

develop on other airplanes of the same type design registered in the United States, the proposed AD would require installation of a nylon insulation plate on each attachment bracket in the center fuel tank, and installation of new support bracket assemblies on the fuel probes in the left- and right-hand inner wing fuel tanks. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 48 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 91 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$55 per work hour. The cost of required parts is expected to be negligible. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$240,240, or \$5,005 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (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 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Airbus Industrie: Docket 92-NM-224-AD.

Applicability: Model A320 series airplanes, as listed in Airbus Industrie Service Bulletin A320-28-1040, Revision 1, dated April 3, 1992; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent the occurrence of electrical arcing between the fuel probes and the center and wing fuel tanks, accomplish the following:

(a) For airplanes on which Modification 22647J0833 has not been accomplished: Within 9 months after the effective date of this AD, remove fuel probes 35QT, 36QT, 37QT, 38QT and 39QT; install a nylon plate on each attachment bracket in the center fuel tank, Modification 22647J0833; reinstall the fuel probes; and perform a functional check; in accordance with Airbus Industrie Service Bulletin A320-28-1040, Revision 1, dated April 3, 1992.

(b) For airplanes on which Modification 22855J0899 has not been accomplished: Within 9 months after the effective date of this AD, remove fuel probes 21QT1, 21QT2, 22QT1, 22QT2, 23QT1, 23QT2, 25QT1, 25QT2, 26QT1, 26QT2, 27QT1, 27QT2, 29QT1, 29QT2, 31QT1 and 31QT2; install new support bracket assemblies on fuel probes 1 and 2 in the inner fuel tanks of the left- and right-hand wings, Modification 22855J0899; reinstall fuel probes; and perform a functional check; in accordance with Airbus Industrie Service Bulletin A320-28-1040, Revision 1, dated April 3, 1992.

(c) 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, Standardization Branch, 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, Standardization Branch, ANM-113.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on February 1, 1993.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 93-2710 Filed 2-4-93; 8:45 am]

BILLING CODE 4910-13-P

Office of the Secretary

14 CFR Parts 61, 63, 65, 121, and 135; 49 CFR Parts 40, 199, 217, 219, 350, 382, 383, 391, 392, 395, 653, and 654

[Notice No. 93-7; Docket Nos.: (OST) 48513; (FAA) 27065, 25148; (FHWA) MC-92-19, MC-93-3; MC-93-2; MC-92-23; (FRA) RSOR-6; (FTA) 92-H; 92-I; (RSPA) PS-128; PS-129]

RIN Nos. 2105-AB95; 2120-AE43; 2120-AE-80; 2125-AC85; 2125-AD11; 2125-AC81; 2125-AD06; 2130-AA81; 2130-AA82; 2130-AA64; 2132-AA37; 2132-AA38; 2137-AC21; 2137-AB95

Alcohol Misuse Prevention and Drug Testing Rulemakings; Public Hearings

AGENCIES: The Office of the Secretary, the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, the Federal Transit Administration, and the Research and Special Programs Administration.

ACTION: Proposed rules; public hearings.

SUMMARY: On December 15, 1992, the Office of the Secretary and several operating administrations of the Department of Transportation published NPRMs that would implement the mandate in the Omnibus Transportation Employee Testing Act of 1991 and other statutes to develop alcohol misuse prevention and anti-drug rules for several transportation industries, and announced that the Department planned to conduct public hearings on these proposals. This notice announces the dates, times, locations, and procedures for those hearings.

DATES: The three public hearings are scheduled 8:30 a.m. to 5 p.m. (local time) as follows:

1. February 25-26, 1993; Washington, DC.
2. March 1-2, 1993; Chicago, IL.
3. March 4-5, 1993; San Francisco, CA.

ADDRESSES: The Washington, DC meeting will be held at: U.S. Department of Transportation, room 2230, 400 7th Street SW., Washington, DC 20590. The Chicago, IL, meeting will be held at: The Palmer House Hilton Hotel, 17 East Monroe, Chicago, IL, 60631; (phone number 312-726-7500. Special room rate \$100.00 single) (inclusive). The San Francisco, CA,

meeting will be held at: Holiday Inn-Union Square, 480 Sutter Street, San Francisco, CA 94108; (phone number 415-398-8900. Special room rate of: \$105.45 single/\$127.65 double) (inclusive). The individuals interested in speaking at one of the public hearings should contact and provide the requested information to Donna Smith at 202-366-3784, no later than February 17, 1993, for the Washington, DC hearing and February 22, 1993, for the Chicago and San Francisco hearings. Registration information can also be obtained from the DOT's Anti-Drug Information Center through automated telephone or fax requests, 1-800-225-3784, or by modem, 1-800-225-3804. Written materials submitted at the hearings will be placed in the appropriate rulemaking dockets. Interpreters are available upon request; requests should be made by the dates listed above.

FOR FURTHER INFORMATION CONTACT: Donna Smith, Acting Director, Office of Drug Enforcement and Program Compliance, Department of Transportation, (202) 366-3784, 400 7th Street SW., Washington, DC 20590. For information concerning a particular DOT agency NPRM, contact the individual(s) listed under "FOR FURTHER INFORMATION CONTACT" in the particular document.

SUPPLEMENTARY INFORMATION: On December 15, 1992, the Federal Aviation Administration (FAA), the Federal Highway Administration (FHWA), the Federal Railroad Administration (FRA), and the Federal Transit Administration (FTA) published proposed rules to implement the Omnibus Transportation Employee Testing Act of 1991 (the Act), which requires alcohol misuse prevention programs, including testing, in the aviation, motor carrier, rail, and mass transit industries in the interest of public safety. It also requires anti-drug programs in the mass transit industry and changes to the existing anti-drug programs in the other transportation industries. The Research and Special Programs Administration (RSPA) has proposed to apply similar alcohol misuse prevention requirements to the pipeline transportation industry using existing statutory authority. All of these agencies and the U.S. Coast Guard (USCG) also published proposed rules to establish uniform reporting requirements for their anti-drug rules. Because the USCG is only proposing reporting requirements for its existing drug and alcohol testing program, the USCG will not be participating in these hearings. Any comments to the USCG

NPRM should be submitted, in writing, to the USCG as directed in its NPRM.

Notice of Public Hearings and Hearing Procedures

The Department believes that the public will benefit from an opportunity to make oral presentations concerning the rulemaking documents described below that it has issued on alcohol misuse and drug use prevention. Therefore, the Department of Transportation is holding three public hearings beginning at 8:30 a.m. and ending at 5 p.m. (local time) on February 25-26, 1993, Washington, DC; March 1-2, 1993, Chicago, IL; and March 4-5, 1993, San Francisco, CA. Information gathered at the public hearings will be included in the appropriate rulemaking dockets and evaluated in conjunction with the development of the final rules. This notice establishes the general procedures set forth below to facilitate the hearing process; the Federal Railroad Administration-specific hearing will be conducted under its own statutorily-mandated procedures.

The following related documents are the subject of these hearings:

- (1) An NPRM on alcohol and drug testing procedures issued by the Office of the Secretary and adopted by each of the affected DOT agencies in their NPRMs or existing rules;
- (2) Modal-specific alcohol misuse prevention NPRMs and a common preamble issued jointly by each of the five operating administrations (FAA, FHWA, FRA, FTA, and RSPA) issuing the NPRMs that provides the background for and an overview of the general, common elements of the NPRMs;
- (3) An FTA NPRM that would impose on transit operator recipients (of Federal funds) anti-drug requirements similar to those in the other transportation industries;
- (4) FAA, FHWA, FRA, and RSPA NPRMs that would require submission of drug test results to each agency's Management Information System (the FTA proposal is contained in number 3 above); and
- (5) An FHWA NPRM that proposes changes to its existing drug rule in order to conform to the Act, including extending coverage to intrastate truck and motorcoach operators.

Each hearing will last 2 days, beginning at 8:30 a.m. The hearings will be conducted in two successive parts: (1) A DOT-wide hearing and (2) Modal-specific hearings. At the DOT-wide hearing, testimony will be taken on the common testing procedures (number 1, above), as well as from anyone who

specifically asks to address all of the affected DOT agencies together. After that, the hearing will split into separate rooms to discuss the operating administrations' specific alcohol, drug and management information system proposals. Those who would be subject to more than one rule may testify at more than one of the applicable operating administration hearings, and we will attempt to schedule speaking times to facilitate this.

There will be a morning and afternoon break as well as a break for lunch. Seating will be restricted by available room size and will be made available on a first-come-first-served basis, with some seats reserved for scheduled speakers. For those who cannot attend, a tape-recording, transcript, or other record of the hearings will be available in the rulemaking dockets after the hearings. Individuals who wish to speak at one of the hearings should notify the Department no later than February 17, 1993, for the Washington, DC hearing and February 22, 1993, for the Chicago and San Francisco hearings; they should (1) specify the hearing at which they wish to speak, (2) the issue(s) they wish to address, (3) the position(s) they wish to take on that issue(s); and (4) whether, if more time becomes available, they would want additional time, and, if so, how much. To register, they should contact Donna Smith, (202) 366-3784, who will coordinate scheduling of testimony with the modal administrations. Registration information can also be obtained from DOT's Anti-Drug Information Center (ADIC) by modem, 1-800-225-3804; or through automated telephone or fax requests, 1-800-225-3784.

An individual, whether speaking in a personal or a representative capacity on behalf of an organization, may be limited to a 10-minute statement. If possible, when we confirm a speaker's time and place of testimony, we will notify the speaker if additional time is available. The Department officials chairing the hearing may take additional time to ask clarifying questions of the speakers. Sign and oral interpretation can be made available at each hearing, as well as an assistive listening device, if requested at the above number seven calendar days before the hearing. The Department intends to transcribe the hearings.

We will try to accommodate all speakers. If the available time does not permit this, speakers generally will be scheduled on a first-come-first-served basis. However, the Department reserves the right to exclude some speakers if necessary to present a balance of

viewpoints and issues. The Department will confirm by mail, fax, or telephone the time and place of each speaker's testimony. Four calendar days before the hearing, a final schedule of when the modal-specific hearings will begin, and the specific speakers and their scheduled times for both the DOT-wide and modal-specific hearings will be available from the ADIC by modem, 1-800-225-3804; or through automated telephone or fax requests, 1-800-225-3784. Individuals may be able to register to speak on the hearing day at each location between 8:00 a.m. and 8:30 a.m. to the extent there is any time available.

It would be appreciated if any individuals who wish to provide prepared written statements or documents at the hearings would provide three copies at the hearing at which the individual will be speaking so that the panel members can have a copy. All statements and materials received at the hearing will become part of the appropriate rulemaking dockets.

The hearings are intended to solicit public views and information on the proposed rules. Therefore, they will be conducted in an informal and nonadversarial manner. Department officials will be available half an hour before the hearing begins in the main hearing room to answer any questions about the rules. If time permits, written questions to be asked of speakers at the hearing may be submitted by the public to Department officials during the testimony.

Issued in Washington, DC on January 29, 1993.

Rosalind A. Knapp,

Acting General Counsel.

[FR Doc. 93-2683 Filed 2-2-93; 11:44 am]

BILLING CODE 4910-82-M

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 103

Union Dues Regulations

AGENCY: National Labor Relations Board.

ACTION: Notice of oral argument.

SUMMARY: The National Labor Relations Board gives notice that it is scheduling oral argument on March 8, 15, and 16, 1993, on the proposed rulemaking for the implementation of the United States Supreme Court's decision in *Communications Workers of America v. Beck*, 487 U.S. 735 (1988).

DATES: The Board will hold oral argument on March 8, 15, and 16, 1993.

Persons wishing to be heard at the oral argument should notify the Office of the Executive Secretary by close of business Tuesday, February 16, 1993. Thereafter, the Board will notify interested persons of the time and place of the oral argument and those who will be scheduled to participate and the time to be allotted to each speaker.

ADDRESSES: Persons wishing to be heard at the oral argument should notify the Office of the Executive Secretary, 1717 Pennsylvania Avenue, NW., Washington, DC 20570. Telephone: (202) 254-9430.

FOR FURTHER INFORMATION CONTACT: John C. Truesdale, Executive Secretary. Telephone: (202) 254-9430.

SUPPLEMENTARY INFORMATION:

Background

The Board's notice of proposed rulemaking and original notice of oral argument was published in the *Federal Register* (57 FR 43635) on September 22, 1992. The notice provided that the period for comment ended at the close of business on October 22, 1992. The notice also provided that oral argument would be held on November 5, 1992. On October 14, 1992, the Board published in the *Federal Register* (57 FR 47023) a notice extending the time for filing comments until the close of business on Monday, November 30, 1992, but also advised that it would adhere to the date of November 5, 1992, for the purpose of hearing oral argument. Oral argument was held on that date. The Board subsequently extended the time for filing comments to the close of business on December 4, 1992 (57 FR 55491).

The Board has now determined that additional oral argument, focused more narrowly on specific areas covered by the Proposed Rule, will aid it in its formulation of final rules. Accordingly, the Board has scheduled additional oral argument on the proposed rule on March 8, 15, and 16, 1993. The March 8 session will focus on issues raised by the notice and informational provisions of the proposed rule contained in §§ 103.40(e) 103.40(f) (1) and (2). The March 8 argument also will concern the model union security clause set forth in § 103.42 and the Appendix to that section. On March 15 the Board will focus on the financial aspects of the proposed rule raised by § 103.41, including but not limited to unit-by-unit accounting and chargeability issues. Finally, the March 16 session will focus on the procedural aspects of the proposed rule, such as those contained in §§ 103.40(f) (3) and (4) and 104.30(g).

Persons wishing to be heard at any of these sessions should notify the Office

of the Executive Secretary by close of business February 16, 1993, and specify in which session or sessions they wish to participate. The Board will thereafter give notice of the time and place of the oral argument, those persons who will be scheduled to participate, and the time periods for each participant.

Dated Washington, DC, February 2, 1993.

By direction of the Board.

John C. Truesdale,

Executive Secretary.

[FR Doc. 93-2780 Filed 2-4-93; 8:45 am]

BILLING CODE 7545-01-M

FEDERAL MARITIME COMMISSION

46 CFR Parts 502, 505, 510, 540

[Docket No. 93-02]

Miscellaneous Amendments to Rules of Practice and Procedure

AGENCY: Federal Maritime Commission.

ACTION: Proposed rule.

SUMMARY: The Federal Maritime Commission proposes to amend its rules of practice and procedure in numerous respects. Experience under these rules indicates that several changes are desirable to remove ambiguities, to delete outdated or extraneous provisions, and to improve the efficient administration of proceedings.

DATES: Comments due March 22, 1993.

ADDRESSES: Send comments (original and fifteen copies) to: Joseph C. Polking, Secretary, Federal Maritime Commission, 800 N. Capitol Street NW., Washington, DC 20573-0001, 202-523-5725.

FOR FURTHER INFORMATION CONTACT: Joseph C. Polking, Secretary, Federal Maritime Commission, 202-523-5725.

SUPPLEMENTARY INFORMATION: The Commission's Rules of Practice and Procedure, 46 CFR part 502, govern procedures in proceedings before the Commission. Experience under the rules suggests certain provisions are either outdated, unclear, conflicting or inadequate to achieve their desired purpose. Additionally, it would appear that certain provisions in parts 505 and 540 dealing with assessment and compromise of civil penalties would more appropriately be included in part 502. To remedy these deficiencies, the Commission proposes to make several revisions to its rules.

A section-by-section explanation of the proposed rule changes follows:

Federal Rules of Civil Procedure

The Commission has consistently endorsed the policy of following the