed protection modifications, or an MFC that has been reworked to provide the improved overspeed protection as provided by the applicable GE ASB.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

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

(e) Special flight permits may be issued in accordance with §§ 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.

(f) The MFC replacement must be done in accordance with the following General Electric Aircraft Engines alert service bulletins:

Document No.	Pages	Revision	Date
A73-18	All	1	September 24, 1997.
A73-19	All	1	February 20, 1998.
A73-32	All	1	September 24, 1997.
A73-32	All	2	May 29, 1998.
A73-33	All	Original	November 21, 1997.
A73-33	All	1	May 29, 1998.

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 GEAE Technical Publications, Attention: N. Hanna MZ340M2, 1000 Western Avenue, Lynn, MA 01910; telephone (781) 594-2906, fax (781) 594-0600. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(g) This amendment becomes effective on July 27, 1999.

Issued in Burlington, Massachusetts, on May 17, 1999.

David A. Downey,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 738 and 740

[Docket No. 990318078-9078-01]

RIN 0694-AB89

Addition of Macau to the Export Administration Regulations

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) in preparation of the return of the Portuguese Colony of Macau (Macau) to the sovereignty of the People's Republic of China (PRC) on December 20, 1999. This final rule adds Macau as a separate destination on the Commerce Country Chart for export licensing purposes.

DATES: This rule is effective May 28, 1999.

FOR FURTHER INFORMATION CONTACT: James A. Lewis, Office of Strategic Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482-4196.

SUPPLEMENTARY INFORMATION: This final rule adds Macau as a distinct destination on the Commerce Country Chart for export licensing purposes. Specifically, this rule amends the EAR in the following ways:

1. In Supplement No. 1 to part 738 of the EAR, Macau is added to the Commerce Country Chart. As noted on the Chart, licensing requirements for exports and reexports to Macau are imposed on items subject to the EAR

controlled for the following reasons: chemical and biological weapons, nuclear nonproliferation, national security, missile technology, regional stability, and crime control.

2. In § 740.7 of the EAR, Macau is listed under Computer Tier 3 for License Exception CTP purposes. Exporters are reminded to consult § 742.12 regarding license requirements on high performance computers for Computer Tier 3 destinations.

3. In Supplement No. 1 to part 740, Macau is added to Country Groups D:1, D:3, and D:4.

Note that a Statement of Ultimate Consignee and Purchaser (Form BXA 711) may be required for exports of items under a license. See part 748 of the EAR for end-use certificate requirements.

This action is taken consistent with the provisions of the Export Administration Act (EAA) and after consultation the Secretary of State. BXA submitted a foreign policy report to the Congress indicating the imposition of new foreign policy controls on May 20, 1999.

Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR, and to the extent permitted by law, the provisions of the EAA, as amended, in Executive Order 12924 of August 19, 1994, as extended by the President's notices of August 15, 1995 (60 FR 42767), August 14, 1996 (61 FR 42527) August 13, 1997 (62 FR 43629) and August 13, 1998 (63 FR 44121).

Savings Clause

Shipments of items no longer eligible for NLR authorization, or items which now require NDAA notification, as a result of this regulatory action that were on deck for loading, on lighter, laden aboard an exporting carrier, or en route aboard a carrier to a port of export before June 11, 1999, may be exported up to and including June 25, 1999. Any such items not exported before midnight June 25, 1999, will require an export license or NDAA notification in accordance with this regulation.

Rule Making Requirements

1. This final rule has been determined to be significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act, unless that collection of

information displays a current valid OMB Control Number. This regulation involves collections previously approved by the Office of Management and Budget under control numbers 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of 45 minutes per manual submission and 40 minutes per electronic submission. Miscellaneous and recordkeeping activities account for 12 minutes per submission. In addition, information is also collected under OMB control number 0694-0107, "National Defense Authorization Act," Advance Notifications and Post-Shipment Verification reports.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. The provisions of the Administrative Procedure Act requiring notice of proposed rule making, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military or foreign affairs function of the United States (see 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rule making and an opportunity for public comment be given for this rule. Because a notice of proposed rule making and opportunities for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable. Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Frank J. Ruggiero, Office of Exporter Services, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, D.C. 20044.

List of Subjects

15 CFR Part 738

Administrative practice and procedure, Exports, Foreign trade.

15 CFR Part 740

Administrative practice and procedure, Exports, Foreign trade, Reporting and recordkeeping requirements.

Accordingly, parts 738 and 740 of the Export Administration Regulations (15 CFR Parts 730-774) are amended as follows:

1. The authority citation for 15 CFR part 738 continues to read as follows: