

been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent the collapse of the main landing gear due to leaks of hydraulic oil from the main landing gear selector valve, accomplish the following:

#### Inspection

(a) Within 100 flight cycles after the effective date of this AD, perform a general visual inspection of the endcaps of the main landing gear selector valve for the presence of hydraulic oil, in accordance with the Accomplishment Instructions of Bombardier Alert Service Bulletin A8-32-145, Revision 'A', dated December 3, 1999. Repeat the inspection thereafter at intervals not to exceed 400 flight hours until the requirements of paragraph (c) are accomplished.

**Note 2:** For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

#### Replacement or Modification

(b) If any hydraulic oil is detected on either endcap during any inspection required by paragraph (a) of this AD: Prior to further flight, perform the actions specified in either paragraph (b)(1) or (b)(2) of this AD.

(1) Replace the existing aluminum endcaps, part number (P/N) 34629, with new stainless steel endcaps having P/N 52982, in accordance with the Accomplishment Instructions of Bombardier Alert Service Bulletin S.B. A8-32-145, Revision 'A', dated December 3, 1999. Repeat the inspections required by paragraph (a) at intervals not to exceed 400 flight hours until the requirements of paragraph (c) are met.

(2) Replace the main landing gear selector valve with a valve having P/N 57420-5A, in accordance with the Accomplishment Instructions of Bombardier Alert Service Bulletin A8-32-145, Revision 'A', dated December 3, 1999. This action terminates the inspections required by paragraph (a) of this AD.

**Note 3:** Use care when removing the endcaps, so that the internal components do not fall on the ground and get damaged.

(c) Within 12 months after the effective date of this AD: Perform the actions specified in either paragraph (c)(1) or (c)(2) of this AD as applicable, in accordance with the Accomplishment Instructions of Bombardier Alert Service Bulletin A8-32-145, Revision 'A', dated December 3, 1999.

Accomplishment of either paragraph (c)(1) or (c)(2) terminates the repetitive inspection requirements of this AD.

(1) If a main landing gear selector valve having P/N 57420, P/N 57420-1, or P/N 57420-3 is installed, remove it and replace it with a valve having P/N 57420-5A.

(2) If a main landing gear selector valve having P/N 57420-5 is installed, remove it and replace it with a valve having P/N 57420-5A or modify the valve to the P/N 57420-5A configuration (ModSum 8Q100802).

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

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York 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.

**Note 5:** The subject of this AD is addressed in Canadian airworthiness directive CF-99-22, dated August 30, 1999.

Issued in Renton, Washington, on September 21, 2000.

**Donald L. Riggins,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 00-24752 Filed 9-26-00; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-79-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

**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 certain Airbus Model A330 and A340 series airplanes. This proposal would require modification of the rib 1/wing center spar attachment. This action is necessary to prevent fatigue cracking at the rib 1/center spar angle and bottom corner fitting, which could result in reduced structural capability of the wing. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by October 27, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-79-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain "Docket No. 2000-NM-79-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

#### FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

#### 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 shall 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.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 2000-NM-79-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-79-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Direction Generale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A330 and A340 series airplanes. The DGAC advises that, during fatigue testing on a test article, cracks were found at the rib 1/center spar angle and

bottom corner fitting. Certain cracks (in the bottom corner fitting and the vertical angle) were attributed to local bending. Such cracking, if not corrected, could result in reduced structural capability of the wing.

Explanation of Relevant Service Information

Airbus has issued Service Bulletins A330-57-3017 including Appendix 01, Revision 02, dated October 11, 1999 (for Model A330 series airplanes); and A340-57-4022 including Appendixes 01 and 02, dated October 8, 1999 (for Model A340 series airplanes). These service bulletins describe procedures for modification of the rib 1/wing center spar attachment. The modification involves:

- Installing washers on the bottom corner fitting of the wing center spar to reduce local bending when a tension load is applied through the fasteners, and
- Installing a new vertical angle with a reduced thickness to reduce the stress generated in the angle.

Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The DGAC classified these service bulletins as mandatory and issued French airworthiness directives 2000-073-111(B), dated February 23, 2000, and 2000-074-136(B), both dated February 23, 2000, in order to ensure the

continued airworthiness of these airplanes in France.

FAA's Conclusions

These airplane models are manufactured in France and are 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 Proposed 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, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously.

Cost Impact

The following information describes the anticipated cost impact on U.S. operators for the proposed modification.

| Model      | Number of air-planes on U.S. Register | Number of work hours | Average labor rate per work hour | Cost of required parts | Per-airplane cost |
|------------|---------------------------------------|----------------------|----------------------------------|------------------------|-------------------|
| A330 ..... | 5                                     | 42                   | \$60                             | \$9,950                | \$12,470          |
| A340 ..... | 0                                     | 42                   | 60                               | 10,099                 | 12,619            |

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished the modification of this proposed AD, and that no operator would accomplish these actions in the future if this AD were not adopted. However, the FAA has been advised that the 5 airplanes currently on the U.S. Register have been modified in accordance with the proposed requirements. Therefore, until additional affected airplanes (unmodified) are added to the U.S. Register, this proposed AD would impose no cost on U.S. operators.

The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close

up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would not have a substantial direct effect 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, it is determined that this proposal would not have federalism implications under Executive Order 13132.

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 adding the following new airworthiness directive:

**Airbus Industrie:** Docket 2000–NM–79–AD.

**Applicability:** Model A330 and A340 series airplanes, certificated in any category; excluding those on which Airbus Modification 43021 has been installed.

**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 (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 fatigue cracking at the rib 1/ center spar angle and bottom corner fitting, which could result in reduced structural capability of the wing, accomplish the following:

#### Modification

(a) Modify the rib 1/wing center spar attachment, as specified by paragraph (a)(1) or (a)(2), as applicable, of this AD.

(1) For Model A330 series airplanes: Modify before the accumulation of 9,600 total flight cycles or 29,900 total flight hours, whichever occurs first. Do the modification in accordance with Airbus Service Bulletin A330–57–3017 including Appendix 01, Revision 02, dated October 11, 1999.

(2) For Model A340 series airplanes: Modify before the accumulation of 9,300 total flight cycles or 37,200 total flight hours, whichever occurs first. Do the modification in accordance with Airbus Service Bulletin A340–57–4022 including Appendixes 01 and 02, dated October 8, 1999.

**Note 2:** Modification prior to the effective date of this AD in accordance with Airbus Service Bulletin A330–57–3017, dated October 14, 1998, or Revision 01, dated April 9, 1999, is acceptable for compliance with the requirements of paragraph (a) of this AD.

#### Alternative Methods of Compliance

(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, Transport Airplane Directorate, FAA. 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 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch.

#### Special Flight Permits

(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.

**Note 4:** The subject of this AD is addressed in French airworthiness directives 2000–073–111(B) and 2000–074–136(B), both dated February 23, 2000.

Issued in Renton, Washington, on September 21, 2000.

**Donald L. Riggan,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 00–24753 Filed 9–26–00; 8:45 am]

**BILLING CODE 4910–13–U**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 261

[SW–FRL–6878–3]

### Hazardous Waste Management System; Proposed Exclusion for Identification and Listing Hazardous Waste

**AGENCY:** Environmental Protection Agency, (EPA).

**ACTION:** Proposed rule and request for comment.

**SUMMARY:** The EPA (also, “the Agency” or “we” in this preamble) is proposing to grant a petition submitted by USG Corporation (USG), Chicago, Illinois, to exclude (or “delist”), on a one-time basis, certain solid wastes that are interred at an on-site landfill at its American Metals Corporation (AMC) facility in Westlake, Ohio from the lists of hazardous wastes contained in Subpart D of 40 Code of Federal Regulations (CFR) Part 261. This landfill was used exclusively by Donn Corporation, the original site owner, for disposal of its wastewater treatment plant (WWTP) sludge from 1968 to 1978.

USG submitted the petition under 40 CFR 260.20 and 260.22(a). Section 260.20 allows any person to petition the Administrator to modify or revoke any provision of parts 260 through 266, 268 and 273. Section 260.22(a) specifically provides a generator the opportunity to petition the Administrator to exclude a

waste on a “generator specific” basis from the hazardous waste lists.

The Agency has tentatively decided to grant the petition based on an evaluation of waste-specific information provided by USG. This proposed decision, if finalized, conditionally excludes the petitioned waste from the requirements of hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA).

We conclude that USG’s petitioned waste is nonhazardous with respect to the original listing criteria or factors which could cause the waste to be hazardous.

**DATES:** *Comments.* We will accept public comments on this proposed decision until November 13, 2000. We will stamp comments postmarked after the close of the comment period as “late.” These “late” comments may not be considered in formulating a final decision.

*Request for Public Hearing.* Your request for a hearing must reach EPA by October 12, 2000. The request must contain the information prescribed in § 260.20(d).

**ADDRESSES:** *Comments.* Please send two copies of your comments to Todd Ramaly, Waste Management Branch (DW–8J), Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, IL 60604.

*Request for Public Hearing.* Any person may request a hearing on this proposed decision by filing a request with Robert Springer, Director, Waste, Pesticides and Toxics Division, Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, IL 60604.

**FOR FURTHER INFORMATION CONTACT:** For technical information concerning this document, contact Todd Ramaly at the address above or at 312–353–9317. The RCRA regulatory docket for this proposed rule is located at the EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604, and is available for viewing from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding federal holidays. Call Todd Ramaly at (312) 353–9317 for appointments. The public may copy material from the regulatory docket at \$0.15 per page.

#### SUPPLEMENTARY INFORMATION:

##### I. Overview Information

A. What action is EPA proposing?

B. Why is EPA proposing to approve this delisting?

C. How will USG manage the waste if it is delisted?

D. When would EPA finalize the proposed delisting exclusion?

E. How would this action affect the states?

##### II. Background

A. What is the history of the delisting program?