

**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:

**99-11-02 Pratt & Whitney:** Amendment 39-11173. Docket 97-ANE-58-AD.

**Applicability:** Pratt & Whitney (PW) R-1340 series reciprocating engines including Wasp S1H1, S1H1-G, S1H2, S1H4, S1H5-G, S3H2, R-1340-61 under Type Certificate E-129, Wasp S3H1-G, R-1340-59 under Type Certificate E-142, and also Wasp S3H1 under Type Certificate E-143. These engines are installed on but not limited to the following aircraft: de Havilland DHC-3, Air Tractor AT-301, and Ag Cat Corporation G-164A.

**Note 1:** This airworthiness directive (AD) applies to each engine 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 engines 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, unless accomplished previously.

To prevent cylinder head cracking, which can result in engine power loss, forced landing, and damage to the aircraft, accomplish the following:

(a) Perform initial and repetitive visual inspection of cylinders for head cracking, and replace cracked cylinders with serviceable parts, in accordance with PW Service Bulletin (SB) No. 1787, dated September 7, 1983, as follows:

(1) For cowed and baffled installations, as follows:

(i) Perform the initial visual inspection within 125 hours time-in-service (TIS) after the effective date of this AD.

(ii) Thereafter, visually inspect at intervals not to exceed 250 hours TIS since last inspection.

(2) For all other installations, as follows:

(i) Perform the initial visual inspection within 50 hours TIS after the effective date of this AD.

(ii) Thereafter, visually inspect at intervals not to exceed 100 hours TIS since last inspection.

(b) At the last cylinder overhaul after the effective date of this AD, and at each subsequent overhaul, perform a fluorescent penetrant inspection (FPI) of cylinders for head cracking, and replace cracked cylinders with serviceable parts, in accordance with PW SB No. 1787, dated September 7, 1983.

(c) 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, Engine Certification Office. Operators shall submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(d) The actions required by this AD shall be done in accordance with the following PW SB:

Document No.	Pages	Date
1787 .....	1-4 .....	September 7, 1983.
Total Pages: 4.		

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 Pratt & Whitney, Publications Department, Supervisor Technical Publications Distribution, M/S 132-30, 400 Main Street, East Hartford, CT 06108; telephone (860) 565-7700, fax (860) 565-4503. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street NW, suite 700, Washington, DC.

(e) This amendment becomes effective on July 19, 1999.

Issued in Burlington, Massachusetts, on May 10, 1999.

**David A. Downey,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 99-12297 Filed 5-17-99; 8:45 am]

BILLING CODE 4910-13-M

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

[Docket No. 99-NM-104-AD; Amendment 39-11172; AD 99-11-01]

RIN 2120-AA64

**Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to all EMBRAER Model

EMB-145 series airplanes. This action requires repetitive replacement of the bleed-air check valve and associated gaskets on the bleed low-pressure line of the engine, with new parts. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent failure of the bleed-air check valve on the bleed low-pressure line of the engine. Such failure could result in engine compressor stall and consequent flameout of the affected engine.

**DATES:** Effective June 2, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 2, 1999.

Comments for inclusion in the Rules Docket must be received on or before June 17, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-104-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Robert Capezzuto, Aerospace Engineer, Systems and Flight Test Branch, ACE-116A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone (770) 703-6071; fax (770) 703-6097.

**SUPPLEMENTARY INFORMATION:** The Departamento de Aviacao Civil (DAC), which is the airworthiness authority for Brazil, notified the FAA that an unsafe condition may exist on all EMBRAER Model EMB-145 series airplanes. The DAC advises that premature wear of the bleed-air check valve on the low-pressure bleed line of the engine has been detected on several airplanes that have accumulated more than 2,000 total flight hours. Wear of the bleed-air check valve, if not corrected, could lead to

failure of the valve. Such failure could result in engine compressor stall and consequent flameout of the affected engine.

#### Explanation of Relevant Service Information

EMBRAER has issued Alert Service Bulletin 145-36-A011, dated March 19, 1999, which describes procedures for repetitive replacement of the bleed-air check valve and associated gaskets on the bleed low-pressure line of the left- and right-hand engine, with new parts. The DAC classified this alert service bulletin as mandatory and issued Brazilian airworthiness directive 1999-04-01, dated April 12, 1999, in order to assure the continued airworthiness of these airplanes in Brazil.

#### FAA's Conclusions

This airplane model is manufactured in Brazil and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent failure of the bleed-air check valve on the bleed low-pressure line of the engine. Such failure could result in engine compressor stall and consequent flameout of the affected engine. This AD requires accomplishment of the actions specified in the alert service bulletin described previously.

#### Interim Action

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

#### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 99-NM-104-AD." The postcard will be date stamped and returned to the commenter.

#### 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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an

emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

**99-11-01 Empresa Brasileira de Aeronautica S.A. (EMBRAER):**  
Amendment 39-11172. Docket 99-NM-104-AD.

*Applicability:* All Model EMB-145 series airplanes, 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 failure of the bleed-air check valve on the bleed low-pressure line of the engine, which could result in engine compressor stall and consequent flameout of the affected engine, accomplish the following:

(a) Prior to the accumulation of 2,000 total flight hours, or within 100 flight hours after the effective date of this AD, whichever occurs later: Replace the bleed-air check

valve, having part number (P/N) 816603-1, and associated gaskets, having P/N 24096-250C, on the bleed low-pressure line of the left- and right-hand engines, with new parts having the same P/N's; in accordance with EMBRAER Alert Service Bulletin 145-36-A011, dated March 19, 1999. Thereafter, repeat the replacement at intervals not to exceed 2,000 flight hours in accordance with the alert service bulletin.

#### Alternative Methods of Compliance

(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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

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

#### Special Flight Permits

(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.

#### Incorporation by Reference

(d) The replacements shall be done in accordance with EMBRAER Alert Service Bulletin 145-36-A011, dated March 19, 1999. 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 Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 3:** The subject of this AD is addressed in Brazilian airworthiness directive 1999-04-01, dated April 12, 1999.

(e) This amendment becomes effective on June 2, 1999.

Issued in Renton, Washington, on May 10, 1999.

#### D. L. Riggin,

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

[FR Doc. 99-12296 Filed 5-17-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-18-AD; Amendment 39-11171; AD 99-10-07]

RIN 2120-AA64

#### Airworthiness Directives; Raytheon Aircraft Corporation Beech Models 65-90, 65-A90, 65-A90-1, 65-A90-2, 65-A90-3, 65-A90-4, B90, C90, C90A, E90, H90, and F90 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 99-10-07, which was sent previously to all known U.S. owners and operators of Raytheon Aircraft Corporation (Raytheon) Beech Models 65-90, 65-A90, 65-A90-1, 65-A90-2, 65-A90-3, 65-A90-4, B90, C90, C90A, E90, H90, and F90 airplanes. This AD requires inspecting for interference or damage between the elevator control cable and equipment under the cockpit floor panels (wire harnesses, stainless steel clamps, etc.) and running a cloth wrap around the control cable to detect broken strands of the control cable. This AD also requires replacing or repairing any damaged items, securing any component that is interfering with the elevator control cable, and installing additional supports and clamps as necessary to prevent sagging or further interference. This AD resulted from reports of reduced or loss of elevator control on five of the affected airplanes. The actions specified by this AD are intended to detect and correct interference between the elevator control cable and equipment under the cockpit floor panels before the elevator control cable breaks, which could result in loss of elevator control with potential loss of control of the airplane.

**DATES:** Effective June 8, 1999, to all persons except those to whom it was made immediately effective by priority letter AD 99-10-07, issued May 3, 1999, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before July 6, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket 99-CE-18-AD,

Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Information related to this AD may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Todd Dixon, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209, telephone: (316) 946-4152; facsimile: (316) 946-4407.

#### SUPPLEMENTARY INFORMATION:

#### Discussion

On May 3, 1999, the FAA issued priority letter AD 99-10-07, which applies to all Beech Models 65-90, 65-A90, 65-A90-1, 65-A90-2, 65-A90-3, 65-A90-4, B90, C90, C90A, E90, H90, and F90 airplanes. That AD resulted from reports of reduced or loss of elevator control on Raytheon Beech 90 series airplanes. The following briefly describes these incidents:

- During flight on a Raytheon Beech Model E90 airplane, the pilot realized he could only utilize elevator up control, declared an emergency, and safely landed using engine power and trim. Investigation revealed that the down elevator cable was severed due to chafing between this cable and the windshield de-ice circuit electrical wire. Verbal communication with an FAA Flight Standards employee indicated another incident of loss of elevator control due to interference with electrical wiring on a Raytheon Beech 90 series airplane; and
- The elevator down cable separated on a Raytheon Beech Model E90 airplane because of interference between this cable and the stainless steel clamp that joined two bleed air supply ducts. The FAA has received reports of two other incidents of reduced/loss of elevator control due to interference between the elevator down cable and the bleed air ducts on Raytheon Beech 90 series airplanes.

Priority letter AD 99-10-07 requires the following on the above-referenced airplanes:

- Removing the pilot's seat and floor panels in the cockpit area on the pilot's side of the airplane and inspecting the entire area for interference or damage between the elevator control cable and equipment under the cockpit floor panels (wire harnesses, stainless steel clamps, etc.);
- Running a cloth wrap around the control cable to detect broken strands of the control cable (Ref: 90 Series Maintenance Manual, Sections 5-20-00, 5-20-01 (if applicable), and 20-04-00);