

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 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.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 draft regulatory 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, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Dornier Luftfahrt GMBH: Docket No. 98–NM–366–AD.

Applicability: Model 328–100 series airplanes, serial numbers 3042 through 3105 inclusive, 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 a blockage inside the de-icing tubing, which could result in a malfunction of the de-icing boot, and consequent reduced controllability of the airplane during flight in icing conditions, accomplish the following:

Inspection and Corrective Action

(a) Within two months after the effective date of this AD, perform a one-time detailed inspection to measure the offset of the de-icing tubing adjacent to the refueling panel on the right-hand wing in accordance with Dornier Service Bulletin SB–328–30–265, dated July 24, 1998.

(1) If the de-icing tubing offset measurement conforms to the dimension shown in the service bulletin, no further action is required by this AD.

(2) If the de-icing tubing does not conform to the dimension shown in the service bulletin, prior to further flight, replace it with new improved tubing in accordance with instructions provided in the service bulletin.

Note 2: For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc. may be used. Surface cleaning and elaborate access procedures may be required."

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, International Branch, ANM–116, 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, International Branch, ANM–116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

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.

Note 4: The subject of this AD is addressed in German airworthiness directive 1998–423, dated November 5, 1998.

Issued in Renton, Washington, on July 7, 1999.

Vi L. Lipski,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–17864 Filed 7–15–99; 8:45 am]

BILLING CODE 4912–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–277–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that currently requires inspections of the lower engine mount to determine if the tangential link upper bolt and nut are oriented properly, and if the tangential link upper bolt nut is torqued within certain limits. Additionally, that AD requires replacement of the bolt and nut with serviceable parts, if necessary, and requires certain follow-on actions for airplanes on which the upper bolt is missing. That AD also provides for replacement of the safety links with modified links as an optional terminating action for the repetitive inspections. This action would require accomplishment of either the previously optional terminating action or a new, alternative terminating action. This proposal is prompted by development of a new terminating action by the manufacturer. The actions specified by the proposed AD are intended to prevent separation of the engine from the airplane due to migration of the tangential link upper bolt.

DATES: Comments must be received by August 30, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–277–AD, 1601 Lind Avenue, SW.,

Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tamara L. Anderson, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2771; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-277-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-277-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On January 22, 1996, the FAA issued AD 96-03-01, amendment 39-9496 (61 FR 3550, February 1, 1996), applicable to certain Boeing Model 747 series airplanes. That AD requires inspections of the lower engine mount to determine if the tangential link upper bolt and nut are oriented properly, and if the tangential link upper bolt nut is torqued within certain limits. Additionally, that AD requires replacement of the bolt and nut with serviceable parts, if necessary, and certain follow-on actions for airplanes on which the upper bolt is missing. Terminating action is also provided by that AD. That action was prompted by reports of migration of bolts completely from the tangential link of the aft engine mount, a condition which would reduce the capability of the retention system for the engine. The requirements of that AD are intended to prevent separation of the engine from the airplane due to migration of the tangential link upper bolt.

Subsequently, on March 6, 1996, the FAA issued a correction to that AD, AD 96-03-01 R1, amendment 39-9538 (61 FR 10270, March 13, 1996), to clarify an incorrect description of a part.

Actions Since Issuance of Previous Rule

In the preamble to AD 96-03-01, the FAA indicated that the actions required by that AD were considered "interim action" and that further rulemaking action was being considered. The FAA now has determined that further rulemaking action is indeed necessary, and this proposed AD follows from that determination.

Explanation of Relevant Service Information

Since the issuance of AD 96-03-01 R1, the FAA has reviewed and approved Boeing Service Bulletin 747-71A2277, Revision 1, dated May 21, 1998, and Revision 2, dated January 14, 1999. That service bulletin describes procedures for an alternative modification that would eliminate the need for the repetitive inspections required by AD 96-03-01 R1. That modification involves replacement of the tangential link upper bolt on the aft engine mount with a reworked bolt and a new nut retainer. The service bulletin also describes procedures for reworking the tangential link upper bolt and fabricating the nut retainer. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 96-03-01 R1 to continue to require inspections of the lower engine mount to determine if the tangential link upper bolt and nut are oriented properly, and if the tangential link upper bolt nut is torqued within certain limits; replacement of the bolt and nut with serviceable parts, if necessary; and certain follow-on actions for airplanes on which the upper bolt is missing. This proposed AD also would require either replacement of the safety links with modified safety links, or replacement of the tangential link upper bolt on the aft engine mount with a reworked bolt and a new nut retainer. Accomplishment of either such replacement would constitute terminating action for the repetitive inspection requirement.

The inspections would be required to be accomplished in accordance with Boeing Alert Service Bulletin 747-71A2277, dated November 29, 1995, or the service bulletins described previously. The replacement of the safety links, if accomplished, would be required to be accomplished in accordance with Boeing Service Bulletin 747-71-2206, dated April 16, 1987; or Boeing Service Bulletin 747-71-2206, Revision 1, dated November 12, 1987, as revised by Boeing Notice of Status Change No. 747-71-2206 NSC 1, dated December 4, 1987, and Boeing Notice of Status Change No. 747-71-2206 NSC 2, dated March 17, 1988. The replacement of the tangential link bolt, if accomplished, would be required to be accomplished in accordance with the service bulletins described previously.

Cost Impact

There are approximately 421 airplanes of the affected design in the worldwide fleet. The FAA estimates that 185 airplanes of U.S. registry would be affected by this proposed AD.

The inspections that are currently required by AD 96-03-01 R1 take approximately 16 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be \$177,600, or \$960 per airplane, per inspection cycle.

The replacement of the safety link that is proposed as one option for compliance with this AD action would take approximately 18 work hours per airplane to accomplish, at an average

labor rate of \$60 per work hour. Required parts would cost approximately \$30,228 per airplane. Based on these figures, the cost impact of this replacement proposed by this AD on U.S. operators is estimated to be \$31,308 per airplane.

In lieu of replacement of the safety link, this proposed AD provides for replacement of the tangential link upper bolt on the aft engine mount with a reworked bolt and a new nut retainer. Such replacement, which is proposed as an additional option for compliance with this AD action, would take approximately 20 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$1,888 per airplane. Based on these figures, the cost impact of this replacement proposed by this AD on U.S. operators is estimated to be \$3,088 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or proposed 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 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.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 draft regulatory 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, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 removing amendment 39-9538 (61 FR 10270, March 13, 1996), and by adding a new airworthiness directive (AD), to read as follows:

Boeing: Docket 98-NM-277-AD. Supersedes AD 96-03-01 R1, amendment 39-9538. *Applicability:* Model 747 series airplanes, as listed in Boeing Alert Service Bulletin 747-71A2277, dated November 29, 1995; or Boeing Service Bulletin 747-71A2277, Revision 1, dated May 21, 1998, or Revision 2, dated January 14, 1999; 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)(1) 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 separation of the engine from the airplane, accomplish the following:

Restatement of Requirements of AD 96-03-01 R1, Amendment 39-9538

Inspections and Corrective Actions

(a) Within 90 days after February 16, 1996 (the effective date of AD 96-03-01 R1, amendment 39-9538), accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD in accordance with Boeing Alert Service Bulletin 747-71A2277, dated November 29, 1995, or Boeing Service Bulletin 747-71A2277, Revision 1, dated May 21, 1998, or Revision 2, dated January 14, 1999.

(1) Perform a visual inspection to ensure that installation of the tangential link upper bolt nut is on the forward side of the engine mount fitting.

(i) If the tangential link upper bolt nut is installed on the forward side of the engine mount fitting, repeat the visual inspection at intervals not to exceed 18 months.

(ii) If the tangential link upper bolt nut is not installed on the forward side of the engine mount fitting, prior to further flight, remove the nut, bolt, and washers, and reinstall the nut, bolt, and washers in accordance with the service bulletin. Thereafter, repeat the visual inspection at intervals not to exceed 18 months.

(iii) If the tangential link upper bolt is missing from the engine mount fitting, prior to further flight, perform the various follow-on actions in accordance with the service bulletin. (The follow-on actions include visual inspections, magnetic particle inspections, replacement of the lower engine mount fitting with a serviceable part, if necessary; installation of new safety links, bolts, and nuts; and installation of a new tangential link upper bolt.) Thereafter, repeat the visual inspection at intervals not to exceed 18 months.

(2) Perform an inspection to verify that the torque value of the tangential link upper bolt (on both sides of the mount) is within the limits specified in the service bulletin.

(i) If the torque value of the tangential link upper bolt nut is within the limits specified in the service bulletin, repeat the inspection (verification) at intervals not to exceed 18 months.

(ii) If the torque value of the tangential link upper bolt nut is outside the limits specified in the service bulletin, prior to further flight, perform a visual inspection of the tangential link upper bolt and washer for any damage or discrepancy, in accordance with the service bulletin.

(A) If no damage or discrepancy of the tangential link upper bolt and washers is found, prior to further flight, replace the bolt nut with a new or serviceable part in accordance with the service bulletin. Thereafter, repeat the inspection (verification) specified in paragraph (a)(2) of this AD at intervals not to exceed 18 months.

(B) If any damage or discrepancy of the tangential link upper bolt and washers is found, prior to further flight, replace the damaged or discrepant part with a new or serviceable part, and replace the bolt nut with a new or serviceable part, in accordance with the service bulletin. Thereafter, repeat the inspection (verification) specified in paragraph (a)(2) of this AD at intervals not to exceed 18 months.

New Requirements of This AD

Replacement

(b) Within 18 months after the effective date of this AD, accomplish the requirements of either paragraph (b)(1) or (b)(2) of this AD. Accomplishment of either paragraph (b)(1) or (b)(2) of this AD constitutes terminating action for the repetitive inspection requirements of this AD.

(1) Replace the safety links on the aft engine mount with modified safety links in accordance with Boeing Service Bulletin 747-71-2206, dated April 16, 1987; or Boeing Service Bulletin 747-71-2206, Revision 1, dated November 12, 1987, as revised by Boeing Notice of Status Change No. 747-71-2206 NSC 1, dated December 4, 1987, and Boeing Notice of Status Change

No. 747-71-2206 NSC 2, dated March 17, 1988.

(2) Replace the tangential link upper bolt on the aft engine mount with a reworked bolt and a new nut retainer, in accordance with Parts 2 and 3 of Boeing Service Bulletin 747-71A2277, Revision 1, dated May 21, 1998, or Revision 2, dated January 14, 1999.

Alternative Methods of Compliance

(c)(1) 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, Seattle 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, Seattle ACO.

(2) Alternative methods of compliance, approved previously in accordance with AD 96-03-01 R1, amendment 39-9538, are approved as alternative methods of compliance with this AD.

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

Special Flight Permits

(d) Special flight permits may be issued in accordance with §§ 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.

Issued in Renton, Washington, on July 12, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-18202 Filed 7-15-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-374-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 777-200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 777-200 series airplanes. This proposal would require the application of sealant to the front spar and upper surface of the wing center section to ensure the integrity of the secondary fuel barrier. This proposal is prompted by reports from the airplane

manufacturer that the sealant was inadvertently not applied to portions of the wing center section on certain Boeing Model 777-200 series airplanes. The actions specified by the proposed AD are intended to prevent fuel or fuel vapors from entering the cargo and passenger compartments in the event of a failure of the primary seal or development of a crack in the wing center section structure. Leakage of fuel or fuel vapors into the cargo and passenger compartments could be hazardous to personnel, and could cause a fire in those compartments.

DATES: Comments must be received by August 30, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-374-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle Washington, 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Larry Reising, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2683; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-374-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-374-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received a report that, due to an error during airplane manufacture, the sealant that serves as a secondary fuel barrier may not have been applied to the front spar and upper surface of the wing center section on certain Boeing Model 777-200 series airplanes. This condition, if not corrected, could permit fuel or fuel vapors to enter the passenger and cargo compartments of the airplane if there is a failure of the primary seal or a crack develops in the center section structure. Leakage of fuel or fuel vapors into the cargo and passenger compartments could be hazardous to personnel, and could cause a fire in those compartments.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 777-57-0033, dated March 26, 1998, which describes procedures for accessing the overwing stub beams on the left and right sides of the airplane, and for application of a sealant to the front spar and upper surface of the wing center section to ensure the integrity of the secondary fuel barrier. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require application of sealant to the front spar and upper surface of the wing center section to ensure the integrity of the secondary fuel barrier. These actions