

can be accomplished. Issued in Renton, Washington, on March 31, 1997.

**S. R. Miller,**

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

[FR Doc. 97-8700 Filed 4-3-97; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 97-NM-55-AD]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 777-200 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 Boeing Model 777-200 series airplanes. This proposal would require replacement of certain overhead electronics units (OEU) of the passenger address and entertainment communication systems with modified OEU's. This proposal is prompted by reports of smoke coming from the overhead panels near the passenger reading lights, which was caused by overheating of the transformers located in the OEU's. The actions specified by the proposed AD are intended to prevent overheating of the transformers, which potentially could cause a fire in the transformer assembly and/or electronic components located in the OEU and could cause smoke to enter the passenger cabin.

**DATES:** Comments must be received by May 15, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-55-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Peter Skaves, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification

Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2795; fax (206) 227-1181.

#### 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 97-NM-55-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-103, Attention: Rules Docket No. 97-NM-55-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

The FAA has received several reports of smoke coming from the overhead panel near the passenger reading lights on Boeing Model 777-200 series airplanes. In other reports, the overhead electronics units (OEU) failed to supply power to the lights of the passenger cabin. Investigation revealed that the transformers of the OEU's are not adequately protected from certain overload failure modes, which causes the transformers to overheat. Overheating of a transformer, if not corrected, potentially could cause a fire in the transformer assembly and/or electronic components located in the

OEU and could cause smoke to enter the passenger cabin.

##### Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 777-23A0027, dated February 13, 1997. The alert service bulletin describes procedures for replacement of OEU's, part numbers (P/N) 285W0029-3, 285W0029-3 MOD A, and 285W0029-3 MOD B, of the passenger address and entertainment communication systems with modified OEU's, P/N's 285W0029-5, 285W0029-5 MOD A, and 285W0029-5 MOD B. The modified OEU's contain a new transformer assembly that contains circuit protection for overload conditions, which will prevent the transformer from overheating.

The FAA also has reviewed and approved Boeing Component Service Bulletin 285W0029-23-01, dated February 13, 1997, which describes procedures for reworking OEU's having P/N's 285W0029-3, 285W0029-3 MOD A, and 285W0029-3 MOD B. The rework includes replacing the transformer assembly located in the OEU with a new OEU, applying dash number -5, and adding a MOD level marking (if applicable) to the nameplate of the OEU.

##### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require replacement of certain OEU's of the passenger address and entertainment communication systems with modified OEU's. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

##### Cost Impact

There are approximately 46 Boeing Model 777-200 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 16 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 209 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$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 AD on U.S. operators is estimated to be \$200,640, or \$12,540 per airplane.

The cost impact figure discussed above is 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 "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 the following new airworthiness directive:

**BOEING:** Docket 97-NM-55-AD.

**Applicability:** Model 777-200 series airplanes, as listed in Boeing Alert Service Bulletin 777-23A0027, dated February 13, 1997; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been

otherwise 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 overheating of the transformers of the overhead electronic units (OEU), which potentially could cause a fire in the transformer assembly and/or other electronic components of the OEU and could cause smoke to enter the passenger cabin, accomplish the following:

(a) Within 6 months after the effective date of this AD, replace OEU's having part numbers (P/N) 285W0029-3, 285W0029-3 MOD A, and 285W0029-3 MOD B, of the passenger address and entertainment communication systems with modified OEU's having P/N's 285W0029-5, 285W0029-5 MOD A, and 285W0029-5 MOD B, in accordance with Boeing Alert Service Bulletin 777-23A0027, dated February 13, 1997.

**Note 2:** Boeing Component Service Bulletin 285W0029-23-01, dated February 13, 1997, describes procedures for reworking OEU's having P/N's 285W0029-3, 285W0029-3 MOD A, and 285W0029-3 MOD B, to a configuration having a dash number -5, and a MOD level marking (if applicable).

(b) As of the effective date of this AD, no person shall install an OEU having P/N 285W0029-3, 285W0029-3 MOD A, or 285W0029-3 MOD B, on any airplane.

(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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

Issued in Renton, Washington, on March 31, 1997.

**S. R. Miller,**

Acting Manager, Transport Airplane Directorate, Aircraft Certification 026Service. [FR Doc. 97-8701 Filed 4-3-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 243

RIN 1010-AC08

### Policy for Release of Third-Party Proprietary Information for the Administrative Appeals Process and for Alternative Dispute Resolution

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Proposed rulemaking.

**SUMMARY:** The Minerals Management Service (MMS) proposes to amend its regulations to authorize MMS by law to provide third-party proprietary information to appellants and entities involved in administrative appeals and other Alternative Dispute Resolution (ADR) when that information is the basis for an MMS assessment.

Presently, MMS cannot release third-party commercial or financial information (proprietary information) because release would violate the Trade Secrets Act which prohibits releasing proprietary information "except as provided by law." This regulation will provide the authority by law to release the information. MMS' proposed rule would require that those receiving relevant proprietary information sign confidentiality and liability agreements before the agency releases the information.

**DATES:** Comments must be received on or before June 3, 1997.

**ADDRESSES:** Comments should be sent to: David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Minerals Management Service, P.O. Box 25165, MS 3101, Denver, Colorado, 80225-0165, courier delivery to Building 85, Denver Federal Center, Denver, Colorado, 80225; or e-Mail David\_Guzy@smtp.mms.gov.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Procedures Staff, Royalty Management Program, Minerals Management Service, telephone (303) 231-3432, Fax (303) 231-3194, e-Mail David\_Guzy@smtp.mms.gov.

**SUPPLEMENTARY INFORMATION:** The principal authors of this proposed rulemaking are Colette Haines, Gregory Kann, Donna Luna, Cecelia Williams, and Sammy Wilson, MMS, and Howard Chalker, Office of the Solicitor.

### I. General

Appellants sometimes request information MMS used to assess additional royalties. MMS presently