

thermal condition preceding reapplication of 30-second OEI power.

The FAA agrees. The proposed wording for § 33.87(f)(5) is modified accordingly. Actual operations could realistically be expected to have a power setting of 50 to 60 percent takeoff power in an approach descent from a continuous OEI power setting toward a landing spot. The flight scenario would likely include and follow one use of takeoff power to the takeoff path's critical decision point (CDP), then from one to three applications of 30-second OEI power, and one or two applications of 2-minute OEI power.

One commenter states that Proposal 9 of the NPRM is inaccurate in stating that existing § 33.87(f) will be redesignated as paragraph (g) without text change. The commenter claims that a number of cross-references in the existing subparagraphs of the newly redesignated § 33.87(g) are incorrectly designated as (e) instead of (f). The commenter suggests changing those cross-references from (e) to (g) if § 33.87(f) is redesignated as § 33.87(g).

The FAA agrees. Editorial changes have been made in the proposed § 33.87.

Section 33.88 Engine Overtemperature Test

One commenter suggests that the wording "or equivalent device" be inserted after "temperature limiter" in § 33.88(c) and that language allowing "equivalent limiting device" be added as an alternative to the direct temperature limiting control system.

The FAA agrees. The proposed wording is changed from "a temperature limiter" to "a means to limit temperature." The means to limit the temperature is intended for limiting the maximum engine gas temperature.

Section 33.93 Teardown Inspection

One commenter states that in § 33.93, an "and" in the first sentence of § 33.93(c) should read "or", making the fifth and sixth lines read as follows: "* * * the endurance testing of § 33.87 (b), or (c), or (d), or (e) of this part and followed * * *." The commenter states this change is needed because in Proposal No. 9, revised § 33.87(a) states: "* * * for engines tested under paragraphs (b), (c), (d), or (e) of this section * * *," and the new § 33.87(f) reads: "* * * and following completion of the tests under paragraphs (b), (c), (d), or (e) of this section * * *."

The FAA agrees, and editorial changes in proposed § 33.93 are made.

Supplemental Regulatory Evaluation Summary

The FAA has determined that the changes made to the NPRM do not increase the scope of the proposed rule or the original economic analysis. Therefore, the FAA has determined that this is not a significant rulemaking as defined in Executive Order 12866.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) was enacted to ensure that small entities are not unnecessarily or disproportionately burdened by Government regulations. The RFA requires a Regulatory Flexibility Analysis if a proposed rule would have "a significant economic impact, on a substantial number of small entities." FAA Order 2100.14A outlines FAA's procedures and criteria for implementing the RFA.

The proposed modification of Notice No. 89-27 will neither eliminate any present regulations, nor impose any new regulations and, thus, will not have a significant economic impact on a substantial number of small entities. Consequently, the FAA has determined that, under the criteria of the Regulatory Flexibility Act of 1980, a regulatory flexibility analysis of this supplemental notice of proposed rulemaking is not required.

International Trade Impact Assessment

The proposed modification of Notice No. 89-27 will neither eliminate any present regulations, nor impose any new ones. As a result, affected manufacturers and operators will not incur additional costs, or realize significant savings. Thus, the proposed modification of Notice No. 89-27 will not have any impact on trade opportunities for either U.S. firms doing business overseas, or foreign firms doing business in the United States.

Federalism Implications

The revised 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.

Conclusion

This SNPRM changes certain sections of the proposed rule based on comments received. For the reasons discussed in the Notice No. 89-27 and this

supplemental notice, and based on the findings in the Regulatory Flexibility Determination and the International Trade Impact Analysis, the FAA has determined that this proposed regulation is not a significant regulation as defined in Executive Order 12866. In addition, it is certified this SNPRM 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. This proposal, including this supplemental notice, is not considered significant under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). A draft regulatory evaluation of the proposal, including a supplement relating to the modifications in this notice, has been placed in the regulatory docket. A copy may be obtained by contacting the person identified under the caption **FOR FURTHER INFORMATION CONTACT**.

List of Subjects

14 CFR Part 1

Airmen, Flights, Balloons, Parachutes, Aircraft pilots, Pilots, Transportation, Agreements, Kites, Air safety, Safety, Aviation safety, Air transportation, Air carriers, Aircraft, Airports, Airplanes, Helicopters, Rotorcraft, Heliports, Engines, and Ratings.

14 CFR Part 33

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend 14 CFR part 1 and part 33 as follows:

PART 1—DEFINITIONS AND ABBREVIATIONS

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

Authority: 49 U.S.C. app. 1347, 1348, 1354(a), 1357(d)(2), 1372, 1421 through 1430, 1432, 1442, 1443, 1472, 1510, 1522, 1652(e), 1655(c), 1567(f); 49 U.S.C. 106(g).

2. Section 1.1 is amended by adding the definitions in alphabetical order of "Rated 30-second OEI power" and "Rated 2-minute OEI power" to read as follows:

§ 1.1 General definitions.

* * * * *

Rated 30-second OEI power, with respect to rotorcraft turbine engines, means the approved brake horsepower developed under static conditions at specified altitudes and temperatures within the operating limitations established for the engine under part 33 of this chapter, for continued one-flight