

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:

98-18-07 Pilatus Britten-Norman Ltd.:

Amendment 39-10723; Docket No. 97-CE-111-AD.

Applicability: Models BN-2, BN-2A, BN-2A-2, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2B-20, BN-2B-21, BN-2B-26, BN-2B-27, BN-2A MK. 111, BN-2A MK. 111-2, and BN-2A MK. 111-3 airplanes, all serial numbers, certificated in any category, that are equipped with PBN Modification NB/M/256, a 50A Generator System.

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 (d) 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 within the next 3 calendar months after the effective date of this AD, unless already accomplished.

To detect and correct damage to the components of the generator system, which could result in generator system failure during critical phases of flight, accomplish the following:

(a) Inspect the generator system for the installation of a 70A generator in accordance with the Inspection section of Pilatus Britten-Norman (PBN) Service Bulletin (SB) No. BN-2/SB.229, dated October 17, 1996.

(b) If a 70A generator is installed, accomplish the following, as applicable:

(1) For Models BN-2, BN-2A, BN-2A-2, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2B-20, BN-2B-21, BN-2B-26, and

BN-2B-27 airplanes, prior to further flight, either:

(i) Replace the 70A generator with a 50A generator in accordance with the Replacement section of PBN SB No. BN-2/SB.229, dated October 17, 1996; or

(ii) Incorporate PBN Modification NB/M/1148 (a 70A generator system) in accordance with the appropriate Pilatus Britten-Norman maintenance manual; and, incorporate PBN Modification NB/M/1571 (installation of improved generator diodes) in accordance with PBN SB No. BN-2/228, Issue 2, dated January 17, 1996.

Note 2: Incorporating PBN Modification NB/M/1571 is the same action required by AD 98-04-17, Amendment 39-10329.

(2) For Models BN-2A MK. 111, BN-2A MK. 111-2, and BN-2A MK. 111-3 airplanes, prior to further flight, replace the 70A generator with a 50A generator in accordance with the Replacement section of PBN SB No. BN-2/SB.229, dated October 17, 1996.

(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.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) Questions or technical information related to PBN Service Bulletin No. BN-2/SB.229, dated October 17, 1996, or PBM Service Bulletin No. BN-2/SB.228, Issue 2, dated January 17, 1996, should be directed to Pilatus Britten-Norman, Ltd., Bembridge, Isle of Wight, United Kingdom, PO35 5PR. 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 64106.

(f) The inspection, replacement, and modifications required by this AD shall be done in accordance with Pilatus Britten-Norman Service Bulletin No. BN-2/SB.229, dated October 17, 1996, or Pilatus Britten-Norman Service Bulletin No. BN-2/SB.228, Issue 2, dated January 17, 1996.

(1) The incorporation by reference of Pilatus Britten-Norman Service Bulletin No. BN-2/SB.228, Issue 2, dated January 17, 1996, was approved previously by the Director of the Federal Register as of March 23, 1997 (62 FR 4909, February 3, 1997).

(2) The incorporation by reference of Pilatus Britten-Norman Service Bulletin No. BN-2/SB.229, dated October 17, 1996, 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 Pilatus Britten-Norman. 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 4: The subject of this AD is addressed in British AD 007-10-96, not dated.

(g) This amendment becomes effective on October 12, 1998.

Issued in Kansas City, Missouri, on August 18, 1998.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-22822 Filed 8-26-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 98-NM-136-AD; Amendment 39-10719; AD 98-18-03]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model MD-90-30 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-90-30 series airplanes, that requires modification of the wiring of the strake ice protection system (SIPS). This amendment is prompted by a report of a fire in the electrical and electronic compartment of a Model MD-90-30 series airplane. The actions specified by this AD are intended to prevent an electrical short circuit of the wiring of the SIPS, which could result in a fire in the electrical and electronic compartment of the airplane.

DATES: Effective October 1, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 1, 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, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

George Y. Mabuni, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5341; 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 MD-90-30 series airplanes was published in the **Federal Register** on May 28, 1998 (63 FR 29155). That action proposed to require modification of the wiring of the strake ice protection system (SIPS).

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 66 Model MD-90-30 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 23 airplanes of U.S. registry will be affected by this AD, that it will take approximately 15 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. The cost of required parts will be minimal. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$20,700, or \$900 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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 the following new airworthiness directive:

98-18-03 McDonnell Douglas: Amendment 39-10719. Docket 98-NM-136-AD.

Applicability: Model MD-90-30 series airplanes, as listed in McDonnell Douglas Alert Service Bulletin MD90-30A021, dated March 31, 1998; 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 (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 an electrical short circuit of the wiring of the strake ice protection system (SIPS), which could result in a fire in the electrical and electronic compartment of the airplane, accomplish the following:

(a) Within 180 days after the effective date of this AD, modify the wiring of the SIPS and perform a resistance test of the electrical insulation in accordance with McDonnell Douglas Alert Service Bulletin MD90-30A021, dated March 31, 1998. If any strake heating wiring fails the resistance test, prior to further flight, replace the discrepant wiring with new wiring, and repeat the resistance test, in accordance with the alert service bulletin.

(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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(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.

(d) The actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD90-30A021, dated March 31, 1998. 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 The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on October 1, 1998.

Issued in Renton, Washington, on August 19, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-22820 Filed 8-26-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-200-AD; Amendment 39-10718; AD 98-18-02]

RIN 2120-AA64

Airworthiness Directives; Airbus Industrie Model A300-600 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to all Airbus Industrie Model A300-600 series airplanes, that currently requires inspections to detect cracks in the center spar sealing angles adjacent to the pylon rear attachment and in the adjacent butt strap and skin panel, and correction of discrepancies. This amendment requires that the initial inspections be accomplished at reduced thresholds. This action also limits the applicability of the existing AD. This amendment is prompted by reports of cracking in the vertical web of the center spar sealing angles of the wing. The actions specified by this AD are intended to prevent crack formation in the sealing angles; such cracks could rupture and lead to subsequent crack formation in the bottom skin of the wing, and resultant reduced structural integrity of the center spar section of the wing.

DATES: Effective October 1, 1998.

The incorporation by reference of Airbus Industrie Service Bulletin A300-57-6027, Revision 2, dated September 13, 1994, as listed in the regulations, is approved by the Director of the Federal Register as of October 1, 1998.

The incorporation by reference of Airbus Industrie Service Bulletin No. A300-57-6027, including Appendix 1, dated October 8, 1991, as listed in the regulations, was previously approved by the Director of the Federal Register as of January 5, 1994 (58 FR 64112, December 6, 1993).

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point

Maurice Bellonte, 31707 Blagnac Cedex, France. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION: A

proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 93-23-07, amendment 39-8741 (58 FR 64112, December 6, 1993), which is applicable to all Airbus Industrie Model A300-600 series airplanes, was published in the **Federal Register** on June 18, 1997 (62 FR 33040). The action proposed to supersede AD 93-23-07 to continue to require inspections to detect cracks in the center spar sealing angles adjacent to the pylon rear attachment and in the adjacent butt strap and skin panel, and correction of any discrepancies. The action proposed to require that the initial inspections be accomplished at reduced thresholds, and proposed to limit the applicability of the existing AD.

Comments

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

Request to Adopt "Adjustment for Range" Compliance Times

One commenter, the manufacturer, requests that the proposed AD be revised to utilize the "adjustment for range" concept for required compliance thresholds as recommended by Airbus Industrie. The commenter states that, in comparison to the compliance times specified in the related French airworthiness directive, the compliance thresholds specified for paragraphs (c) and (d) of the proposed AD would significantly reduce compliance time for U.S. operators. The commenter considers this difference in the planned compliance intervals to be a change in the FAA's policy regarding inspections, which is not linked to the need to address the unsafe condition, since no technical reason is provided for the difference. Such a deviation is a departure from previously stated FAA

policy, which mentions a preference for identical compliance times between the FAA and other airworthiness authorities such as the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France. The commenter further states that the proposed AD, if adopted, would unduly penalize U.S. operators of affected Airbus Industrie Model A300-600 series airplanes.

The FAA does not concur. As stated in the preamble of the proposed AD, utilization of "adjustment for range" calculations may present difficulties in determining if the applicable actions have been accomplished within the appropriate compliance time. While such adjustable compliance times are utilized as part of the Maintenance Review Board program, they do not fit practically into the AD tracking process for operators or for Principal Maintenance Inspectors attempting to ascertain compliance with AD's. Based on reviews of the "adjustment for range" calculations with the FAA Aircraft Evaluation Group, and in further consultation with the manufacturer, the FAA has determined that fixed compliance times should continue to be specified for accomplishment of the actions required by this AD. However, operators may request an extension of the compliance times of this AD in accordance with the "adjustment for range" formula, under the provisions of paragraph (g)(2) of the final rule.

Additionally, the FAA acknowledges that a conservative estimate of the average flight time per flight cycle (landing) was used in development of the compliance times for the actions required by paragraphs (c) and (d) of the AD. Therefore, after additional review of the average flight utilization of the U.S. fleet, the FAA has determined that the fixed compliance thresholds may be extended somewhat, and that these compliance thresholds also should be specified in flight hours, as well as flight cycles. Accordingly, paragraphs (c) and (d) of the final rule have been revised to increase the compliance threshold specified in flight cycles, and to add a compliance threshold specified in flight hours. The extension of the flight cycle threshold is expected to provide additional flexibility for operators in planning for accomplishment of the required actions of this AD, and the addition of flight hours will not be restrictive to any U.S. operator. The cost impact information and **Note 2** of the AD also have been revised to reflect these changes to the compliance thresholds and intervals of the final rule.