

comment period closed. Therefore, FSIS is making the ARS method and results available for public review, evaluation, and comment. A comparison of the results of the dry ash and wet ash procedures is provided in a technical paper available in the FSIS Docket Room and on the FSIS homepage.

#### Information on Economic Effects and Worker Safety Submitted by the Meat Industry

FSIS also invites comment on materials provided by an *ad hoc* committee representing the meat industry on the evolution and application of the meat/bone separation and recovery technology, potential worker safety effects, and the economic effects of provisions in the proposed rule.

The industry's information on worker safety estimates that if the proposed rule were adopted, meat plant employees would choose to revert to using vibrating hand-held knives, and that about 20 percent of meat establishment employees would be likely to experience cumulative trauma disorders.

According to the industry's economic analysis of the likely effects of the 1998 proposal, the estimated cost impact to the meat industry would be approximately \$210 million for plant retro-fitting and reconfiguration, capital cost loss, new labor costs, and yield loss. The cost estimates were based on the assumption that the meat industry would no longer use the advanced meat/bone separation and recovery systems. The industry's report on AMR and the product that is produced emphasizes the efficiency of the technology and its benefits in improving worker safety and suggests that the concerns raised about the 1994 rule, and addressed in our 1998 proposed amendment to that rule, give rise to essentially economic issues, not food safety concerns. FSIS welcomes comment on the industry-supplied materials.

#### Additional Public Notification

FSIS has considered the potential civil rights impact of the AMR rules and proposed amendments on minorities, women, and persons with disabilities. Public involvement in all segments of rulemaking and policy development is important. Consequently, in an effort to better ensure that minorities, women, and persons with disabilities are aware of this rulemaking, and request for further comment, and are informed about the mechanism for providing comments, FSIS will announce it and provide copies of this **Federal Register**

publication in the FSIS Constituent Update.

FSIS provides a weekly Constituent Update, which is communicated via fax to more than 300 organizations and individuals. In addition, the update is available on-line through the FSIS web page located at <http://www.fsis.usda.gov>. The update is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and any other types of information that could affect or would be of interest to our constituents/stakeholders. The constituent fax list consists of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. Through these various channels, FSIS is able to provide information to a much broader, more diverse audience. For more information and to be added to the constituent FAX list, FAX your request to the Congressional and Public Affairs Office, at (202) 720-5704.

Done in Washington, DC, on: December 8, 1999.

Thomas J. Billy,

Administrator.

[FR Doc. 99-32440 Filed 12-15-99; 8:45 am]

BILLING CODE 3410-DM-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-SW-70-AD]

#### Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 407 Helicopters

**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 BHTC Model 407 helicopters. This proposal would require modifying the door latch assemblies on all four crew and passenger doors. This proposal is prompted by an incident that occurred during a manufacturer's flight test, in which a door latch assembly broke, preventing occupants in the helicopter from opening the door. The actions specified by the proposed AD are intended to prevent a door latch rod assembly from disengaging from the door handle and preventing helicopter occupants from opening the door.

**DATES:** Comments must be received on or before February 14, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-70-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas. 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 Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec JON1LO, telephone (800) 463-3036, fax (514) 433-0272. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, Room 663, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:** Sharon Miles, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0110, telephone (817) 222-5122, fax (817) 222-5961.

#### 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 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 No. 98-SW-70-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, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-70-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

### Discussion

Transport Canada, which is the airworthiness authority for Canada, has notified the FAA that an unsafe condition may exist on BHTC Model 407 helicopters. Transport Canada advises that a door latch rod assembly can disengage from the door handle and prevent the helicopter occupants from opening the door.

BHTC has issued Bell Helicopter Textron Alert Service Bulletin No. 407-98-18, dated May 27, 1998 (ASB), which specifies modifying the attachment of two rod assemblies in the door latch assemblies on all four crew and passenger doors within the next 100 hours time-in-service. Transport Canada classified this alert service bulletin as mandatory and issued AD No. CF-98-19, dated July 28, 1998, in order to assure the continued airworthiness of these helicopters in Canada.

This helicopter model is manufactured in Canada 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, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of the Transport Canada, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other BHTC Model 407 helicopters of the same type design registered in the United States, the proposed AD would require modifying each door latch assembly, part number (P/N) 20898-401, -402, -405, and -406. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

The FAA estimates that 146 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per helicopter to accomplish the modification, and that the average labor rate is \$60 per work hour. Required

parts would cost approximately \$210. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$83,220.

The regulations proposed herein would not impose substantial direct compliance costs on state and local governments or 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 13132, the FAA has not consulted with state or local authorities prior to publication of this proposed rule.

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 adding a new airworthiness directive to read as follows:

**Bell Helicopter Textron Canada:** Docket No. 98-SW-70-AD.

**Applicability:** Model 407 helicopters, serial numbers 53000 through 53228, with door latch assemblies, part number (P/N) 20898-401, -402, -405, and -406, installed, certificated in any category.

**Note 1:** This AD applies to each helicopter 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 helicopter that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

**Compliance:** Required within 100 hours time-in-service, unless accomplished previously.

To prevent a door latch rod assembly from disengaging from the door handle and preventing helicopter occupants from opening the door, accomplish the following:

(a) Modify each door latch assembly, P/N 20898-401, -402, -405, and -406, in accordance with the Accomplishment Instructions in Bell Helicopter Textron Alert Service Bulletin No. 407-98-18, dated May 27, 1998.

(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, Regulations Group, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(c) 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 helicopter to a location where the requirements of this AD can be accomplished.

**Note 3:** The subject of this AD is addressed in Transport Canada (Canada) AD No. CF-98-19, dated July 28, 1998.

Issued in Fort Worth, Texas, on December 9, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF JUSTICE

### 28 CFR Part 16

[AAG/A Order No. 186-99]

### Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice proposes to exempt a Privacy Act