

correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 the following new airworthiness directive:

**98-14-51 CFM International:** Amendment 39-10758. Docket 98-ANE-50-AD.

Applicability: CFM International (CFMI) CFM56-7B series turbofan engines, identified by engine serial number (ESN) in CFMI CFM56-7B Service Bulletin (SB) No. 72-130, dated June 29, 1998. These engines are installed on but not limited to Boeing 737-600, 737-700, and 737-800 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 (f) 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 a possible dual inflight engine shutdown event, which could result in a

forced landing and loss of the aircraft, accomplish the following:

(a) Prior to further flight, check the accessory gearbox (AGB)/transfer gearbox (TGB) magnetic chip detector (MCD) on the No. 2 engine of the aircraft for abnormal magnetic particles that indicate a pending starter gearshaft failure, in accordance with CFMI CFM56-7B SB No. 72-132, dated July 2, 1998, as follows:

(1) If magnetic particles are found to be abnormal in accordance with CFMI CFM56-7B SB No. 72-132, dated July 2, 1998, prior to further flight, remove from service starter gearshafts, part number (P/N) 340-055-202-0, and replace with a serviceable part not identified by S/N in Table 1 of CFMI CFM56-7B SB No. 72-130, dated June 29, 1998.

(2) On the next calendar day after checking the No. 2 engine of the aircraft, perform an AGB/TGB MCD check of the No. 1 engine of the aircraft, and, if necessary, remove from service starter gearshafts and replace with serviceable parts in accordance with paragraph (a)(1) of this AD.

(3) Thereafter, perform AGB/TGB MCD checks alternately, every other calendar day, between the No. 2 and No. 1 engines of the aircraft, and, if necessary, remove from service starter gearshafts and replace with serviceable parts in accordance with paragraph (a)(1) of this AD.

(b) Within 350 hours time in service (TIS) after the effective date of this AD, or by August 1, 1998, whichever occurs first, on aircraft with two affected engines installed identified by ESN in Table 1 of CFMI CFM56-7B SB No. 72-130, dated June 29, 1998, remove from service suspect starter gearshafts on the No. 2 engine and replace with a serviceable part not identified by S/N in Table 1 of that SB.

(c) Within 725 hours TIS after the effective date of this AD, or by September 1, 1998, whichever occurs first, on aircraft with only one affected engine identified by ESN in Table 1 of CFMI CFM56-7B SB No. 72-130, dated June 29, 1998, remove from service suspect starter gearshafts and replace with a serviceable part not identified by S/N in Table 1 of that SB.

(d) Installation of serviceable starter gearshafts not identified by S/N in Table 1 of CFMI CFM56-7B SB No. 72-130, dated June 29, 1998, constitutes terminating action to the repetitive AGB/TGB MCD checks required by paragraph (a) of this AD.

(e) Report to the Manager of the Engine Certification Office of the FAA within 5 working days of replacement of the starter gearshaft if the ESN listed in Table 1 of CFMI CFM56-7B SB No. 72-130, dated June 29, 1998, does not directly correspond to the adjoining starter gearshaft serial number to verify that all affected parts have been removed from service. The address is: Manager, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; fax (781) 238-7199. Reporting requirements have been approved by the Office of Management and Budget and assigned OMB control number 2120-0056.

(f) 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 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(g) The actions required by this AD shall be accomplished in accordance with the following CFMI SBs:

Document No.	Pages	Date
CFM56-7B SB No. 72-130.	1-33	June 29, 1998.
Total pages: 33.		
CFM56-7B SB No. 72-132.	1-12	July 2, 1998.
Total pages: 12.		

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 CFM International, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215; telephone (513) 552-2981, fax (513) 552-2816. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective October 1, 1998, to all persons except those persons to whom it was made immediately effective by telegraphic AD T98-14-51, issued July 2, 1998, which contained the requirements of this amendment.

Issued in Burlington, Massachusetts, on September 8, 1998.

**David A. Downey,**

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

[FR Doc. 98-24644 Filed 9-15-98; 8:45 am]

BILLING CODE 4910-13-U

#### DEPARTMENT OF COMMERCE

#### Bureau of Export Administration

#### 15 CFR Part 736

[Docket No. 980821223-8223-01]

RIN 0694-AB74

#### Establishment of 24-Month Validity Period for Certain Reexport Authorizations and Revocation of Other Authorizations

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Export Administration is amending the Export

Administration Regulations (15 CFR parts 730–774) by issuing General Order No. 1 establishing a 24-month validity period for all reexport authorizations that do not contain any license validity period and revoking those that have been in effect for more than 24 months.

**DATES:** This rule is effective September 16, 1998.

**ADDRESSES:** Written comments on this rule should be sent to Hillary Hess, Director, Regulatory Policy Division, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

**FOR FURTHER INFORMATION CONTACT:** Hillary Hess, Director, Regulatory Policy Division, Bureau of Export Administration, Telephone: (202) 482–2440.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 25, 1996 (61 FR 12714), the Bureau of Export Administration (BXA) issued completely revised Export Administration Regulations (EAR). Among other things, the new regulations established a general rule that all licenses for export or reexport would be limited to a 24-month validity period and established procedures for seeking extensions (§ 750.7(g)).

The general practice before June 15, 1996, under the previous regulations, was to issue reexport authorizations for most countries without a set validity period. Since requests for reexport authorizations specified the items to be reexported, the parties to the transaction, and the dollar value involved, the reexport authorizations were available for as long as was necessary to complete the transaction(s) in question. In addition, a number of reexport authorizations issued after June 15, 1996, did not include a specific validity period.

BXA is issuing this general order to bring any outstanding reexport authorizations which were issued without validity periods in line with the general 24-month validity period established in the new regulations.

This order revokes all outstanding reexport authorizations issued with no validity period before the 24-month period preceding September 16, 1998 to a country that has been designated by the Secretary of State as a country that has repeatedly provided support for acts of international terrorism, effective September 16, 1998. Designated terrorist-supporting countries currently are Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria. All other outstanding reexport authorizations issued with no validity period within the 24-months

preceding September 16, 1998 will be revoked November 16, 1998. Reexport authorizations issued with no validity period within 24-months preceding September 16, 1998 will expire 24-months from the date of issuance of the reexport authorization or November 16, 1998, whichever is longer. Extensions of any such reexport authorizations may be requested prior to the effective date of this action in accordance with the procedures set forth in § 750.7(g). Should BXA provide specific notice to a reexporter of an earlier revision, suspension, or revocation date for such reexport authorization, then the information in the specific notice from BXA shall be controlling.

The term “authorization” as used in this rule encompasses the range of reexport authorizations granted by BXA, which includes licenses, individual letters, and other types of notifications.

The Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR and, to the extent permitted by law, the provisions of the EAA in Executive Order 12924 of August 19, 1994, as extended by the President’s notices of August 15, 1995 (60 FR 42767), August 14, 1996 (61 FR 42527), August 13, 1997 (62 FR 43629) and August 13, 1998 (63 FR 44121).

**Saving Clause**

Shipments of items under reexport authorizations revoked as a result of this regulatory action that were on dock for loading, on lighter, laden aboard an exporting carrier, or en route aboard carrier to a port of export pursuant to actual orders for export before September 16, 1998 may be exported in accordance with the terms of the previous reexport authorization provisions up to and including September 30, 1998. Any such items not actually exported before midnight September 30, 1998, require a new license in accordance with this regulation.

**Rulemaking Requirements**

1. This interim rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. This rule involves collection of information requirements subject to the Paperwork

Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). This collection has been approved by the Office of Management and Budget under control number 0694–0088.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this interim rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

**List of Subjects in 15 CFR Part 736**

Exports, Foreign trade.

Accordingly, part 736 of the Export Administration Regulations (15 CFR parts 730–799) are amended as follows:

**PART 736—[AMENDED]**

1. The authority citation for part 736 is revised to read as follows:

**Authority:** 50 U.S.C. app. 2401 *et seq.*, 1701 *et seq.*; E.O. 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228 (1997); Notice of August 15, 1995, 3 CFR, 1995 Comp. 501 (1996); Notice of August 14, 1996, 61 FR 42527, 3 CFR 1996 Comp., p. 298 (1997); Notice of August 13, 1997 (62 FR 43629, August 15, 1997); and Notice of August 13, 1998 (62 FR 44121, August 17, 1998).

2. Supplement No. 1 to part 736 is revised to read as follows:

**Supplement No. 1 To Part 736—General Orders**

General Order No. 1 of September 16, 1998; Establishing a 24-month validity period on reexport authorizations issued without a validity period and revoking those exceeding that period.

(a) *Reexport authorizations issued within 24-months of the General Order.* All reexport authorizations issued with no validity period within the 24-months preceding September 16, 1998 shall be deemed to have an expiration date which shall be the date 24-months from the date of issuance of the reexport authorization or November 16, 1998, whichever is longer.

(b) *Reexport authorizations issued before the 24-month period preceding the General Order.* For reexport authorizations issued with no validity period before the 24-month period preceding September 16, 1998:

(1) Effective September 16, 1998, all such outstanding reexport authorizations for terrorist-supporting countries (see parts 742 and 746 of the EAR) are revoked.

(2) Effective November 16, 1998, all other such outstanding reexport authorizations are revoked.

(c) *Extensions.* If necessary, you may request extensions of such authorizations according to procedures set forth in § 750.7(g) of the EAR.

(d) *Specific Notice from BXA.* If you have received, or should you receive, specific notice from BXA with regard to a reexport authorization covered by this General Order, informing you of a revocation, suspension, or revision (including validity period) of any such reexport authorization, then the terms of that specific notice will be controlling.

(e) *Definition of "authorization".* The term "authorization" as used in this General Order encompasses the range of reexport authorizations granted by BXA, which includes licenses, individual letters, and other types of notifications.

Dated: September 10, 1998.

**R. Roger Majak,**

*Assistant Secretary for Export Administration.*

[FR Doc. 98-24829 Filed 9-15-98; 8:45 am]

BILLING CODE 3510-33-P

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 904

[SPATS No. AR-030-FOR]

#### Arkansas Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** OSM is approving an amendment to the Arkansas regulatory program (hereinafter referred to as the "Arkansas program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Arkansas proposed revisions to, and additions of, regulations pertaining to definitions; reclamation plans; disposal of excess spoil; steep slope mining; permits incorporating variances from approximate original contour restoration requirements for steep slope mining; prime farmlands; performance standards for coal exploration and prime farmland; signs and markers; topsoil and subsoil; hydrologic balance; backfilling and grading; procedures for

assessment conference; and request for adjudicatory public hearing. Arkansas intends to revise its program to be consistent with the corresponding Federal regulations and to enhance enforcement of its program.

**EFFECTIVE DATE:** September 16, 1998.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Wolfrom, Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6548, Telephone: (918) 581-6430; e-mail address: mwolfrom@mcrwgw.osmre.gov.

#### SUPPLEMENTARY INFORMATION:

- I. Background on the Arkansas Program
- II. Submission of the Proposed Amendment
- III. Director's Findings
- IV. Summary and Disposition of Comments
- V. Director's Decision
- VI. Procedural Determinations

#### I. Background on the Arkansas Program

On November 21, 1980, the Secretary of the Interior conditionally approved Arkansas' program. You can find background information on Arkansas' program, including the Secretary's findings, the disposition of comments, and the conditions of approval in the November 21, 1980, **Federal Register** (45 FR 77003). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 904.10, 904.12, 904.15, and 904.16.

#### II. Submission of the Proposed Amendment

In a letter dated February 6, 1998 (Administrative Record No. AR-561), Arkansas sent us a proposed amendment to its program in accordance with SMCRA. The proposed amendment responded to our June 17, 1997, letter (Administrative Record No. AR-559) that we sent to Arkansas in accordance with 30 CFR 732.17(c). The amendment also included changes made at Arkansas' own initiative.

We announced receipt of the proposed amendment in the February 26, 1998, **Federal Register** (63 FR 9747). In the same document, we opened the public comment period and provided an opportunity for a public hearing or meeting on the adequacy of the proposed amendment. The public comment period closed on March 30, 1998. Because no one requested a public hearing or meeting, we did not hold one.

During our review of the amendment, we identified concerns relating to Arkansas' regulations at the Arkansas Surface Coal Mining and Reclamation

Code (ASCMRC) 816.56, Hydrologic Balance: Postmining Rehabilitation of Sediment Ponds, Diversions, Impoundments, and Treatment Facilities; ASCMRC 816.102, Backfilling and Grading: General Grading Requirements; ASCMRC 823.11, Applicability; and minor typographical errors. We notified Arkansas of these concerns in a fax dated July 6, 1998 (Administrative Record No. AR-561.06).

In a letter dated July 15, 1998 (Administrative Record No. AR-561.07), Arkansas responded to our concerns by sending us additional explanatory information and revisions to its proposed program amendment. Arkansas proposed additional revisions to ASCMRC 701.5, Definitions; ASCMRC 780.14, Operation Plan: Maps and Plans; ASCMRC 816.46, Hydrologic Balance: Siltation Structures; ASCMRC 816.56, Hydrologic Balance: Postmining Rehabilitation of Sediment Ponds, Diversions, Impoundments, and Treatment Facilities; ASCMRC 816.102, Backfilling and Grading: General Grading Requirements; ASCMRC 823.11, Applicability; and ASCMRC 823.15, Revegetation and Restoration of Soil Productivity. Throughout its regulations, Arkansas also changed the name of the old U.S. Soil Conservation Services to its new name of Natural Resources Conservation Service.

Based upon the additional explanatory information and/or revisions to the proposed program amendment submitted by Arkansas, we reopened the public comment period in the August 4, 1998, **Federal Register** (63 FR 41506). The public comment period closed on August 19, 1998.

#### III. Director's Findings

Following, and in accordance with SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are our findings concerning the proposed amendment.

Any revisions that we do not specifically discuss below concern nonsubstantive wording changes, or revised cross-references and paragraph notations to reflect organizational changes that result from this amendment.

#### A. Regulations That Arkansas Removed From the Arkansas Surface Coal Mining and Reclamation Code

1. ASCMRC 701.5, Definitions and ASCMRC 816.46, Hydrologic Balance: Siltation Structures

Arkansas' current definition of "siltation structure" at ASCMRC 816.46(a)(1) only applies to section 816.46. The definition of "siltation