

### Alternative Methods of Compliance

(b) 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

### Special Flight Permits

(c) 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.

**Note 3:** The subject of this AD is addressed in French airworthiness directive 98-537-124(B), dated December 30, 1998.

Issued in Renton, Washington, on June 22, 1999.

**D.L. Riggins,**

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

[FR Doc. 99-16328 Filed 6-25-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NM-102-AD]

RIN 2120-AA64

### Airworthiness Directives; Dornier Model 328-100 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Dornier Model 328-100 series airplanes. This proposal would require a revision to the FAA-approved Airplane Flight Manual (AFM) to prohibit in-flight operation of the auxiliary power unit (APU). This proposal also would require inspection of the APU fire extinguisher discharge cartridge for corrosion, and replacement of the discharge cartridge with a new cartridge, if necessary; and modification of the fire extinguishing system tube assembly. Accomplishment of these actions would terminate the AFM revision. This proposal is promoted by

issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to detect and correct contamination of the APU fire extinguisher discharge cartridge, which could result in operational failure of the APU fire extinguisher.

**DATES:** Comments must be received by July 28, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-102-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Fairchild Dornier, Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 277-1149.

#### 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 shall 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 summarizing 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 Number 99-NM-102-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-102-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain Dornier Model 328-100 series airplanes. The LBA advises that, during maintenance of a Dornier Model 328-100 series airplane, the auxiliary power unit (APU) fire extinguisher could not be activated due to contamination of the discharge cartridge with fluids. The existing design of the fire extinguishing system does not allow for adequate fluid drainage. This condition, if not corrected, could result in operational failure of the APU fire extinguisher.

#### Explanation of Relevant Service Information

Dornier has issued Alert Service Bulletin (ASB-328-26-026, dated February 1, 1999, which describes procedures for prohibiting in-flight operation of the APU until accomplishment of an inspection of the APU fire extinguisher discharge cartridge and modification of the fire extinguishing system tube assembly. The service bulletin also describes procedures for inspection of the APU fire extinguisher discharge cartridge for corrosion, and replacement of the discharge cartridge with a new cartridge, if necessary; and modification of the fire extinguishing system tube assembly. The modification involves drilling a drain hole in the deepest point of the fire extinguishing system tube assembly. Accomplishment of the actions specified in the Dornier service bulletin is intended to adequately address the identified unsafe condition. The LBA classified this service bulletin as mandatory and issued German airworthiness directive 1999-057, dated February 24, 1999, in order to assure the continued airworthiness of these airplanes in Germany.

#### FAA's Conclusions

This airplane model is manufactured in Germany and is type certified for

operation in the United States under the provisions of § 21.219 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LBA has kept the FAA informed of this situation described above. The FAA has examined the findings of the LBA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously. The proposed AD also would require a revision to the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to prohibit in-flight operation of the APU.

### Cost Impact

The FAA estimates that 46 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 1 work hour per airplane to accomplish the proposed revision to the AFM, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the AFM revision proposed by this AD on U.S. operators is estimated to be \$2,760, or \$60 per airplane.

It would take approximately 1 work hour per airplane to accomplish the proposed inspection and modification, at an average labor rate is \$60 per work hour. Based on these figures, the cost impact of the inspection and modification proposed by this AD on U.S. operators is estimated to be \$2,760, or \$60 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

### 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 proposed regulation (1) is not a "significantly regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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 the following new airworthiness directive:

**Dornier Luftfahrt GmbH:** Docket 99-NM-102-AD.

**Applicability:** Model 328-100 series airplanes, as listed in Dornier Alert Service Bulletin ASB-328-26-026, dated February 1, 1999, 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 as indicated, unless accomplished previously.

To detect and correct contamination of the auxiliary power unit (APU) fire extinguisher discharge cartridge, which could result in operational failure of the APU fire extinguisher, accomplish the following:

### Airplane Flight Manual Revision

(a) Within 10 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Dornier 328-100 Airplane Flight Manual (AFM), Supplement 001, to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

"In-flight operation of the APU is prohibited."

### Inspection and Modification

(b) Within 2 months after the effective date of this AD, accomplish the actions specified in paragraphs (b)(1) and (b)(2) of this AD in accordance with Dornier Alert Service Bulletin ASB-328-26-026, dated February 1, 1999. After accomplishment of those actions, the AFM revision required by paragraph (a) of this AD may be removed, except as provided by paragraph (b)(1)(ii) of this AD.

(1) Inspect the APU fire extinguisher discharge cartridge for signs of corrosion.

(i) If no corrosion is detected, prior to further flight, clean and dry the discharge cartridge for re-installation.

(ii) If any corrosion is detected, prior to further flight, replace the discharge cartridge with a new part; except, if a new part is not available, the discharge cartridge may be re-installed and the AFM revision required by paragraph (a) of this AD may NOT be removed.

(2) Modify the fire extinguishing system tube assembly by drilling a drain hole.

### Alternative Methods of Compliance

(c) 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(d) 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.

**Note 3:** The inspection, replacement, and modification requirements of this AD are addressed in German airworthiness directive 1999-057, dated February 24, 1999.

Issued in Renton, Washington, on June 22, 1999.

**D.L. Riggin,**

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

[FR Doc. 99-16327 Filed 6-25-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**Proposed Modification of the Salt Lake City Class B Airspace Area, UT; Public Meetings**

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

**ACTION:** Notice of public meetings.

**SUMMARY:** This notice announces three fact-finding informal airspace meetings. The purpose of these meetings is to provide interested parties an opportunity to present views, recommendations, and comments on the proposal to modify the Salt Lake City Class B Airspace Area. All comments received during these meetings will be considered prior to any revision or issuance of a notice of proposed rulemaking.

**DATES:** *Meetings.* These informal airspace meetings will be held on Thursday, August 26, at 7:00 pm; Wednesday, September 1, at 7:00 pm; and Thursday, September 16, at 7:00 pm. Comments must be received on or before October 31, 1999.

**ADDRESSES:** On August 26, 1999, the meeting will be held at the Ogden-Hinckley Airport in the Terminal Building Lobby; the September 1 meeting will be held at Utah Valley State College, Science Building Room 202, Orem, UT; and the September 16 meeting will be held at the Westminster College, Gore School of Business Auditorium 1840 South 1300 East, Salt Lake City, UT.

*Comments:* Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ANM-500, Federal Aviation Administration, 1601 Lind Avenue, Renton, WA 98055-4056.

**FOR FURTHER INFORMATION CONTACT:** George Orr, Air Traffic Division, ANM-520, FAA, Northwest Mountain Regional Office, telephone (425) 227-2530.

**SUPPLEMENTARY INFORMATION:**

**Meeting Procedures**

(a) These meetings will be informal in nature and will be conducted by a representative of the FAA Northwest

Mountain Region. A representative from the FAA will present a formal briefing on the proposed airspace classification changes. Each participant will be given an opportunity to deliver comments or make a presentation.

(b) These meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter.

(d) These meetings will not be adjourned until everyone on the list has had an opportunity to address the panel.

(e) Position papers or other handout material relating to the substance of these meetings will be accepted. Participants wishing to submit handout material should present three copies to the presiding officer. There should be additional copies of each handout available for other attendees.

(f) These meetings will not be formally recorded.

**Agenda for the Meetings**

Opening Remarks and Discussion of Meeting Procedures.

Briefing on Background for Proposals.

Public Presentations.

Closing Comments.

Issued in Washington, DC, on June 22, 1999.

**Joseph C. White,**

*Acting Manager, Airspace and Rules Division.*

[FR Doc. 99-16406 Filed 6-25-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**14 CFR Part 254**

[Docket No. OST-1996-1340, formerly Docket 41690]

RIN 2105-AC07

**Domestic Baggage Liability**

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

**ACTION:** Supplemental Notice of Proposed Rulemaking (SNPRM).

**SUMMARY:** The Department is proposing to amend its rule governing the amount to which certain U.S. air carriers may limit their liability to passengers for lost, damaged, and delayed baggage in interstate and overseas air transportation. This action continues the proceeding initiated by a petition

from Public Citizen and Aviation Consumer Action Project to increase the minimum domestic baggage liability limit. This SNPRM reports and evaluates aggregate baggage data submitted by certain air carriers in response to the Department's 1994 NPRM and responds to comments received from various parties subsequent to the issuance of the NPRM. DOT now requests comment on raising the minimum liability limit to \$2,500 with a mechanism that would provide for periodic updates every two years.

**DATES:** Comments are requested by August 27, 1999; late-filed comments will be considered only to the extent practicable.

**ADDRESSES:** Address comments to the Dockets Management System, U.S. Department of Transportation, 400 Seventh Street, SW., PL-401, Washington, D.C. 20590-0001. Comments should identify the docket number and two copies should be submitted. Persons wishing to receive confirmation of receipt of their written comments should include a self-addressed, stamped postcard. The Dockets Management System is located on the Plaza level of the Nassif Building at the Department of Transportation at the above address. Public dockets may be reviewed there between the hours of 9:30 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. Comments also may be reviewed on-line at the DOT Dockets Management System web site, <http://dms.dot.gov/>.

**FOR FURTHER INFORMATION CONTACT:** Joanne Petrie, Office of Regulation and Enforcement, Office of General Counsel, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590, (202) 366-9306.

**SUPPLEMENTARY INFORMATION:**

**Background**

Lost, damaged and delayed baggage ranks as one of the top sources of aviation consumer complaints filed with the Department of Transportation and is a major source of consumer dissatisfaction. In the Air Travel Consumer Report published by the Department, major U.S. air carriers reported the following number of domestic mishandled-baggage reports per year:

Year	Number of mishandled baggage reports
1993 .....	2,282,903
1994 .....	2,321,524
1995 .....	2,227,599