

**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:

**2000-23-13 Israel Aircraft Industries, LTD.:**

Amendment 39-11985. Docket 2000-NM-364-AD.

**Applicability:** All Model 1121, 1121A, 1121B, 1123, 1124, and 1124A 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 (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 jamming or disconnection of the horizontal stabilizer trim actuator, which could result in reduced pitch control of the airplane, accomplish the following:

**Inspection**

(a) Within 25 flight hours after the effective date of this AD: Perform a detailed visual inspection to determine whether the tie rod is installed correctly through the dust shield and both jackscrew assemblies of the horizontal stabilizer trim actuator. Do the inspection per Israel Aircraft Industries Alert Service Bulletins 1121-27A-028 (for 1121 JET COMMANDER series airplanes), 1123-27A-053 (for 1123 WESTWIND series airplanes), or 1124-27A-147 (for 1124 and 1124A WESTWIND series airplanes); all dated August 28, 2000; as applicable.

**Note 2:** For the purposes of this AD, a detailed visual 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."

(1) If both the tie rod and the dust shield are correctly assembled: No further action is required by this AD.

(2) If either the tie rod or the dust shield is not correctly assembled: Prior to further flight, accomplish the actions specified by either paragraph (a)(2)(i) or (a)(2)(ii).

(i) Replace the horizontal stabilizer trim actuator with a serviceable part in accordance with the airplane maintenance manual. Or

(ii) Repair the horizontal stabilizer trim actuator in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Civil Aviation Administration of Israel (CAAI) (or its delegated agent). For a repair method to be

approved by the Manager, International Branch, ANM-116, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

**Spares**

(b) As of the effective date of this AD, no person shall install a horizontal stabilizer trim actuator on any airplane, unless the actuator has been inspected and all applicable corrective actions have been performed in accordance with the requirements of this AD.

**Alternative Methods of Compliance**

(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, International Branch, ANM-116. 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**

(d) 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**

(e) Except as provided by paragraphs (a)(2)(i) and (a)(2)(ii) of this AD: The actions shall be done in accordance with the following alert service bulletins:

| Service bulletin   | Date             |
|--|------------------|
| 1121 Commodore Jet Alert Service Bulletin 1121-27A-028 ..... | August 28, 2000. |
| 1123 Westwind Alert Service Bulletin 1123-27A-053 .....      | August 28, 2000. |
| 1124 Westwind Alert Service Bulletin 1124-27A-147 .....      | August 28, 2000. |

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 Galaxy Aerospace Corporation, One Galaxy Way, Fort Worth Alliance Airport, Fort Worth, Texas 76177. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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 Israeli airworthiness directive 27-00-09-01, dated September 24, 2000.

**Effective Date**

(f) This amendment becomes effective on December 4, 2000.

Issued in Renton, Washington, on November 7, 2000.

**Donald L. Riggins,**

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

[FR Doc. 00-29078 Filed 11-16-00; 8:45 am]

**BILLING CODE 4910-13-U**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 98-NM-259-AD; Amendment 39-11989; AD 98-09-16 R1]

**RIN 2120-AA64**

**Airworthiness Directives; Aerospatiale Model ATR-42 and ATR-72 Series Airplanes**

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

**ACTION:** Final rule; rescission.

**SUMMARY:** This amendment rescinds an existing Airworthiness Directive (AD), applicable to all Aerospatiale Model ATR-42 and ATR-72 series airplanes.

That AD currently requires revising the Airplane Flight Manual to add specific flightcrew instructions to be followed in the event of failure of the first generator, which could lead to the loss of main battery power and result in the loss of all electrical power, except the emergency battery supply, during flight. The requirements of that AD were intended to prevent failure of the second of two direct current generators after the failure of the first generator. Since the issuance of that AD, the FAA has received further information indicating that the incident that prompted that AD was an isolated case.

**DATES:** Effective November 17, 2000.

**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) to include an airworthiness directive (AD) that is applicable to all Aerospatiale Model ATR-42 and ATR-72 series airplanes was published in the **Federal Register** on November 9, 1999 (64 FR 61044). That action proposed to rescind AD 98-09-16. Rescission of AD 98-09-16 constitutes only such action, and does not preclude the agency from issuing another notice in the future, nor would it commit the agency to any course of action in the future.

**Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

**Conclusion**

After careful review of the available data, the FAA has determined that air safety and the public interest require the rescission of the rule as proposed.

**Cost Impact**

The FAA estimates that 145 airplanes of U.S. registry are affected by AD 98-09-16. The actions that are currently required by that AD take approximately 1 work hour 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 approximately \$8,700, or \$60 per airplane. However, the adoption of this rescission will eliminate those costs.

Removal of the AFM revision required by AD 98-09-16 will take

approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of removal of the AFM revision is estimated to be \$8,700, or \$60 per airplane.

**Regulatory Impact**

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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, Safety.

**The Rescission**

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 an AD which removes amendment 39-10497, to read as follows:

**98-09-16 R1 AEROSPATIALE:**

Amendment 39-11989. Docket No. 98-NM-259-AD. Rescinds AD 98-09-16, Amendment 39-10497.

**Applicability:** All Model ATR-42 and ATR-72 series airplanes; certificated in any category.

**Effective Date**

This rescission is effective November 17, 2000.

Issued in Renton, Washington, on November 9, 2000.

**Donald L. Riggins,**

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

[FR Doc. 00-29378 Filed 11-16-00; 8:45 am]

**BILLING CODE 4910-13-U**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

**21 CFR Part 1308**

**Schedule II Control of Dihydroetorphine Under the Controlled Substances Act (CSA)**

**AGENCY:** Drug Enforcement Administration (DEA), Justice.

**ACTION:** Final rule.

**SUMMARY:** This is a final rule issued by the DEA that dihydroetorphine (7,8-dihydro-7 $\alpha$ -[1-(R)-hydroxy-1-methylbutyl]-6,14-endo-ethanotetrahydroopipavine) is a Schedule II controlled substance. Although dihydroetorphine is not specifically listed in Schedule II of the Controlled Substances Act (CSA), it is a derivative of thebaine and as such is controlled under 21 U.S.C. 812 Schedule II(a)(1) which includes "Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate." Dihydroetorphine is a derivative of thebaine, a natural constituent of opium, hence dihydroetorphine is, by virtue of 21 U.S.C. 812 and 21 CFR Part 1308.12(b)(1)(16), a Schedule II controlled substance. International control of dihydroetorphine in Schedule I of the Single Convention on Narcotic Drugs, 1961 in 1998 prompted the DEA to specifically list dihydroetorphine as a controlled substance in Schedule II of the CSA.

**EFFECTIVE DATE:** November 17, 2000.

**FOR FURTHER INFORMATION OR QUOTA REQUESTS CONTACT:** Frank Sapienza, Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, (202) 307-7183.

**SUPPLEMENTARY INFORMATION:**

**What Is Dihydroetorphine and Why Is It Controlled?**

Dihydroetorphine is the international non-proprietary name for a chemical substance which is chemically similar to etorphine. It is an opiate-like