

Recent price information indicates that the grower price for the 1998–99 season should average \$800 per salable ton of dried prunes. Based on estimated shipments of 161,500 salable tons, the estimated assessment revenue for the 1998–99 crop year is expected to be less than 1 percent of the total expected grower revenue.

This action increases the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs are offset by the benefits derived by the operation of the marketing order. In addition, the Committee's meeting was widely publicized throughout the California dried prune industry, and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the June 25, 1998, meeting was a public meeting and all entities, both large and small, were able to express views on this issue.

This rule imposes no additional reporting or recordkeeping requirements on either small or large California dried prune 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.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

A proposed rule concerning this action was published in the **Federal Register** on August 7, 1998 (63 FR 42284). Copies of the proposed rule were also mailed or sent via facsimile to all dried prune handlers. Finally, the proposal was made available through the Internet by the Office of the Federal Register. A 30-day comment period ending September 8, 1998, was provided for interested persons to respond to the proposal. No comments were received.

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

Pursuant to 5 U.S.C. 553, it also found and determined that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because the 1998–99 crop year began on August 1, 1998, and the marketing order requires

that the rate of assessment for each crop year apply to all assessable dried prunes handled during such year. Moreover, the Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis. Further, handlers are aware of this rule which was recommended at a public meeting. Also, a 30-day comment period was provided for in the proposed rule, and no comments were received.

#### List of Subjects in 7 CFR Part 993

Marketing agreements, Plums, Prunes, Reporting and Recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 993 is amended as follows:

#### PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

1. The authority citation for 7 CFR part 993 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

2. Section 993.347 is revised to read as follows:

##### § 993.347 Assessment rate.

On and after August 1, 1998, an assessment rate of \$2.16 per ton is established for California dried prunes.

Dated: September 25, 1998.

**Robert C. Keeney,**

*Deputy Administrator, Fruit and Vegetable Programs.*

[FR Doc. 98–26479 Filed 10–1–98; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### 14 CFR Part 39

[Docket No. 98–ANE–33–AD; Amendment 39–10762; AD 98–19–21]

RIN 2120–AA64

##### Airworthiness Directives; Rolls-Royce, plc RB211 Trent 800 Series Turbofan Engines; Correction

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

**ACTION:** Final rule; request for comments; correction.

**SUMMARY:** This document makes a correction to Airworthiness Directive (AD) 98–ANE–33–AD; Amendment 39–10762 that is applicable to Rolls-Royce, plc RB211 Trent 800 series turbofan engines that was published in the **Federal Register** on September 22, 1998 (63 FR 50484–50485). The AD number “AD 98–18–21” is incorrect. The correct

AD number is “AD 98–19–21”. In all other respects, the original document remains the same.

**DATES:** Effective October 7, 1998.

**SUPPLEMENTARY INFORMATION:** A final rule airworthiness directive applicable to Rolls-Royce, plc RB211 Trent 800 series turbofan engines was published in the **Federal Register** on September 22, 1998 (63 FR 50484). The published AD number is incorrect and the following corrections are needed:

On page 50484, in the first column, in the fifth line of the heading, “AD 98–18–21” is corrected to read “AD 98–19–21”.

On page 50485, in the second column, sixth line from the top of the column, “98–18–21” is corrected to read “98–19–21”.

Issued in Burlington, Massachusetts, on September 24, 1998.

**Jay J. Pardee,**

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

[FR Doc. 98–26355 Filed 10–1–98; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### 14 CFR Part 39

[Docket No. 98–NM–287–AD; Amendment 39–10816; AD 98–21–08]

RIN 2120–AA64

##### Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Saab Model SAAB 2000 series airplanes. This action requires repetitive functional tests (checks) to verify proper operation of the nose wheel steering system (NWSS) limit switch, and replacement of the existing limit switch with a new limit switch, if necessary. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent combined failure of the limit switch and the feedback shaft in the NWSS servo unit, which could result in uncommanded nose wheel steering deflection and reduced controllability of the airplane on the ground during takeoff or landing.

**DATES:** Effective October 19, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 19, 1998.

Comments for inclusion in the Rules Docket must be received on or before November 2, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-287-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Luftfartsverket (LFV), which is the airworthiness authority for Sweden, notified the FAA that an unsafe condition may exist on certain Saab Model SAAB 2000 series airplanes. The LFV advises that it received a report of uncommanded nose wheel steering deflection during landing of a Saab Model SAAB 2000 series airplane, without pilot engagement of the steering system. This deflection was attributed to a short circuit in the nose wheel steering system (NWSS) limitswitch, in combination with a failure of the feedback shaft in the NWSS servo unit. The LFV also advised the FAA that previous failures of the feedback shaft have been reported and corrective action for the NWSS servo units is presently being evaluated. Such combined failure of the limitswitch and the feedback shaft could result in uncommanded nose wheel steering deflection and reduced controllability of the airplane on the ground during takeoff or landing.

#### **Explanation of Relevant Service Information**

Saab has issued Service Bulletin 2000-32-050, dated August 24, 1998, which describes procedures for repetitive functional tests (checks) to verify proper operation of the NWSS

limitswitch, and replacement of the limitswitch, if necessary. The LFV classified this service bulletin as mandatory and issued Swedish airworthiness directive SAD 1-130, dated August 27, 1998, in order to assure the continued airworthiness of these airplanes in Sweden.

#### **FAA's Conclusions**

This airplane model is manufactured in Sweden and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LFV has kept the FAA informed of the situation described above. The FAA has examined the findings of the LFV, reviewed all available 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 Requirements of Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent combined failure of the limitswitch and the feedback shaft of the NWSS, which could result in reduced controllability of the airplane on the ground during takeoff or landing. This AD requires accomplishment of the actions specified in the service bulletin described previously.

#### **Interim Action**

The FAA is considering further rulemaking action to supersede this AD to require modification of the feedback shaft in the NWSS servo units, which will constitute terminating action for the repetitive functional tests (checks) required by this AD action. However, the planned compliance time for these actions is sufficiently long so that prior notice and time for public comment will be practicable.

#### **Determination of Rule's Effective Date**

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity

for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-287-AD." The postcard will be date stamped and returned to the commenter.

#### **Regulatory Impact**

The regulations adopted herein will 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it 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:

**98-21-08 Saab Aircraft AB:** Amendment 39-10816. Docket 98-NM-287-AD.

**Applicability:** Model SAAB 2000 series airplanes, serial numbers 004 through 063 inclusive, 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 (b) 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 combined failure of the limitswitch and the feedback shaft in the nose wheel steering system (NWSS) servo unit, which could result in uncommanded nose wheel steering deflection and reduced controllability of the airplane on the ground during takeoff or landing, accomplish the following:

(a) Within 3 weeks after the effective date of this AD, perform a functional test (check) to verify proper operation of the NWSS limitswitch, in accordance with Saab Service Bulletin 2000-32-050, dated August 24, 1998.

(1) If no malfunction is detected, repeat the functional test thereafter at intervals not to exceed 400 flight hours.

(2) If any malfunction is detected, prior to further flight, replace the existing limitswitch with a new limitswitch in accordance with the service bulletin. Repeat the functional test thereafter at intervals not to exceed 400 flight hours.

(b) 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, International Branch, ANM-116, 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, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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) The functional tests (checks) and replacement shall be done in accordance with Saab Service Bulletin 2000-32-050, dated August 24, 1998. 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 Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 3:** The subject of this AD is addressed in Swedish airworthiness directive SAD 1-130, dated August 27, 1998.

(e) This amendment becomes effective on October 19, 1998.

Issued in Renton, Washington, on September 28, 1998.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 98-26389 Filed 10-1-98; 8:45 am]

**BILLING CODE 4910-13-P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-AEA-20]

#### Establishment of Class E Airspace; Ellenville, NY

**AGENCY:** Federal Aviation Administration (FAA) DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace extending upward from 700

feet Above Ground Level (AGL) at Ellenville, NY. The development of a Standard Instrument Approach Procedure (SIAP) based on the Global Positioning System (GPS) to Runway (RWY) 22 at Joseph Y. Resnick Airport requires the establishment of controlled airspace extending upward from 700 feet Above Ground Level (AGL) to accommodate the SIAP and for Instrument Flight Rules (IFR) operations to the airport. This action is intended to provide adequate Class E airspace to contain instrument flight rules (IFR) operations at Joseph Y. Resnick Airport at Ellenville, NY.

**EFFECTIVE DATE:** 0901 UTC, December 3, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 553-4521.

#### SUPPLEMENTARY INFORMATION:

#### History

On August 7, 1998, a notice proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish Class E airspace at Ellenville, NY, was published in the **Federal Register** (63 FR 42292). A GPS RWY 22 SIAP has been developed for Joseph Y. Resnick Airport. Controlled airspace extending upward from 700 feet AGL is needed to accommodate the SIAP and for IFR operations at the airport.

The notice proposed to establish controlled airspace extending upward from 700 feet AGL to contain IFR operations in controlled airspace during portions of the terminal operation and while transitioning between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas designations for airspace extending upward from 700 feet AGL are published in paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1 The Class E airspace designation listed in this document will be published subsequently in the Order.