

International Trade Impact Assessment

The proposed rule represents a clarifying change and will not impose any costs on either U.S. or foreign operators. Therefore, a competitive trade disadvantage will not be incurred by either U.S. operators abroad or foreign operators in the United States.

Initial Regulatory Flexibility Determination

In accordance with the Regulatory Flexibility Act of 1980, the proposed rule will not have a significant economic impact on a substantial number of small entities. This is because the proposed rule is clarifying in nature and will not impose any costs.

Environmental Analysis

Section 232 of the Clean Air Act Amendments of 1970 mandates that the FAA issue regulations to ensure compliance with the EPA aircraft emissions standards. The EPA has performed all required environmental analyses prior to the issuance of those standards. Since this rule represents a clarifying correction and will not significantly affect the quality of the human environment, no further analyses is required.

Federalism Implications

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

Conclusion

The FAA has determined that this rule: (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 on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 34

Air pollution control, Aircraft.

The Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 34 of the Federal Aviation Regulations as follows:

PART 34—FUEL VENTING AND EXHAUST EMISSION REQUIREMENTS FOR TURBINE ENGINE POWERED AIRPLANES

1. The authority citation for part 34 continues to read as follows:

Authority: 42 U.S.C. 1857f-10; 49 U.S.C. 106(g); 49 U.S.C. App. 1348(c), 1354(a), 1421, 1423.

2. Section 34.64 is amended by revising the first sentence to read as follows:

§ 34.64 Sampling and analytical procedures for measuring gaseous exhaust emissions.

The system and procedures for sampling and measurement of gaseous emissions shall be done in accordance with Appendices 3 and 5 to ICAO Annex 16, Environmental Protection, Volume II—Aircraft Engine Emissions, First Edition, June 1981, effective February 18, 1982. * * *

3. Section 34.71 is revised to read as follows:

§ 34.71 Compliance with gaseous emission standards.

Compliance with each gaseous emission standard by an aircraft engine shall be determined by comparing the pollutant level in grams/kilowatt/thrust/cycle or grams/kilowatt/cycle as calculated pursuant to § 34.64 with the applicable emission standard under this part. An acceptable alternative to testing every engine is described in Appendix 6 to ICAO Annex 16, Environmental

Protection, Volume II—Aircraft Engine Emissions, First Edition, June 1981, effective February 18, 1982. 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. This document can be obtained from the address listed in § 34.64. Other methods of demonstrating compliance may be approved by the Administrator with the concurrence of the Administrator of the EPA.

4. Section 34.82 is amended by revising the first sentence to read as follows:

§ 34.82 Sampling and analytical procedures for measuring smoke exhaust emissions.

The system and procedures for sampling and measurement of smoke emissions shall be done in accordance with Appendix 2 to ICAO Annex 16, Environmental Protection, Volume II—Aircraft Engine Emissions, First Edition, June 1981, effective February 18, 1982. * * *

5. Section 34.89 is amended by revising the third sentence and adding new fourth and fifth sentences to read as follows:

§ 34.89 Compliance with smoke emission standards.

* * * An acceptable alternative to testing every engine is described in Appendix 6 to ICAO Annex 16, Environmental Protection, Volume II—Aircraft Engine Emissions, First Edition, June 1981, effective February 18, 1982. 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. This document can be obtained from the address listed in § 34.64.

Issued in Washington, DC on June 22, 1995.

David R. Hinson,
Administrator.

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