to the agency a written decision on the allegation and the specific reasons therefor at the earliest practicable date.

(b) *Cases involving proposals.* If the Authority finds that the duty to bargain extends to the matter proposed to be bargained or any severable part of a matter proposed to be bargained, the decision of the Authority will include an order that the agency must on request (or as otherwise agreed to by the parties) bargain concerning such matter. If the Authority finds that the duty to bargain does not extend to the matter proposed to be bargained, the Authority will so state and issue an order dismissing the petition for review of the negotiability issue. If the Authority finds that the matter is bargainable only at the election of the agency, the Authority will so state. If the Authority finds that the duty to bargain extends to the negotiability dispute aspects of the proposal, but there are unresolved bargaining dispute defenses, the decision of the Authority will include an order that the agency must on request (or as otherwise agreed to by the parties) bargain on this negotiability dispute in the event its bargaining dispute defenses are rejected.

(c) *Cases involving provisions.* If the Authority finds that a provision, or any severable part thereof, disapproved by an agency head pursuant to 5 U.S.C. 7114(c) is not contrary to law, rule or regulation, the decision of the Authority will include an order that the agency must rescind its disapproval of such provision in whole or in part as appropriate. If the Authority finds that a provision disapproved by an agency head pursuant to 5 U.S.C. 7114(c) is contrary to law, rule, or regulation, the Authority will so state and issue an order dismissing the petition for review as to that provision. If the Authority finds that an agreement provision, or any severable part thereof, disapproved by the agency head pursuant to 5 U.S.C. 7114(c), is bargainable only at the election of the agency, the Authority will so state and issue an order that the agency must rescind its disapproval of such provision in whole or in part as appropriate.

§ 2424.41 Compliance.

The agency or exclusive representative may report to the appropriate Regional Director within a specified period the failure to comply with an order, issued as provided in § 2424.40, that the agency must upon request (or as otherwise agreed to by the parties) bargain concerning the disputed matter or that the agency must rescind its disapproval of a provision. If the Authority finds such a failure to comply with its order, the Authority shall take whatever action it deems necessary, including enforcement under 5 U.S.C. 7123(b).

§§ 2424.42–2424.49 [Reserved]

Subpart F—Criteria for Determining Compelling Need for Agency Rules and Regulations

§ 2424.50 Illustrative criteria.

A compelling need exists for an agency rule or regulation concerning any condition of employment when the agency demonstrates that the rule or regulation meets one or more of the following illustrative criteria:

(a) The rule or regulation is essential, as distinguished from helpful or desirable, to the accomplishment of the mission or the execution of functions of the agency or primary national subdivision in a manner which is consistent with the requirements of an effective and efficient government.

(b) The rule or regulation is necessary to ensure the maintenance of basic merit principles.

(c) The rule or regulation implements a mandate to the agency or primary national subdivision under law or other outside authority, which implementation is essentially nondiscretionary in nature.

§§ 2424.51—2424.59 [Reserved]

Dated: September 3, 1998.

Solly Thomas,

Executive Director, Federal Labor Relations Authority.

[FR Doc. 98–24164 Filed 9–8–98; 8:45 am]

BILLING CODE 6727–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 92–ANE–23]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to Pratt & Whitney (PW) JT9D series turbofan engines, that currently requires initial and repetitive inspections of the sixth stage low pressure turbine (LPT) inner airseal, and modification of the sixth stage LPT inner airseal to reduce the potential for two failure modes. This action would require additional repetitive borescope inspections for sixth stage LPT inner airseals found with cracks less than one inch in length. This proposal is prompted by the publication of a revision to a PW service bulletin that introduces the new borescope inspections. The actions specified by the proposed AD are intended to prevent an uncontained failure of the sixth stage LPT inner airseal, which can result in damage to the aircraft.

DATES: Comments must be received by November 9, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 92–ANE–23, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may also be sent via the Internet using the following address: ''9-ad-engineprop@faa.dot.gov''. Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–6600, fax (860) 565–4503. This information may be examined at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Tara Goodman, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7130, fax (781) 238–7199.

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 Number 92–ANE–23.'' 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, New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 92–ANE–23, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

On July 7, 1994, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 94–10–09, Amendment 39–8916 (59 FR 36047, July 15, 1994), applicable to Pratt & Whitney (PW) JT9D series turbofan engines, to require initial and repetitive on-wing borescope or eddy current inspections (ECI) of the sixth stage low pressure turbine (LPT) inner airseal rear retaining wing, initial and repetitive on-wing ECI of the sixth stage LPT inner airseal knife edges, rework of the sixth stage inner airseal knife edges, which is a terminating action to the repetitive knife edge inspections, and rework of the sixth stage LPT inner airseal rear retaining wing. That action was prompted by reports of thermal mechanical interference inducing low cycle fatigue (LCF) cracks at two locations on the sixth stage LPT inner airseal, resulting in five uncontained failures. That condition, if not corrected, could result in an uncontained failure of the sixth stage LPT inner airseal, which can result in damage to the aircraft.

Since the issuance of that AD, PW has issued Service Bulletin (SB) No. 5978, Revision 4, dated May 6, 1998, which introduces additional repetitive borescope inspections for sixth stage LPT inner airseals found with cracks less than one inch in length.

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 supersede AD 94–10–09 to add, at intervals not to exceed 50 cycles in service (CIS) since last inspection, additional repetitive borescope inspections for sixth stage LPT inner airseals found with cracks less than one inch in length. Consistent with the timetable of the existing AD, this proposal would require rework of the sixth stage LPT inner airseal knife edge diameters and rear retaining wings prior to further flight.

There are approximately 566 engines of the affected design in the worldwide fleet. The FAA estimates that 157 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 2.1 work hours per engine to accomplish the proposed additional inspection, and that the average labor rate is $60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $19,782.

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 39–8916 (59 FR 36047, July 15, 1994) and by adding a new airworthiness directive to read as follows:

Pratt & Whitney: Docket No. 92–ANE–23. Supersedes AD 94–10–09, Amendment 39–8916.

Applicability: Pratt & Whitney (PW) Model JT9D–59A, –70A, –7Q, and –7Q3 turbofan engines, installed on but not limited to Boeing 747 series, McDonnell Douglas DC–10 series, and Airbus A300 series aircraft.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (e) 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 an uncontained failure of the sixth stage low pressure turbine (LPT) inner airseal, which can result in damage to the aircraft, accomplish the following:

(a) Prior to further flight, rework the sixth stage LPT inner airseal knife edge diameters in accordance with the Accomplishment Instructions of PW Service Bulletin (SB) 5847, Revision 2, dated October 31, 1990.

(b) Eddy current inspect (ECI) or borescope inspect sixth stage LPT inner airseal rear retaining wings for cracks, as follows:

(1) For sixth stage LPT inner airseals identified by part number (P/N) in PW SB No. 5978, Revision 4, dated May 6, 1998, or Revision 3, dated May 20, 1992, with greater than 500 cycles since new (CSN) on the effective date of this AD, accomplish an initial ECI or borescope inspection prior to accumulating more than 250 cycles in service (CIS) after the effective date of this AD, or 500 CIS since the last in-shop fluorescent penetrant inspection (FPI), whichever occurs later, in accordance with the Accomplishment Instructions of PW SB No. 5978, Revision 4, dated May 6, 1998, or Revision 3, dated May 20, 1992.

(2) For sixth stage LPT inner airseals identified by P/N in PW SB No. 5978, Revision 4, dated May 6, 1998, or Revision 3, dated May 20, 1992, with less than or equal to 500 CSN on the effective date of this AD, accomplish an initial ECI or borescope

inspection prior to accumulating 750 CSN, or 500 CIS since the last in-shop FPI, whichever occurs later, in accordance with the Accomplishment Instructions of PW SB No. 5978, Revision 4, dated May 6, 1998, or Revision 3, dated May 20, 1992.

(3) For sixth stage LPT inner airseals that meet the continue in service criteria described in PW SB No. 5978, Revision 4, dated May 6, 1998, thereafter, ECI or borescope inspect the sixth stage LPT inner airseal retaining wing for cracks at intervals specified in accordance with the Accomplishment Instructions of PW SB No. 5978, Revision 4, dated May 6, 1998.

(4) Remove cracked sixth stage LPT inner airseals that do not meet the continue in service criteria described in PW SB No. 5978, Revision 4, dated May 6, 1998, and replace with a new, or serviceable sixth stage LPT inner airseal that has been reworked in accordance with paragraph (c) of this AD.

(5) Thereafter, inspect initially, reinspect, and remove from service, if necessary, the replacement sixth stage LPT inner airseals in accordance with paragraphs (b)(1), (b)(2), (b)(3), and (b)(4) of this AD.

(c) Prior to further flight, rework the sixth stage LPT inner airseal rear retaining wing in accordance with the Accomplishment Instructions of PW SB 5745, Revision 2, dated October 24, 1990.

Note 2: Rework of the sixth stage LPT inner airseal rear retaining wing in accordance with paragraph (c) of this AD does not exempt sixth stage LPT inner airseals from initial and repetitive inspections in accordance with paragraphs (b)(1), (b)(2), (b)(3), and (b)(4) of this AD.

(d) Installation of a new, improved 6th stage LPT inner airseal, in accordance with PW SB No. 6054, Revision 1, dated April 24, 1992, constitutes terminating action to the inspections and rework required by this AD.

(e) 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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(f) 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 aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on September 1, 1998.

David A. Downey,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 98–24186 Filed 9–8–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–ANE–36–AD]

RIN 2120–AA64

Airworthiness Directives; Williams International FJ44–1A Turbofan Engines

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 Williams International FJ44–1A turbofan engines. This proposal would require removing the high pressure turbine (HPT) disk from service prior to accumulating a reduced cyclic life limit of 1,900 cycles since new (CSN) and replacing with a serviceable disk. As an option, the HPT nozzle can be modified thereby increasing the HPT disk cyclic life limit from the new reduced cyclic life limit. This proposal is prompted by a revised life analysis conducted by the manufacturer after the failure of a similarly designed HPT disk. The actions specified by the proposed AD are intended to prevent HPT disk rim failure, which could result in an uncontained engine failure and damage to the aircraft.

DATES: Comments must be received by November 9, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 98–ANE–36–AD, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may also be sent via the Internet using the following address: ''9-ad-engineprop@faa.dot.gov''. Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Patricia Bonnen, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, IL 60018; telephone (847) 294–7134, fax (847) 294–7834.

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 Number 98–ANE–36–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, New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 98–ANE–36–AD, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

Williams International, manufacturer of FJ44–1A turbofan engines, recently conducted a revised life limit analysis of high pressure turbine (HPT) disks, part number (P/N) 55291. This revised analysis was prompted by the failure of a similarly designed HPT disk. The revised analysis revealed that the calculated low cycle fatigue lives are significantly lower than the current published maximum approved service lives. To this date no failures of HPT disk, P/N 55291, have been reported. This condition, if not corrected, could result in HPT disk rim failure, which could result in an uncontained engine failure and damage to the aircraft.

Williams International has also published service information which authorizes certain modifications to the