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:

99–23–22 Transport Category Airplanes: Amendment 39–11418. Docket 99–NM–328–AD.

Applicability: Transport category airplanes, certificated in any category, equipped with any Mode ''C'' transponder with single Gillham code altitude input, including, but not limited to, the transponder part numbers listed below. A Mode ''C'' transponder with single Gillham code altitude input is defined as any Mode ''C'' transponder meeting Aeronautical Radio, Inc. (ARINC) 572 specification.

Mode ''C'' Transponder Part Numbers:

Rockwell Collins: 622–2224–001, 622–2224–003, 522–2703–001, 522–2703–011, 787–6211–001, 787–6211–002

Bendix: 066–1056–00, 066–1056–01, 066–1123–00, 2041599–6508

Wilcox: 97637–201, 97637–301

IFF: APX–100, APX–101

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, unless accomplished previously.

To prevent false Traffic Alert Collision Avoidance System (TCAS II) advisories due to inaccurate airplane altitude reporting, which could result in the flightcrew deviating the airplane from its assigned flight path and a possible mid-air collision, accomplish the following:

Repetitive Tests

(a) Within 45 days after the effective date of this AD: Perform the test procedures specified in paragraphs (a)(1) through (a)(9) of this AD to detect any discrepancies of the Mode ''C'' transponder(s), air data computer (ADC), or Gillham wiring connections, in accordance with the applicable ADC and Mode ''C'' transponder component maintenance manuals and airplane maintenance manual. Repeat the test procedures thereafter at intervals not to exceed 45 days.

(1) Connect an air data test set to the Captain's (No. 1) Pitot/Static system.

(2) In the airplane flight deck, select Mode ''C'' transponder (1), or left Mode ''C'' transponder, depending on airplane flight deck configuration, and select ADC source (1).

(3) Select the air data test set to the following altitude reporting values: 1,000 feet; 4,100 feet; 15,700 feet; and 31,000 feet.

(4) For each selected altitude, verify that the Mode ''C'' altitude reporting is within tolerance (+/−125 feet), and record the altitude output as follows: 1,000 feet (+/−125 feet); 4,100 feet (+/−125 feet); 15,700 (+/−125 feet); and 31,000 feet (+/−125 feet).

(5) In the airplane flight deck, select ADC source (2) and repeat paragraphs (a)(3) and (a)(4) of this AD.

(6) In the airplane flight deck, select Mode ''C'' transponder (2), or the right Mode ''C'' transponder, depending on airplane flight deck configuration, select ADC source (1), and repeat paragraphs (a)(3) and (a)(4) of this AD.

(7) In the airplane flight deck, select ADC source (2) and repeat paragraphs (a)(3) and (a)(4) of this AD.

(8) Connect an air data test set to the Captain's (No. 2) Pitot/Static system.

(9) Repeat paragraphs (a)(2) through (a)(7) of this AD.

Note 2: The tests required by paragraph (a) of this AD examine the three primary sources of inaccurate airplane altitude reporting. These three sources are: ADC's, Mode ''C'' transponders, and the Gillham wiring connections between the ADC and Mode ''C'' transponder.

Corrective Actions

(b) If any discrepancy is detected during any test required by paragraph (a) of this AD: Prior to further flight, repair in accordance with the applicable ADC and Mode ''C'' transponder component maintenance manual and airplane maintenance manual. If the repair information is not available in the applicable manual, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Reporting Requirement

(c) Within 10 days after accomplishing the initial and repetitive tests required by paragraph (a) of this AD, submit a report of the inspection and test results (both positive and negative findings) to: Peter Skaves, Aerospace Engineer, Airplane and Flight Crew Interface Branch, ANM–111, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; fax (425) 227–1320. The test results must include the Mode ''C'' transponder(s) and ADC part number(s), and must specify if any discrepancies of the Gillham wiring connections were detected, and if corrective action was required. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120–0056.

Alternative Methods of Compliance

(d) 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, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance or Avionics Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(e) 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.

(f) This amendment becomes effective on November 29, 1999.

Issued in Renton, Washington, on November 4, 1999.

John J. Hickey,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–29472 Filed 11–10–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–205–AD; Amendment 39–11410; AD 99–23–14]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplane

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Airbus Model A300, series airplanes, that currently requires certain changes to the procedures in the Airplane Flight Manual (AFM) related to operation of the emergency lighting system. This action requires modification of the emergency lighting system and a revision to the AFM to ensure the preservation of the airplane batteries. This action also provides, for certain airplanes, terminating action for the existing AFM revision, and replacement with a different AFM revision. This action also expands the applicability to

include certain model A310 and A300–600 series airplanes. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to ensure that the emergency lighting is available for evacuation in an emergency situation.

DATES: Effective December 17, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 17, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), TransportAirplane Directorate, Rules Docket, 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, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 88–18–01, amendment 39–5998 (53 FR 30975, August 17, 1988), which is applicable to certain Airbus Model A300 series airplanes, was published in the **Federal Register** on September 13, 1999 (64 FR 49420). That action proposed to continue to require certain changes to the Model A300 Airplane Flight Manual (AFM). That action also proposed to require modification of the emergency lighting system and a revision to the AFM procedures. That action also provides, for certain airplanes, terminating action for the existing AFM revision, and replacement with a different AFM revision. That action also proposed to expand the applicability to include certain Model A310 and A300–600 series airplanes.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 157 airplanes of U.S. registry that will be affected by this AD.

The actions that are currently required by AD 88–18–01, and retained in this AD, take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be $60 per airplane.

The modification that is required in this AD action will take approximately 18 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will cost approximately $500 per airplane. Based on these figures, the cost impact of the required modification of this AD on U.S. operators is estimated to be $248,060, or $1,580 per airplane.

The AFM revision that is required in this AD action will take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the AFM revision of this AD on U.S. operators is estimated to be $9,420, or $60 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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.

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 removing amendment 39–5998 (53 FR 30975, August 17, 1988), and by adding a new airworthiness directive (AD), amendment 39–11410, to read as follows:

99–23–14 Airbus Industrie: Amendment 39–11410. Docket 98–NM–205–AD. Supersedes AD 88–18–01, Amendment 39–5998.

Applicability: Model A300 and A310 series airplanes, except those on which Airbus Modification 10002 has been accomplished; and Model A300–600 series airplanes, except those on which Airbus Modification 7738 or 10002 has been accomplished; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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, unless accomplished previously.

To ensure that the emergency lighting is available for evacuation in an emergency situation, accomplish the following:

Restatement of Requirements of AD 88–18–01, Amendment 39–5998

AFM Revision

(a) For Model A300 series airplanes (excluding Model A300–600 series airplanes): Within 10 days after September 2, 1988 (the effective date of AD 88–18–01, amendment 39–5998), the following procedures must be applied and a copy of this AD or the changes indicated below must be inserted in the appropriate Section of the Airplane Flight Manual (AFM), as indicated below:

(1) This sentence is to be inserted facing 3–02–00 page 11: ''EMERGENCY PROCEDURES—DITCHING When ditching, the MIN CABIN LT selector (if installed) must be switched ON.''

(2) This sentence is to be inserted facing 3–02–00 page 12: ''EMERGENCY PROCEDURES—EMERGENCY EVACUATION When the procedure EMERGENCY EVACUATION is applied, the EMER EXIT LT selector must be selected 'ON' after parking brake is ON.''

(3) This sentence is to be inserted facing 4–03–00 page 1: ''NORMAL PROCEDURES—TAXI Prior to push back, the MIN CABIN LT selector (if installed) must be switched 'ON' and remain ON until gear retraction.''

(4) This sentence is to be inserted facing 4–03–00 page 4: ''NORMAL PROCEDURES—LANDING Before landing, the MIN CABIN LT selector (if installed) must be switched 'ON' and should remain ON until engine shutdown or until parked.''

New Requirements of This AD

Modification

(b) For all airplanes: Within 6 months after the effective date of this AD, modify the emergency lighting system, in accordance with the applicable service bulletin specified in paragraph (b)(1), (b)(2), (b)(3), or (b)(4), of this AD.

(1) For Model A300 series airplanes: Airbus Service Bulletin A300–33–0119, dated March 1, 1993.

(2) For Model A310 series airplanes: Airbus Service Bulletin A310–33–2025, dated March 1, 1993.

(3) For Model A300–600 series airplanes listed in Airbus Service Bulletin A300–33–6013, dated March 30, 1989: Airbus Service Bulletin A300–33–6013, dated March 30, 1989.

(4) For Model A300–600 series airplanes listed in Airbus Service Bulletin A300–33–6020, dated March 1, 1993: Airbus Service Bulletin A300–33–6020, dated March 1, 1993.

AFM Revisions

(c) Prior to further flight following accomplishment of the modification required by paragraph (b) of this AD: Revise the FAA-approved Airplane Flight Manual (AFM) by adding the temporary revision (TR) specified in paragraph (c)(1), (c)(2), or (c)(3), as applicable, of this AD.

(1) For Model A300 series airplanes: Insert AFM TR 3.02.00/7. After accomplishment of the modification required by paragraph (b) of this AD, the TR required by paragraph (a) of this AD may be removed [paragraph (a) applies to Model A300 series airplanes only].

(2) For Model A310 series airplanes: Insert AFM TR 3.02.00/8.

(3) For Model A300–600 series airplanes: Insert AFM TR 3.02.00/11.

Alternative Methods of Compliance

(d) 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 Operations 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.

Special Flight Permits

(e) 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.

Incorporation by Reference

(f) The actions shall be done in accordance with Airbus Service Bulletin A300–33–0119, dated March 1, 1993; Airbus Service Bulletin A310–33–2025, dated March 1, 1993; Airbus Service Bulletin A300–33–6013, dated March 30, 1989; Airbus Service Bulletin A300–33–6020, dated March 1, 1993; Airplane Flight Manual Temporary Revision 3.02.00/7 (undated); Airplane Flight Manual Temporary Revision 3.02.00/8 (undated); Airplane Flight Manual Temporary Revision 3.02.00/11 (undated); as applicable. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 French airworthiness directive 89–107–096(B)R4, dated August 13, 1997.

(g) This amendment becomes effective on December 17, 1999.

Issued in Renton, Washington, on November 3, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–29328 Filed 11–10–99; 8:45 am]

BILLING CODE 4910–13–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 230

[Release No. 33–7645A]

RIN 3235–AH21

Rule 701—Exempt Offerings Pursuant to Compensatory Arrangements; Correction

AGENCY: Securities and Exchange Commission.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to final rules adopted in Release No. 33–7645 (February 25, 1999), which were published in the **Federal Register** on Monday, March 8, 1999 (64 FR 11095). The rules relate to the manner of calculating the amount of the exempt offerings pursuant to Rule 701.

EFFECTIVE DATE: November 5, 1999.

FOR FURTHER INFORMATION CONTACT: Richard K. Wulff, Office of Small Business, Division of Corporation Finance at (202) 942–2950.

SUPPLEMENTARY INFORMATION: In connection with the adoption of rules relating to the Rule 701 exemption for compensatory benefit plans, on February 25, 1999 the Commission adopted provisions to determine the available amount of securities subject to the exemption. Because of inaccuracy in the language within the adopting release, a different way of making such calculations appears in the Code of Federal Regulations than that approved by the Commission. The correction removes a typographical error and also deletes the reference to the necessity of only making calculations based upon an annual balance sheet. The original intention was to permit calculations to be made on the basis of interim balance sheets as long as they were no older than the issuer's most recent fiscal year end.

List of Subjects in 17 CFR Part 230

Reporting and recordkeeping requirements, Securities.

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

Accordingly, 17 CFR part 230 is corrected by making the following correcting amendments:

1. The authority citation for part 230 continues to read in part as follows:

Authority: 15 U.S.C. 77b, 77f, 77g, 77h, 77j, 77r, 77s, 77sss, 78c, 78d, 78*l*, 78m, 78n, 78o, 78w, 78*ll*(d), 79t, 80a–8, 80a–24, 80a–28,