of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(f) This amendment becomes effective on June 2, 1998.

Issued in Kansas City, Missouri, on April 8, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–10053 Filed 4–16–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–CE–71–AD; Amendment 39–10470; AD 98–08–21]

RIN 2120–AA64

Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Models TB10 and TB200 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain SOCATA-Groupe AEROSPATIALE (Socata) Models TB10 and TB200 airplanes. This AD requires inspecting the wing rear attachment fittings for cracks, replacing any cracked fitting, and incorporating wing rear attachment fitting reinforcement kits. This AD is the result of mandatory continued airworthiness information (MCAI) issued by the airworthiness authority for France. The actions specified by this AD are intended to prevent structural failure of the wing rear attachment fittings caused by cracks in this area, which could result in the wing separating from the airplane if the airplane is operated with cracked wing rear attachment fittings over an extended period of time.

DATES: Effective June 3, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 3, 1998.

ADDRESSES: Service information that applies to this AD may be obtained from the SOCATA-Groupe AEROSPATIALE, Socata Product Support, Aeroport Tarbes-Ossun-Lourdes, B P 930, 65009 Tarbes Cedex, France; telephone: 62.41.74.26; facsimile: 62.41.74.32; or the Product Support Manager, SOCATA Aircraft-Groupe AEROSPATIALE, North Perry Airport, 7501 Pembroke Road, Pembroke Pines, Florida 33023; telephone: (954) 893–1160; facsimile: (954) 964–4141. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 95–CE–71–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut Street, suite 900, Kansas City, Missouri 64106; telephone: (816) 426–6934; facsimile: (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Socata Models TB10 and TB200 airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on December 16, 1997 (62 FR 65768). The NPRM proposed to require inspecting the wing rear attachment fittings for cracks, replacing any cracked fitting, and incorporating wing rear attachment fitting reinforcement kits. Accomplishment of the proposed action as specified in the NPRM would be in accordance with Socata Service Bulletin No. SB 10–082–57, Amdt. 1, dated April 1996. Accomplishment of the proposed reinforcement kits would be in accordance with the technical instructions included with each kit.

The NPRM was the result of mandatory continued airworthiness information (MCAI) issued by the airworthiness authority for France.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the four comments received from one commenter.

Comment No. 1: Allow for Repetitive Inspections Instead of Mandatory Replacement

The commenter suggests that the proposal incorporate Socata Service Bulletin SB 10–082–57, Amendment 1, as written. This service bulletin allows for repetitive inspections of the wing rear attachment fitting rather than replacement.

The FAA does not concur. The FAA's policy is to provide corrective action, when available, that will eliminate the need for repetitive inspections. The FAA has determined that long-term operational safety will be better assured by design changes that remove the source of the problem, rather than by repetitive inspections or other special procedures. Therefore, since a design change exists for the wing rear attachment fittings that eliminates the need for repetitive inspections, no changes to the final rule are necessary as a result of this comment.

Comment No. 2: The FAA Has Exaggerated the Severity of the Unsafe Condition

The commenter believes the FAA has exaggerated the severity of the unsafe condition with the statement ''* * * which could result in a wing separating from the airplane with consequent loss of control of the airplane.'' The commenter states that the Models TB10 and TB200 airplanes, even without the wing rear attachment fittings, resist the ultimate flight loads throughout the flight envelope, and that the wing rear attachment fittings on these airplanes resist the ultimate landing loads up to a weight of 1,092 kilograms.

The FAA partially concurs. The FAA infers that the commenter does not believe that the wing rear attachment fittings are considered primary structure since the commenter states that the design of the airplane is such that this area resists ultimate flight and landing loads. In this area, the FAA does not concur, and has determined that the wing rear attachment fittings are ultimate flight and landing load bearing areas and considers the wing rear attachment fittings primary structure.

The FAA does concur that the statement of the wing separating from the airplane with consequent loss of control of the airplane could be considered extreme. Wing separation would only occur after continued operation over a long period of time. The FAA will change the above statement that the commenter believes is exaggerated to read: ''* * * which could result in the wing separating from the airplane if the airplane is operated with cracked wing rear attachment fittings over an extended period of time.''

Comment No. 3: Incorrect Formula for Converting Hours Time-in-Service Into Landings

The commenter states that the AD contains the wrong formula for converting hours time-in-service (TIS) into landings for the conditions of the proposed AD. The commenter states that hours TIS should be multiplied by 1.5 to obtain the number of landings, instead of divided by 1.5 (multiplied by .67).

The FAA concurs and has changed the final rule accordingly.

Comment No. 4: No Justification To Require Kit Incorporation Prior to Further Flight on Wing Rear Attachment Fittings Not Found Cracked

The commenter believes that there is no justification for requiring the incorporation of Socata Kit OPT 10 920300 prior to further flight, as is presented in the AD.

The FAA concurs that mandating the incorporation of this kit prior to further flight after the effective date of the AD would be unjustified. However, the FAA's intent is to require the incorporation of this kit prior to further flight after the inspection required by the AD. This inspection compliance time is stated as ''upon accumulating 3,000 landings on each wing rear attachment fitting (total of four; two per wing) or within the next 75 landings after the effective date of this AD, whichever occurs later.'' The FAA will change the kit incorporation compliance time to read ''prior to further flight after the inspection required by paragraph (a) of this AD'' to eliminate any confusion.

The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for the changes described above and minor editorial corrections. The FAA has determined that these changes and minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 71 airplanes in the U.S. registry will be affected by this AD. Accomplishing the actions of this AD (both the inspection and incorporation of the reinforcement kits) will take approximately 11 workhours per airplane (3 workhours for the inspection of all four wing rear attachment fitting areas, and 2 workhours to incorporate the reinforcement kit at each of the four wing rear attachment fitting areas), at an average labor rate of approximately $60 an hour. Parts to accomplish this AD cost approximately $200 per airplane ($50 per kit X 4 kits). Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $61,060, or $860 per airplane.

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 copy of the final 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, 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 adding a new airworthiness directive (AD) to read as follows:

98–08–21 Socata—Groupe Aerospatiale: Amendment 39–10470; Docket No. 95–CE–71–AD.

Applicability: Models TB10 and TB200 airplanes, serial numbers 804; 807; 808; 816 through 819; 823 through 1701; 1707 through 1733; and 1737 through 1761, certificated in any category.

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 (c) 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 in the body of this AD, unless already accomplished.

To prevent structural failure of the wing rear attachment fittings caused by cracks in this area, which could result in the wing separating from the airplane if the airplane is operated with cracked wing rear attachment fittings over an extended period of time, accomplish the following:

Note 2: The compliance times of this AD are presented in landings instead of hours time-in-service (TIS). If the number of landings is unknown, hours TIS may be used by multiplying the number of hours TIS by 1.5.

Note 3: The paragraph structure of this AD is as follows:

Level 1: (a), (b), (c), etc.
Level 2: (1), (2), (3), etc.
Level 3: (i), (ii), (iii), etc.

Level 2 and Level 3 structures are designations of the Level 1 paragraph they immediately follow.

(a) Upon accumulating 3,000 landings on each wing rear attachment fitting (total of four; two per wing) or within the next 75 landings after the effective date of this AD, whichever occurs later, inspect the wing rear attachment fittings for cracks in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Socata Service Bulletin (SB) No. SB 10–082–57, Amdt. 1, dated April 1996.

(1) If any fitting is found cracked on the wing side, prior to further flight after the inspection required by paragraph (a) of this AD, replace the cracked fitting and incorporate wing rear attachment fitting reinforcement kit No. OPT10 920300 in accordance with the Technical Instruction of Modification, OPT10 9203–57, Wing Rear Attachment Bracket, dated April 1996.

(2) If any fitting is found cracked on the fuselage side, prior to further flight after the inspection required by paragraph (a) of this AD, accomplish the following:

(i) Incorporate wing rear attachment fitting reinforcement kit No. OPT10 920500 in accordance with the Technical Instruction of Modification, OPT10 9205–57, Wing Rear Attachment Rod, dated April 1996; and

(ii) Incorporate wing rear attachment fitting reinforcement kit No. OPT10 920300 in accordance with the Technical Instruction of Modification, OPT10 9203–57, Wing Rear Attachment Bracket, dated April 1996.

(3) If any fitting is not found cracked, prior to further flight after the inspection required by paragraph (a) of this AD, incorporate wing rear attachment fitting reinforcement kit No. OPT10 920300 in accordance with the Technical Instruction of Modification, OPT10 9203–57, Wing Rear Attachment Bracket, dated April 1996.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) Questions or technical information related to the service information referenced in this AD should be directed to SOCATA—Groupe AEROSPATIALE, Socata Product Support, Aeroport Tarbes-Ossun-Lourdes, B P 930, 65009 Tarbes Cedex, France; telephone: 62.41.74.26; facsimile: 62.41.74.32; or the Product Support Manager, SOCATA—Groupe AEROSPATIALE, North Perry Airport, 7501 Pembroke Road, Pembroke Pines, Florida 33023; telephone: (954) 964–6877; facsimile: (954) 964–1668. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri.

(e) The inspection required by this AD shall be done in accordance with Socata Service Bulletin No. SB 10–082–57, Amdt. 1, dated April 1996. The replacements and modifications required by this AD shall be done in accordance with the Technical Instruction of Modification, OPT10 9203–57, Wing Rear Attachment Bracket, dated April 1996; and the Technical Instruction of Modification, OPT10 9205–57, Wing Rear Attachment Rod, dated April 1996. 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 SOCATA—Groupe AEROSPATIALE, Socata Product Support, Aeroport Tarbes-Ossun-Lourdes, B P 930, 65009 Tarbes Cedex, France; Product Support Manager, SOCATA Aircraft—Groupe AEROSPATIALE, North Perry Airport, 7501 Pembroke Road, Pembroke Pines, Florida 33023. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

Note 5: The subject of this AD is addressed in French AD 94–249(A)R1, dated June 19, 1996.

(f) This amendment becomes effective on June 3, 1998.

Issued in Kansas City, Missouri, on April 8, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–10057 Filed 4–16–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–40–AD; Amendment 39–10473; AD 98–08–24]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes, and C–9 (Military) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 series airplanes, and C–9 (military) airplanes, that requires a one-time visual inspection to determine if all corners of the forward lower cargo doorjamb have been previously modified. This amendment also requires low frequency eddy current inspections to detect cracks of the fuselage skin and doubler at all corners of the forward lower cargo doorjamb, various follow-on repetitive inspections, and modification, if necessary. This amendment is prompted by fatigue cracks found in the fuselage skin and doubler at the corners of the forward lower cargo doorjamb. The actions specified by this AD are intended to detect and correct such fatigue cracking, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

DATES: Effective May 22, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 22, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 627–5324; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 series airplanes, and C–9 (military) airplanes was published in the **Federal Register** on July 25, 1997 (62 FR 39975). That action proposed to require a one-time visual inspection to determine if all corners of the forward lower cargo doorjamb have been modified previously. That action also proposed to require low frequency eddy current (LFEC) inspections to detect cracks of the fuselage skin and doubler at all corners of the forward lower cargo doorjamb, various follow-on repetitive inspections, and modification, if necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received. One commenter supports the proposed AD.

Permit Repairs in Accordance With Designated Engineering Representative (DER) Approval

One commenter requests that proposed paragraphs (b)(3) and (c) be revised to permit the repair of cracked structure to be accomplished in accordance with the DER of The Boeing Company, Douglas Products Division for a temporary basis, rather than the Manager of the Los Angeles Aircraft Certification Office (ACO). The commenter states that such an approval would expedite the process for repair approval for a crack condition beyond the allowable repair limits (i.e., greater than 2 inches in length) and for existing repairs that are not in accordance with the DC–9 Structural Repair Manual (SRM) or Service Rework Drawing.

The FAA does not concur that revision of the AD is necessary. The FAA is currently in the process of implementing procedures by which AD-mandated structural repairs may be approved by certain DER's employed by