and alternate member positions may be affiliated with the same handler.

This rule modifies the order's rules and regulations to remove the distinction between cooperative and independent handlers, and to specify that the number of members representing each of the three currently existing industry handlers shall be based on the total volume of olives handled during the nominating crop year and the preceding crop year, with the two handlers handling the largest and second largest volume of olives represented by three members and alternates each, and the remaining handler represented by two members and alternates. This rule also removes provisions limiting the number of members to which each handler is entitled because the limitation is no longer necessary. The changes were unanimously recommended by the Committee and are intended to modify the Committee's handler membership to reflect structural changes within the handler segment of the industry, and to remove current barriers to filling two vacant handler positions on the Committee. Authority for this rule is provided in § 932.25 which allows the Committee, with the approval of the Secretary, to reallocate the Committee's producer or handler membership as necessary to assure equitable representation.

Removal of the distinction between cooperative and independent handlers will not have any impact on handlers or producers in the California olive industry.

One alternative to this rule discussed at the meeting was to leave the language in § 932.159 unchanged; however, the Committee believes that the distinction between cooperative and independent is no longer appropriate, because there is only one existing cooperative in the industry and two independent handlers. Another alternative discussed at the meeting was to leave § 932.160 of the order's rules and regulations unchanged so that only two members may be affiliated with the same handler, but with only three handlers currently in the industry that would result in uneven representation between growers with eight members and handlers with six members, and would fail to assure equitable representation on the Committee as is required pursuant to § 932.25.

This rule will not impose any additional reporting or recordkeeping requirements on any of the three olive handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. In addition, the Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

Further, the Committee's meeting was widely publicized throughout the olive industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the December 10, 1998, meeting was a public meeting and all entities, both large and small, were able to express their views on this issue. All three industry handlers are currently represented on the Committee and participated in the deliberations. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

After consideration of all relevant material presented, including the Committee's recommendation, and other information, it is found that this interim final rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

This rule invites comments on modifications to the handler membership on the Committee. Any comments received will be considered prior to finalization of this rule.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) There are currently two vacant handler member seats on the Committee that cannot be filled until these modifications to the administrative rules and regulations are implemented, and it is important that the Committee operate at full strength; (2) timely implementation of this action will allow the vacancies to be filled; (3) the Committee unanimously recommended these changes at a public meeting and interested parties had an opportunity to provide input; (4) all three handlers are represented on the Committee and participated in deliberations; and (5) this rule provides a 60-day comment period and any comments received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 932

Marketing agreements, Olives, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 932 is amended as follows:

PART 932—OLIVES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 932 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 932.159 is revised to read as follows:

§ 932.159 Reallocation of handler membership.

Pursuant to § 932.25, handler representation on the committee is reallocated to provide that the two handlers who handled the largest and second largest total volume of olives during the crop year in which nominations are made and in the preceding crop year shall be represented by three members and alternate members each, and the remaining handler shall be represented by two members and alternate members.

§ 932.160 [Removed]

3. Section 932.160 is removed.

Dated: January 22, 1999.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 99–1970 Filed 1–27–99; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–SW–41–AD; Amendment 39–11005; AD 99–02–13]

RIN 2120–AA64

Airworthiness Directives, Eurocopter France Model AS332C, L, and L1 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Eurocopter France (Eurocopter) Model AS332C, L, and L1 helicopters, that requires the replacement of certain main rotor hub spindles (spindles) and flapping hinge pins (pins). This amendment is prompted by testing of aged frequency adapters, which shows that premature failure of the spindles and pins can occur due to increased loading from increased stiffness of the aged frequency

adapters. The actions specified by this AD are intended to prevent the loss of a main rotor blade and subsequent loss of control of the helicopter.

DATES: Effective March 4, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 4, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701, Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mike Mathias, Aerospace, Engineer, FAA, Rotorcraft Directorate, 2601 Meacham Blvd, Fort Worth, Texas 76137, telephone 817–222–5123, fax 817–222–5961.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to Eurocopter Model AS332C, L, and L1 helicopters was published in the **Federal Register** on October 27, 1998 (63 FR 57257). That action proposed to require replacing certain spindles and pins.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 4 helicopters of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per helicopter to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $21,600 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $87,360.

The regulations adopted herein will not have substantial director 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 ''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) 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 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:

AD 99–02–13 Eurocopter France: Amendment 39–11005. Docket No. 97–SW–41–AD.

Applicability: Eurocopter France (Eurocopter) Model AS332C, L, and L1 helicopters with main rotor hub spindles (spindles), part number (P/N) 332A31–1390–00 through –07 or 332A31–1398–00 or flapping hinge pin (pin), P/N 332A31–1380–all dash numbers, 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 helicopters 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 (g) 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, alternation, or repair remove any helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the spindles or pins that could result in loss of a main rotor blade and subsequent loss of control of the helicopter, accomplish the following:

(a) For the spindles and pins that have never been overhauled, remove the spindles and pins and replace them with airworthy spindles and pins in accordance with paragraphs 2.B.1)a) through 2.B.1)d) and 2.B.2) of the Accomplishment Instructions of Eurocopter France Service Bulletin No. 01.00.44, dated March 26, 1996 (SB), as follows:

(i) Within 6 calendar months of spindles and pins that have been in service for 12 or more calendar years.

(ii) Within 18 calendar months for spindles and pins that have been in service for 8 or more calendar years but less than 12 calendar years.

(b) For the spindles and pins that have been overhauled at least once, remove the spindles and pins and replace them with airworthy spindles and pins in accordance with paragraphs 2.B.1)a) through 2.B.1)d) and 2.B.2) of the SB as follows:

(i) Within 3 calendar months for spindles and pins that have been in service for 6 or more calendar years since last overhaul.

(ii) Within 15 calendar months for spindles and pins that have been in service for 4 or more calendar years but less than 6 calendar years since last overhaul.

(c) Remove spindle, Serial Number (S/N) FR 25012, and pins, S/N's M 243, FR 139, FR 230, M 127, or M 112, and replace them with airworthy spindles and pins in accordance with paragraphs 2.B.1)a) through 2.B.1)d) and 2.B.2) of the SB within 6 calendar months.

(d) Remove spindle, S/N FR 25866, and replace it with an airworthy spindle in accordance with paragraphs 2.B.1)a) through 2.B.1)d) and 2.B.2) of the SB within 18 calendar months.

(e) This AD revises the Airworthiness Limitations Section of the Maintenance Manual by establishing a new retirement life of 8 calendar years for the spindles, P/N 332A31–1390–00 through –07 and 332A31–1398–00, and pins, P/N 332A31–1380–all dash numbers, except as otherwise specifically limited by this AD.

(f) Installation of a main rotor hub with modification 332A07–43100 constitutes terminating action for the requirements of this AD.

(g) 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, Rotorcraft Standards Staff, 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, Rotorcraft Standards Staff.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be

obtained from the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

(h) 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.

(i) The modification shall be done in accordance with paragraphs 2.B.1)a) through 2.B.1)d) and 2.B.2) of the Accomplishment Instructions of Eurocopter France Service Bulletin No. 01.00.44, dated March 26, 1996. 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 American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capital Street, NW., suite 700, Washington, DC.

(j) This amendment becomes effective on March 4, 1999.

Note 3: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 96–100–058–(B), dated May 22, 1996.

Issued in Fort Worth, Texas, on January 12, 1999.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99–1236 Filed 1–27–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–CE–52–AD; Amendment 39–11013; AD 99–03–01]

RIN 2120–AA64

Airworthiness Directives; Schempp-Hirth K.G. Models Standard-Cirrus, Nimbus-2, JANUS, and Mini-Nimbus HS–7 Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Schempp-Hirth K.G. (Schempp-Hirth) Models Standard-Cirrus, Nimbus-2, JANUS, and Mini-Nimbus HS–7 sailplanes. This AD requires installing a safety device for the tailplane locking hook. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to prevent the locking hook on the tailplane attachment bracket from disengaging, which could result in the horizontal tailplane coming loose from the fin with possible loss of longitudinal control of the sailplane.

DATES: Effective March 12, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 12, 1999.

ADDRESSES: Service information that applies to this AD may be obtained from Schempp-Hirth Flugzeugbau GmbH, Postbox 14 43, D–73222 Kirchheim unter Teck, Federal Republic of Germany. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98–CE–52–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426–6934; facsimile: (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Schempp-Hirth Models Standard-Cirrus, Nimbus-2, JANUS, and Mini-Nimbus HS–7 sailplanes was published in the **Federal Register** as a supplemental notice of proposed rulemaking (NPRM) on November 9, 1998 (63 FR 60224). The supplemental NPRM proposed to require installing a safety device for the tailplane locking hook. Accomplishment of the proposed action as specified in the supplemental NPRM would be in accordance with Schempp-Hirth Appendix to Technical Note No. 278–36, 286–33, 295–26, 328–11, 798–3, dated November 11, 1994.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 91 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 3 workhours per sailplane to accomplish this action, and that the average labor rate is approximately $60 an hour. Parts cost approximately $35 per sailplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $19,565, or $215 per sailplane.

Compliance Time of This AD

Although the unsafe condition identified in this AD occurs during flight and is a direct result of sailplane operation, the FAA has no way of determining how much time will elapse before the tailplane is not securely attached to the fin. For example, the condition could exist on a sailplane with 200 hours time-in-service (TIS), but could be developing on a sailplane with 50 hours TIS and not actually exist on this sailplane until 300 hours TIS. For this reason, the FAA has determined that a compliance based on calendar time should be utilized in this AD in order to assure that the unsafe condition is addressed on all sailplanes in a reasonable time period.

Differences Between the Technical Note, German AD, and This AD

Both Schempp-Hirth Technical Note No. 278–36, 286-33, 295–26, 328–11, 798–3, dated November 11, 1994, and German AD 95–015, dated December 15, 1994, apply to the Model Nimbus-2M sailplanes. This sailplane model is not type certificated for operation in the United States and therefore is not covered by the applicability of this AD.

The Model Nimbus-2M sailplanes could be operating in the United States with an experimental certificate. The FAA is including a NOTE in this AD to recommend that any person operating a Model Nimbus-2M sailplane in the United States with an experimental certificate accomplish the actions specified in the technical note.