

the proposed AD, that it would take approximately 13 workhours (Inspection: 3 workhours; Modification: 10 workhours) per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$200 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$66,640, or \$980 per airplane.

### 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 action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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 has been placed 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 (AD) to read as follows:

**Extra Flugzeugbau GMBH:** Docket No. 97–CE–85–AD.

**Applicability:** The following models and serial number airplanes, certificated in any category:

Model	Serial numbers
EA–300 .....	V1 and 01 through 50.
EA–300/S .....	01 through 17.

**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 (d) 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 in the body of this AD, unless already accomplished.

To prevent structural damage to the fuselage caused by cracks in the upper longeron cutout bridge, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Upon accumulating 1,000 hours time-in-service (TIS) on the upper longeron or within the next 100 hours TIS after the effective date of this AD, whichever occurs later, inspect the upper longeron cutout bridge for cracks in accordance with the *Instructions* section of EXTRA Service Bulletin No. 300–3–93, dated January 12, 1994.

(b) Prior to further flight after the inspection required by paragraph (a) of this AD, accomplish the following in accordance with the *Instructions* section of EXTRA Service Bulletin No. 300–3–93, dated January 12, 1994:

(1) Repair any cracks found in the upper longeron cut-out bridge; and

(2) Modify the upper longeron cut-out bridge.

(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 airplane to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add

comments and then send it to the Manager, Small Airplane Directorate.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to EXTRA Flugzeugbau GmbH, Flugplatz Dinslaken, 46569 Hunxe, Germany; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in German AD No. 94–043, dated October 21, 1994.

Issued in Kansas City, Missouri, on October 29, 1997.

**Mary Ellen A. Schutt,**

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

[FR Doc. 97–29231 Filed 11–4–97; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. 97–CE–93–AD]

RIN 2120–AA64

### Airworthiness Directives; EXTRA Flugzeugbau GmbH Model EA–300/S Airplanes

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

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

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to certain EXTRA Flugzeugbau GmbH (EXTRA) Model EA–300/S airplanes. The proposed AD would require modifying the canopy latches or replacing the canopy latches with parts of improved design. The proposed AD is the result of mandatory continued airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by the proposed AD are intended to prevent failure of the canopy while the airplane is in flight due to cracked canopy latches, which could result in loss of the canopy and possible loss of control of the airplane.

**DATES:** Comments must be received on or before December 8, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97–CE–93–

AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from EXTRA Flugzeugbau GmbH, Flugplatz Dinslaken, 46569 Hunxe, Germany. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut Street, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6934; facsimile (816) 426-2169.

#### **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 that summarizes 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. 97-CE-93-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, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-93-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

##### **Discussion**

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for

Germany, recently notified the FAA that an unsafe condition may exist on certain EXTRA Model EA-300/S airplanes. The LBA reports cracks in the canopy front latches on the above-referenced airplanes. This condition, if not corrected, could result in failure of the canopy and eventual loss of the canopy and possible loss of control of the airplane.

##### **Relevant Service Information**

EXTRA has issued Service Bulletin No. 300-3-94, dated August 3, 1994, which specifies procedures for inspecting, repairing, and replacing the canopy latches on the affected airplanes.

The LBA classified this service bulletin as mandatory and issued German AD No. 94-258, dated August 25, 1994, in order to assure the continued airworthiness of these airplanes in Germany.

##### **The FAA's Determination**

This airplane model is manufactured in Germany and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LBA for Germany has kept the FAA informed of the situation described above.

The FAA has examined the findings of the LBA for Germany; reviewed all available information, including the referenced service 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 the Provisions of the Proposed AD**

Since an unsafe condition has been identified that is likely to exist or develop in other EXTRA Model EA-300/S airplanes of the same type design registered in the United States, the FAA is proposing AD action. The proposed AD would require modifying the canopy latches or replacing the canopy latches with parts of improved design, part number (P/N) PC-23303.8P1 for both front latches and the rear right; and P/N PC-23303.8P2 for the rear left. Accomplishment of the proposed actions would be in accordance with EXTRA Service Bulletin No. 300-3-94, dated August 3, 1994.

##### **Cost Impact**

The FAA estimates that 25 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 3 workhours per airplane

to accomplish the proposed modifications or replacements, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$100 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$7,000, or \$280 per airplane.

##### **Differences Between the German AD, the Service Bulletin, and This Proposed AD**

German AD 94-258, dated August 25, 1994, and EXTRA Service Bulletin No. 300-3-94, dated August 3, 1994, both give the owners/operators of certain Model EA-300/S airplanes the option of (1) repetitively inspecting the canopy latches until cracks are found, and then modifying or replacing (with parts of improved design) any cracked latches; or (2) immediately modifying the existing latches or replacing the latches with parts of improved design.

The FAA's policy is to provide corrective action that will eliminate the need for repetitive inspections. The FAA has determined that long-term operational safety will be better assured by design changes that remove the source of the problem, rather than by repetitive inspections or other special procedures.

Because the modification or replacement (with parts of improved design) of the canopy latches eliminates the need for repetitive inspections, the proposed AD differs from the service bulletin and the German AD in that it would mandate either modification or replacement of the canopy latches regardless of condition.

##### **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 action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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 has been placed 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 (AD) to read as follows:

#### Extra Flugzeugbau GMBH: Docket No. 97-CE-93-AD.

**Applicability:** Models EA-300/S airplanes, serial numbers 01 through 24, 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 within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent failure of the canopy while the airplane is in flight due to cracked canopy latches, which could result in loss of the canopy and possible loss of control of the airplane, accomplish the following:

(a) Modify all canopy latches or replace all canopy latches with parts of improved design, part number (P/N) PC-23303.8P1 for both front latches and the rear right; and P/N PC-23303.8P2 for the rear left. Accomplish the modifications or replacements in accordance with the *Instructions* section of EXTRA Service Bulletin No. 300-3-94, dated August 3, 1994.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to EXTRA Flugzeugbau GmbH, Flugplatz Dinslaken, 46569 Hunxe, Germany; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in German AD No. 94-258, dated August 25, 1994.

Issued in Kansas City, Missouri, on October 29, 1997.

**Mary Ellen A. Schutt,**

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

[FR Doc. 97-29239 Filed 11-4-97; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

#### 15 CFR Part 303

#### DEPARTMENT OF THE INTERIOR

##### Office of Insular Affairs

[Docket No. 971021249-7249-01]

RIN 0625-AA50

#### Proposed Limit on Duty-Free Insular Watches in Calendar Year 1998

**AGENCIES:** Import Administration, International Trade Administration, Department of Commerce; Office of Insular Affairs, Department of the Interior.

**ACTION:** Proposed rule and request for comments.

**SUMMARY:** This action invites public comment on a proposal to amend the ITA regulations, which govern duty-exemption allocations and duty-refund entitlements for watch producers in the United States' insular possessions (the Virgin Islands, Guam and American Samoa) and the Northern Mariana Islands. The proposed amendments would establish the total quantity and

respective territorial shares of insular watches and watch movements which would be allowed to enter the United States free of duty during calendar year 1998 and make a minor adjustment to the verification of shipments.

**DATES:** Comments must be received on or before December 5, 1997.

**ADDRESSES:** Address written comments to Faye Robinson, Program Manager, Statutory Import Programs Staff, Room 4211, U.S. Department of Commerce, Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Faye Robinson, (202) 482-3526, same address as above.

**SUPPLEMENTARY INFORMATION:** The insular possessions watch industry provision in Section 110 of Public Law 97-446 (96 Stat. 2331) (1983) as amended by Section 602 of Public Law 103-465 (108 Stat. 4991) (1994) additional U.S. Note 5 to chapter 91 of the HTS requires the Secretary of Commerce and the Secretary of the Interior, acting jointly, to establish a limit on the quantity of watches and watch movements which may be entered free of duty during each calendar year. The law also requires the Secretaries to establish the shares of this limited quantity which may be entered from the Virgin Islands, Guam, American Samoa and the Northern Mariana Islands. Regulations on the establishment of these quantities and shares are contained in §§ 303.3 and 303.4 of title 15, Code of Federal Regulations (15 CFR 303.3 and 303.4). The Departments propose to establish for calendar year 1998 a total quantity and respective territorial shares as shown in the following table:

Virgin Islands .....	2,600,000
Guam .....	500,000
American Samoa .....	500,000
Northern Mariana Islands .....	500,000

Compared to the total quantity established for 1997 (61 FR 55883; October 30, 1996), this amount would be a decrease of 500,000 units. The proposed Virgin Islands territorial share would be reduced by 500,000 and the shares for Guam, American Samoa and the Northern Mariana Islands would not change. The amount we proposed for the Virgin Islands is more than sufficient for the anticipated needs of all the existing producers.

The proposed rule would also modify § 303.6(a). Currently, the Departments are able to verify shipments through the U.S. Customs Service. However, due to informal entry procedures on some shipments or other problems, Commerce is occasionally unable to verify an entry. We propose allowing producers to