

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD) that is applicable to certain Aerospatiale Model ATR72-100 and -200 series airplanes was published in the Federal Register on April 7, 1993 (58 FR 18051). That action proposed to require a one-time detailed visual inspection of the fastener holes on the front and rear wing spar fittings to ensure that spotfacing of the fastener holes has been accomplished; and, if necessary, a one-time general visual inspection of the fastener holes for peening or cracks, and modification or repair, as necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 11 airplanes of U.S. registry will be affected by this AD, that it will take approximately 14 work hours per airplane to accomplish the required actions, and that the average labor rate is \$55 per work hour. Required parts will be supplied by the manufacturer at no cost to operators. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$8,470, or \$770 per airplane. This total cost figure assumes that no operator has yet accomplished the requirements of this 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 "major rule" under Executive Order 12291; (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 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

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

93-14-17 Aerospatiale: Amendment 39-8641. Docket 93-NM-15-AD.

Applicability: Model ATR72-100 and -200 series airplanes on which Modification 3196 has not been installed; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of the wing spar fittings, accomplish the following:

(a) Within 12 months after the effective date of this AD, perform a one-time detailed visual inspection of the fastener holes on the front and rear wing spar fittings to ensure that spotfacing of the fastener holes has been accomplished, in accordance with Aerospatiale Service Bulletin ATR72-57-1008, dated November 19, 1992.

(1) If spotfacing of the fastener holes has been accomplished, no further action is required by this AD.

(2) If spotfacing of the fastener holes has not been accomplished, prior to further flight, perform a one-time general visual inspection of the fastener holes for peening or cracks, in accordance with the service bulletin.

(i) If no peening or crack is found, prior to further flight, install a shim and replace existing nuts with self-aligning nuts, in accordance with the service bulletin.

(ii) If any peening or crack is found, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The inspections, installation, replacement, and repair shall be done in accordance with Aerospatiale Service Bulletin ATR72-57-1008, dated November 19, 1992. 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 Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on September 16, 1993.

Issued in Renton, Washington, on July 19, 1993.

David G. Hmiel,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 93-19728 Filed 8-16-93; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 91

[Docket No. 24456; Amendment No. 91-233]

Airspace Reclassification

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correcting amendment.

SUMMARY: This action corrects the Airspace Reclassification Final Rule effective September 16, 1993. The Airspace Reclassification Rule inadvertently assigned the authority to air traffic controllers to allow aircraft operators to deviate from the maximum airspeed restriction below 10,000 feet. The authority to approve deviation from the speed limits contained in the Federal Aviation Regulations (FAR) rests with the Administrator, and the FAA did not intend to amend the approving authority. This action reestablishes the Administrator as the proper authority to permit waivers of aircraft speed. This action also corrects the inadvertent inclusion of Class B airspace in the maximum airspeed restriction effected by the Airspace Reclassification Final Rule.

EFFECTIVE DATE: This correcting amendment is effective as of September 16, 1993.

FOR FURTHER INFORMATION CONTACT: Messieurs Aaron I. Boxer or Joseph C. White, Air Traffic Rules Branch (ATP-230), Airspace-Rules and Aeronautical Information Division, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Background

On October 18, 1989, the FAA published a Notice of Proposed Rulemaking on Airspace Reclassification (54 FR 42916) which proposed, among other things, that the nomenclature of various airspace areas be renamed to conform with agreements with the International Civil Aviation Organization. On December 17, 1991, the FAA published a final rule on Airspace Reclassification (56 FR 65638) which becomes effective on September 16, 1993. Section 91.117 of the Federal Aviation Regulations (FAR) (14 CFR 91.117) was amended as part of this process.

Section 91.117(a) requires that any aircraft operated below 10,000 feet be flown no faster than 250 knots (288 m.p.h.) unless otherwise authorized by the Administrator of the FAA. Section 91.117(b) provides that, unless authorized or required by ATC, no person may operate an aircraft within an airport traffic area faster than 200 knots (230 m.p.h.), except for operations within a terminal control area. The preamble to the proposed airspace reclassification rule included a discussion of several recommendations received from the National Airspace Review (NAR) task group. NAR 1-2.1.3 recommended several changes to operating requirements in Terminal Control Areas (Class B airspace). Included in NAR 1-2.1.3 was a recommendation to delegate the authority to approve deviation from the 250 knot speed restriction in Class B airspace to air traffic control. The FAA had adopted other portions of NAR 1-2.2.3 through separate actions, but had not intended to incorporate the recommended delegation of authority or include Class B airspace in the 200 knot rule. However, the rule language amending § 91.117(a) inadvertently included such redelegation, and that amending § 91.117(b) inadvertently included the Class B airspace area. This action establishes the Administrator as the sole approving authority for deviations from the aircraft speed restrictions contained in § 91.117(a) and excludes the Class B airspace area from

the speed restrictions contained in § 91.117(b).

List of Subjects in 14 CFR Part 91

Air traffic control, Air transportation, Airmen, Airports, Aviation safety.

The Amendment

Accordingly, 14 CFR part 91 in effect as of September 16, 1993, is amended by making the following correcting amendments:

PART 91—GENERAL OPERATING AND FLIGHT RULES

1. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. app. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125l articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (61 stat. 1180); 42 U.S.C. 4321 et seq; E.O. 11514, 35 FR 4247, 3 CFR, 1966-1970 Comp., p. 902; 49 U.S.C. 106(g).

2. Section 91.117 is corrected by revising paragraphs (a) and (b) to read as follows:

§ 91.117 Aircraft speed.

(a) Unless otherwise authorized by the Administrator, no person may operate an aircraft below 10,000 feet MSL at an indicated airspeed of more than 250 knots (288 m.p.h.).

(b) Unless otherwise authorized or required by ATC, no person may operate an aircraft at or below 2,500 feet above the surface within 4 nautical miles of the primary airport of a Class C or Class D airspace area at an indicated airspeed of more than 200 knots (230 mph.). This paragraph (b) does not apply to any operations within a Class B airspace area. Such operations shall comply with paragraph (a) of this section.

* * * * *

Issued in Washington, DC, on August 10, 1993.

Harold W. Becker,

Manager, Airspace—Rules and Aeronautical Information Division.

[FR Doc. 93-19663 Filed 8-16-93; 8:45 am]

BILLING CODE 4910-13-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Part 1204

Administrative Authority and Policy

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: NASA is amending 14 CFR part 1204 by revising subpart 4, "Small

Business Policy," to reflect the current rate of small purchases threshold for applicability of the policy. This subpart establishes NASA's small business policy and outlines the delegation of authority in implementing this policy.

EFFECTIVE DATE: August 10, 1993.

FOR FURTHER INFORMATION CONTACT: Ralph C. Thomas, III, 202-358-2088.

SUPPLEMENTARY INFORMATION: NASA published its final rule in the Federal Register on April 28, 1982 (47 FR 18124). This amendment makes editorial corrections and revises the proposed procurement threshold in § 1204.403 (a) and (b).

NASA has determined that:

1. This rule is not subject to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, since it will not exert a significant economic impact on a substantial number of small business entities.

2. This rule is not a major rule as defined in Executive Order 12291.

List of Subjects in 14 CFR Part 1204

Airports, Authority delegations (Government agencies), Federal buildings, facilities, and real estate, Government contracts, Government employees, Government procurement, Grant programs—science and technology, Intergovernmental relations, Labor unions, Security measures, Small businesses.

PART 1204—ADMINISTRATIVE AUTHORITY AND POLICY

For reasons set forth in the Preamble, 14 CFR part 1204, subpart 4, is revised to read as follows:

Subpart 4—Small Business Policy

Sec.

1204.400 Scope of subpart.

1204.401 Policy.

1204.402 Responsibilities.

1204.403 General requirements.

Authority: 42 U.S.C. 2473(c)(5); 42 U.S.C. 2473b; Public Law 101-507, the VA/HUD/Indep. Agencies Appropriation Act for FY 1991, at 104 Stat. 1380 (Nov. 5, 1990); and 15 U.S.C. 631-650.

Subpart 4—Small Business Policy

§ 1204.400 Scope of subpart.

This subpart establishes NASA's small business policy and outlines the delegation of authority in implementing this policy as required by Federal law.

§ 1204.401 Policy.

(a) It is the policy of NASA to enable small business concerns (including small women-owned businesses), Historically Black Colleges and Universities, and other minority