

**Special Flight Permits**

(g) 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 4:** The subject of this AD is addressed in French airworthiness directive 98-150-246(B), dated April 8, 1998.

Issued in Renton, Washington, on October 15, 1999.

**D.L. Riggins,**

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

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 99-NM-254-AD]

RIN 2120-AA64

**Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes**

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

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

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain Airbus Model A319, A320, and A321 series airplanes, that currently requires relocation of the engine/master 1 relay from relay box 103VU to shelf 95VU in the avionics bay. This action would continue to require the relocation using new electrical contacts, and, for certain airplanes, would add a requirement to replace certain contacts installed in shelf 95VU during relocation of the relay with new contacts. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent a simultaneous cutoff of the fuel supply to both engines, which could result in a loss of engine power and consequent reduced controllability of the airplane.

**DATES:** Comments must be received by November 22, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-254-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00

p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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) 227-1149.

**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-254-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-254-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

On September 14, 1998, the FAA issued AD 98-20-10, amendment 39-10777 (63 FR 50492, September 22, 1998), applicable to certain Airbus

Model A319, A320, and A321 series airplanes, to require relocation of the engine/master 1 relay from relay box 103VU to shelf 95VU in the avionics bay. That action was prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The requirements of that AD are intended to prevent a simultaneous cutoff of the fuel supply to both engines, which could result in a loss of engine power and consequent reduced controllability of the airplane.

**Actions Since Issuance of Previous Rule**

Since the issuance of that AD, the Direction Generale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has advised that the airplane manufacturer discovered that a number of the modification kits referenced in the service bulletin contained incorrect contact parts.

**Explanation of Relevant Service Information**

Airbus has issued Service Bulletin A320-24-1092, Revision 03, dated September 16, 1998. The modification procedures described in this service bulletin are essentially identical to those described in Airbus Service Bulletin A320-24-1092, dated March 26, 1997; Revision 01, dated December 24, 1997; and Revision 02, dated March 9, 1998; which were referenced in AD 98-20-10 as appropriate sources of service information. However, Revision 03 of the service bulletin includes new modification kit numbers and, for airplanes modified in accordance with the original issue, Revision 01, or Revision 02 of the service bulletin, describes procedures for replacement of the contacts on lines 20 through 23 in shelf 95VU with new contacts. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The DGAC classified Revision 03 of this service bulletin as mandatory and issued French airworthiness directive 1999-263-134(B), dated June 30, 1999, in order to assure the continued airworthiness of these airplanes in France.

**FAA's Conclusions**

These airplane models are manufactured in France and are 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 supersede AD 98-20-10 to continue to require relocation of the engine/master 1 relay from relay box 103VU to shelf 95VU in the avionics bay. This proposed AD would add a requirement to replace certain contacts installed in shelf 95VU during relocation of the relay, with new contacts. The actions would be required to be accomplished in accordance with Revision 03 of the service bulletin described previously.

#### Explanation of Applicability

The applicability of AD 98-20-10 specifies airplanes on which Airbus Modification 26065 (reference Airbus Service Bulletin A320-24-1092, Revision 01, dated December 24, 1997) has not been accomplished. As described above, this proposed AD would require additional action for airplanes modified in accordance with the original issue, Revision 01, or Revision 02 of the service bulletin. Therefore, the FAA has revised the applicability statement of this proposed AD to specify that this AD would apply to airplanes listed in Revision 03 of the service bulletin.

#### Cost Impact

There are approximately 120 airplanes of U.S. registry that would be affected by this proposed AD.

The modification that is currently required by AD 98-20-10, and retained by this proposed AD, takes approximately 61 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$209 or \$961 per airplane, depending on the modification kit purchased. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be as low as \$3,869 per airplane, or as high as \$4,621 per airplane.

Should an operator be required to accomplish the replacement of certain contacts that is proposed in this AD action, it would take approximately 2

work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the proposed replacement on U.S. operators is estimated to be \$120 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or 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 "significant 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 removing amendment 39-10777 (63 FR

50492, September 22, 1998), and by adding a new airworthiness directive (AD), to read as follows:

**Airbus Industrie:** Docket 99-NM-254-AD. Supersedes AD 98-20-10, Amendment 39-10777.

**Applicability:** Model A319, A320, and A321 series airplanes; as listed in Airbus Service Bulletin A320-24-1092, Revision 03, dated September 16, 1998; 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 prevent a simultaneous cutoff of the fuel supply to both engines, which could result in a loss of engine power and consequent reduced controllability of the airplane, accomplish the following:

#### Modification

(a) Within 18 months after October 27, 1998 (the effective date of AD 98-20-10, amendment 39-10777), relocate the engine/master 1 relay (11QG) from relay box 103VU to shelf 95VU in the avionics bay, in accordance with Airbus Service Bulletin A320-24-1092, dated March 26, 1997; Revision 01, dated December 24, 1997; Revision 02, dated March 9, 1998; or Revision 03, dated September 16, 1998. After the effective date of this AD, only Revision 03 shall be used.

(b) For airplanes on which Airbus Service Bulletin A320-24-1092, dated March 26, 1997; Revision 01, dated December 24, 1997; or Revision 02, dated March 9, 1998; has been accomplished prior to the effective date of this AD: Within 500 flight hours after the effective date of this AD, replace the contacts on lines 20 through 23 in shelf 95VU with new contacts, in accordance with paragraph B.(2)(m) of the Accomplishment Instructions of Airbus Service Bulletin A320-24-1092, Revision 03, dated September 16, 1998.

#### 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.

#### Special Flight Permits

(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 subject of this AD is addressed in French airworthiness directive 1999-263-134(B), dated June 30, 1999.

Issued in Renton, Washington, on October 15, 1999.

**D.L. Riggins,**

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

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 453

#### Funeral Rule Public Workshop Conference

**AGENCY:** Federal Trade Commission.

**ACTION:** Announcement of date of Public Workshop Conference.

**SUMMARY:** The Federal Trade Commission ("FTC" or "Commission") will hold a Public Workshop Conference in connection with the periodic regulatory review of the Commission's Trade Regulation Rule on Funeral Industry Practices, 16 CFR Part 453 (the "Funeral Rule" or the "Rule"), and the comments received in response to the Commission's call for comments on that review.

**DATES:** The Public Workshop Conference will be held on November 18, 1999 at the FTC's Washington, DC headquarters. The Conference will run from 9 a.m. until 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Myra Howard, (202) 326-2047, Division of Marketing Practices, Bureau of Consumer Protection, Federal Commission, Washington, D.C. 20580, or e-mail [funeralrule@ftc.gov](mailto:funeralrule@ftc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission adopted the Funeral Rule on September 24, 1982, and it became fully effective on April 30, 1984.<sup>1</sup> Subsequently, the Funeral Rule was amended as a result of a regulatory review and amendment proceeding begun in 1987; the amended Funeral Rule was published on January 11, 1994, and took effect July 19, 1994.<sup>2</sup> On

May 5, 1999, the Commission again published a request for comment on the Rule, 64 FR 24250 ("FR Notice"), as part of its continuing program of periodic review of all of its trade regulation rules ("Rule Review") to determine their current effectiveness and impact. The FR Notice sought comment on the standard regulatory review questions, such as what are the costs and benefits of the Rule, whether there is a continuing need for the Rule, what changes in the Rule would increase the Rule's benefits to consumers and how these changes would affect compliance costs, and what changes in the marketplace and new technologies may affect the Rule.

The FR Notice also sought comment on several distinct issues: (1) Whether the Commission should amend the Rule by revising its definition of "funeral provider;" (2) Whether the Commission's casket handling fee prohibition has been effective and how it had affected consumers and funeral providers; (3) Whether the Commission should retain the provision that allows one, and only one, non-declinable fee to cover the basic services of the funeral director and staff; and (4) Whether the Commission should add, delete, or revise any of the required disclosures on the General Price List.

The initial deadline for written comments was July 12, 1999, but based on a number of requests from commenters, the deadline was extended until August 11, 1999. 64 FR 35965 (July 2, 1999). In its May 5, 1999 FR Notice regarding the regulatory review of the Funeral Rule, the Commission also stated that FTC staff would conduct a Public Workshop Conference to discuss the written comments received in response to the solicitation of comments pursuant to the Rule Review. The initial deadline to submit a request to participate in the public workshop was July 12, 1999, but was also extended until August 11, 1999.

The Public Workshop Conference, which will be held on November 18, 1999, will afford Commission staff and interested parties an opportunity to discuss openly issues raised during the Rule Review, and, in particular, to examine publicly any areas of significant controversy or divergent opinions that are raised in the written comments. Commission staff will consider the views and suggestions made during the Conference, in conjunction with the written comments, in formulating its final recommendation to the Commission concerning the Funeral Rule.

The Commission staff will select a limited number of parties to represent

the significant interests affected by the Funeral Rule. These parties will participate in an open discussion of the issues. It is contemplated that the selected parties might ask and answer questions based on their respective comments.

In addition, the Conference will be open to the general public. Members of the general public who attend the Conference may have an opportunity to make a brief oral statement presenting their views on issues raised in the rule review process. Oral statements of views by members of the general public will be limited to a few minutes. The time allotted for these statements will be determined on the basis of the time available and the number of persons who wish to make statements. The discussion will be transcribed and placed on the public record. Written submissions of views, or any other written or visual materials, will not be accepted during the Conference.

To the extent possible, Commission staff will select parties to represent the following affected interests: Funeral homes; cemeteries; monument builders; third party sellers of funeral goods; trade organizations; consumer organizations; consumers economists and academicians; Federal, State and local law enforcement and regulatory authorities; and any other interests that Commission staff may identify and deem appropriate for representation.

Parties representing the above-referenced interests will be selected on the basis of the following criteria:

1. The party submitted a comment during the comment period ending on August 11, 1999.

2. The party notified Commission staff in writing or by E-mail of its interest and, if required, authorization to represent an affected interest, on or before August 11, 1999.

3. The party's participation would promote a balance of interests being represented at the Conference.

4. The party's participation would promote the consideration and discussion of a variety of issues raised during the Rule Review process.

5. The party has experience or expertise in activities affected by the Funeral Rule.

6. The party adequately reflects the views of the affected interest(s).

7. The number of parties selected will not be so large as to inhibit effective discussion among them.

The Conference will be facilitated by a Commission staff member. It will be held on November 18, 1999, at the Federal Trade Commission's headquarters, 600 Pennsylvania Ave., NW, Washington, DC 20580. Prior to the

<sup>1</sup> 48 FR 45537.

<sup>2</sup> 59 FR 1592.