

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-61-AD; Amendment 39-11061; AD 99-05-13]

RIN 2120-AA64

**Airworthiness Directives; Raytheon Aircraft Company 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 Series Airplanes**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 series airplanes. This AD requires installing a placard on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. This AD is the result of reports of engine stoppage on the affected airplanes where the cause was considered to be incorrect positioning of the fuel selector. The actions specified by this AD are intended to help prevent a lack of fuel flow to the engine caused by incorrect positioning of the fuel selector, which could result in loss of engine power.

**DATES:** Effective April 19, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 19, 1999.

**ADDRESSES:** Service information that applies to this AD may be obtained from the Raytheon Aircraft Company, PO Box 85, Wichita, Kansas 67201-0085; telephone: (800) 0625-7043 or (316) 676-4556. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-61-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. Scott West, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4146; facsimile: (316) 946-4407.

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 Raytheon 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 series airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on October 9, 1998 (63 FR 54399). The NPRM proposed to require installing a placard, part number 36-920059-1, on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. Accomplishment of the proposed action as specified in the NPRM would be in accordance with Raytheon Mandatory Service Bulletin No. 2670, Revision No. 1, dated May, 1998.

The NPRM was the result of reports of engine stoppage on the affected airplanes where the cause was considered to be incorrect positioning of the fuel selector.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

**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 minor editorial corrections. The FAA has determined that these 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 15,200 airplanes in the U.S. registry will be affected by this AD. The placard that will be required for this AD may be obtained through a Raytheon Aircraft Authorized Service Center at no cost to the owners/operators of the affected airplanes. Since an owner/operator who holds at least a private pilot's certificate as authorized by sections 43.7 and 43.9 of the Federal Aviation Regulations (14 CFR 43.7 and 43.9) may accomplish this placard installation, the only cost impact upon the public will be the approximate 30 minutes it will take each owner/operator to install the placard.

**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:

**99-05-13 Raytheon Aircraft Company** (All type certificates of the affected airplanes previously held by the Beech Aircraft Corporation): Amendment 39-11061; Docket No. 98-CE-61-AD.

*Applicability:* The following airplane models and serial numbers, certificated in any category:

Model	Serial No.
B17L .....	all serial numbers.
SB17L .....	all serial numbers.
B17B .....	all serial numbers.

Model	Serial No.	Model	Serial No.
B17R (Army UC-43H).	all serial numbers.	B36TC .....	EA-242 through EA-591.
C17L (Army UC-43J)	all serial numbers.	45 .....	all serial numbers.
SC17L .....	all serial numbers.	A45 .....	all serial numbers.
C17B (Army UC-43G).	all serial numbers.	D45 .....	all serial numbers.
SC17B .....	all serial numbers.	50 .....	all serial numbers.
C17R (Army UC-43E).	all serial numbers.	B50 .....	all serial numbers.
SC17R .....	all serial numbers.	C50 .....	all serial numbers.
D17A (Army UC-43F)	all serial numbers.	D50 .....	all serial numbers.
D17R (Army UC-43A).	all serial numbers.	D50A .....	all serial numbers.
D17S (Army UC-43, UC-43B, Navy GB-1, GB-2).	all serial numbers.	D50B .....	all serial numbers.
SD17S .....	all serial numbers.	D50C .....	all serial numbers.
E17B (Army UC-43D)	all serial numbers.	D50E .....	all serial numbers.
SE17B .....	all serial numbers.	E50 .....	all serial numbers.
E17L .....	all serial numbers.	F50 .....	all serial numbers.
F17D (UC-43C) .....	all serial numbers.	G50 .....	all serial numbers.
SF17D .....	all serial numbers.	H50 .....	all serial numbers.
G17S .....	all serial numbers.	J50 .....	all serial numbers.
D18S .....	all serial numbers.	95-55 .....	all serial numbers.
E18S .....	all serial numbers.	95-A55 .....	all serial numbers.
E18S-9700 .....	all serial numbers.	95-B55 .....	all serial numbers.
G18S .....	all serial numbers.	95-C55 .....	all serial numbers.
G18S-9150 .....	all serial numbers.	D55 .....	all serial numbers.
H18 .....	all serial numbers.	E55 .....	all serial numbers.
A23-19 .....	all serial numbers.	56TC .....	all serial numbers.
19A .....	all serial numbers.	A56TC .....	all serial numbers.
M19A .....	all serial numbers.	58 .....	TH-1 through TH-1798.
B19 .....	all serial numbers.	58P .....	all serial numbers.
23 .....	all serial numbers.	58TC .....	all serial numbers.
A23 .....	all serial numbers.	60 .....	all serial numbers.
A23A .....	all serial numbers.	A60 .....	all serial numbers.
B23 .....	all serial numbers.	B60 .....	all serial numbers.
C23 .....	all serial numbers.	65 .....	all serial numbers.
A23-24 .....	all serial numbers.	A65 .....	all serial numbers.
A24 .....	all serial numbers.	A65-8200 .....	all serial numbers.
A24R .....	all serial numbers.	70 .....	all serial numbers.
B24R .....	all serial numbers.	76 .....	all serial numbers.
C24R .....	all serial numbers.	77 .....	all serial numbers.
F33A .....	CE-290 through CE-1791.	65-80 .....	all serial numbers.
E33C and F33C .....	CJ-26 through CJ-179.	65-A80 .....	all serial numbers.
35 .....	all serial numbers.	65-B80 .....	all serial numbers.
35R .....	all serial numbers.	65-88 .....	all serial numbers.
A35 .....	all serial numbers.	95 .....	all serial numbers.
B35 .....	all serial numbers.	B95 .....	all serial numbers.
C35 .....	all serial numbers.	B95A .....	all serial numbers.
D35 .....	all serial numbers.	D95A .....	all serial numbers.
E35 .....	all serial numbers.	E95 .....	all serial numbers.
F35 .....	all serial numbers.		
G35 .....	all serial numbers.		
H35 .....	all serial numbers.		
J35 .....	all serial numbers.		
K35 .....	all serial numbers.		
M35 .....	all serial numbers.		
N35 .....	all serial numbers.		
P35 .....	all serial numbers.		
S35 .....	all serial numbers.		
V35 .....	all serial numbers.		
V35TC .....	all serial numbers.		
V35A .....	all serial numbers.		
V35A-TC .....	all serial numbers.		
V35B .....	all serial numbers.		
V35B-TC .....	all serial numbers.		
36 .....	all serial numbers.		
A36 .....	E-185 through E-3046.		
A36TC .....	all serial numbers.		

**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 75 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent a lack of fuel flow to the engine caused by incorrect positioning of the fuel selector, which could result in loss of engine power, accomplish the following:

(a) Install a placard, part number 36-920059-1, on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. Accomplish this installation in accordance with Raytheon Mandatory Service Bulletin No. 2670, Revision No. 1, dated May, 1998.

(b) Installing the placard, as specified in paragraph (a) of this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(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, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(e) The installation required by this AD shall be done in accordance with Raytheon Mandatory Service Bulletin No. 2670, Revision No. 1, dated May, 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 Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. 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.

(f) This amendment becomes effective on April 19, 1999.

Issued in Kansas City, Missouri, on February 24, 1999.

**Marvin R. Nuss,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-5148 Filed 3-4-99; 8:45 am]

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