

in paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Clean (remove existing contaminants and lubricant) and re-lubricate (with a dry lubricant) the main entrance door "speed" lock and "G" lock systems in accordance with Jetstream Service Bulletin J41-52-058, dated July 14, 1997. And,

(ii) Following accomplishment of paragraph (a)(2)(i) of this AD, and prior to further flight, repeat the functional test of the main entrance door (including the "G" lock system) and the "speed" lock system, in accordance with the MM.

(A) If the "G" lock and speed lock function satisfactorily in the functional test required by paragraph (a)(2) of this AD, accomplish the requirements of paragraph (b) of this AD.

(B) If the "G" lock and speed lock do not function satisfactorily in the functional tests required by paragraph (a)(2) of this AD: Prior to further flight, repair the "G" lock and speed lock in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(b) Perform the actions specified in paragraphs (b)(1) and (b)(2) of this AD within 1,500 hours time-in-service following accomplishment of the initial functional test of the main entrance door required by paragraph (a) of this AD. Repeat the actions specified in paragraphs (b)(1) and (b)(2) of this AD, thereafter, at intervals not to exceed 1,500 hours time-in-service.

(1) Clean (remove contaminants and dry lubricant) and re-lubricate (with dry lubricant) the main entrance door "speed" lock and "G" lock systems in accordance with Jetstream Service Bulletin J41-52-058, dated July 14, 1997.

(2) Following accomplishment of paragraph (b)(1) of this AD and prior to further flight, perform a functional test of the main entrance door (including the "G" lock system) and the "speed" lock system, in accordance with the MM. If the "G" lock or "speed" lock system do not perform satisfactorily: Prior to further flight, repair the "G" lock or "speed" lock system in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(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, Standardization Branch, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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.

(e) Certain actions shall be done in accordance with Jetstream Service Bulletin J41-52-058, dated July 14, 1997. 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 AI(R) American Support, Inc., 13850 Mclean Road, Herndon, Virginia 20171. 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.

(f) This amendment becomes effective on September 24, 1997.

Issued in Renton, Washington, on September 3, 1997.

**Darrell M. Pederson,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-168-AD; Amendment 39-10123; AD 97-19-03]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 737 Series Airplanes Equipped With Manual**

#### **IPECO Captain and First Officer Seats**

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

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

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 737 series airplanes, that currently requires an inspection to determine whether the bearings of the tracklock bracket assemblies of the pilot and co-pilot seats are secure, modification of loose bearings, and marking of the seat identification labels. This AD requires a visual inspection to determine whether the modification and marking of the crew seats were accomplished; and, if not, accomplishment of these actions, which constitutes terminating action for the requirements of this AD. This amendment is prompted by a report indicating that a first officer's crew seat on an in-service airplane failed to lock horizontally. The actions specified in this AD are intended to prevent the captain and first officer crew seats from sliding freely on the track, which could result in uncommanded movement of the seats and reduced controllability of the airplane.

**DATES:** Effective September 24, 1997.

The incorporation by reference of IPECO Service Bulletin A001-25-92,

Issue 1, dated June 2, 1997, as listed in the regulations is approved by the Director of the Federal Register as of September 24, 1997.

The incorporation by reference of IPECO Service Bulletin A001-25-74, Issue 2, dated May 6, 1993, as listed in the regulations, was approved previously by the Director of the **Federal Register** as of August 24, 1993 (58 FR 42192, August 9, 1993).

Comments for inclusion in the Rules Docket must be received on or before November 10, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-168-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from IPECO, Inc., 3882 Del Amo Boulevard, suite 604, Torrance, California 90503. This information may be examined 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.

#### **FOR FURTHER INFORMATION CONTACT:**

Monica L. Nemecek, Aerospace Engineer, Airframe Branch, ANM-120S; FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227-2773; fax (425) 227-1181.

**SUPPLEMENTARY INFORMATION:** On August 2, 1993, the FAA issued AD 93-15-08, amendment 39-8654 (58 FR 42192, August 9, 1993), applicable to certain Boeing Model 737 airplanes, to require an inspection to determine whether the bearings of the tracklock bracket assemblies of the pilot and co-pilot seats are secure, modification of loose bearings, and marking of the seat identification label. [A correction of the rule was published in the **Federal Register** on September 14, 1993 (58 FR 47986).] That action was prompted by reports of pilot seats failing to lock horizontally due to the tracklock pin bearing becoming detached from its housing and wedged in the mechanism. The actions required by that AD are intended to prevent the pilot and co-pilot seats from sliding freely on the track, which could lead to the inability of the pilots to control the airplane.

#### **Actions Since Issuance of Previous Rule**

Since the issuance of AD 93-15-08 R1, the FAA has received a report indicating that a first officer's crew seat on a Boeing Model 737 series airplane,

which had been inspected previously in accordance with IPECO Service Bulletin A001-25-74, Issue 2, dated May 6, 1993, failed to lock horizontally because the tracklock pin bearing of the tracklock bracket assembly detached from its housing and wedged in the tracklock mechanism. In addition, four reports were received of captain and first officer crew seats becoming loose after being inspected previously. Migration of the tracklock bearing from the tracklock bracket assemblies, if not corrected, could cause the crew seats to slide horizontally on the track during acceleration and takeoff of the airplane, which could result in uncommanded movement of the seats and reduced controllability of the airplane.

#### Explanation of Relevant Service Information

Since the issuance of the previous rule, the FAA has reviewed and approved IPECO Service Bulletin A001-25-92, Issue 1, dated June 2, 1997, which specifies procedures for a visual inspection of the seat identification label to determine whether the modification and marking of the captain and first officer crew seats were accomplished in accordance with the previously referenced IPECO service bulletin (A001-25-74); and, if not, procedures for such modification and marking to ensure that the seats are secure. Modification of the crew seats requires the installation of a bearing retaining pin in the tracklock bracket assemblies of the captain and first officer crew seats to ensure that these seats remain in a secure position during acceleration and takeoff of the airplane. Marking of the crew seats is accomplished by vibro etch or a similar method on the seat pan structure, beneath the pin cushion, or on the aft face of the seat base structure, following installation of the retaining pin.

#### Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of this same type design, this AD supersedes AD 93-15-08 R1 to require a visual inspection to determine whether the modification and marking of crew seats have been accomplished; and, if not, accomplishment of such modification and marking to ensure that the seats are secure, which constitutes terminating action for the requirements of this AD. These actions are to be done in accordance with the IPECO service bulletins referenced previously.

#### 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 97-NM-168-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 removing amendment 39-8686 (58 FR 47986, September 14, 1993), and by adding a new airworthiness directive (AD), amendment 39-10123, to read as follows:

**97-19-03 BOEING:** Amendment 39-10123. Docket 97-NM-168-AD. Supersedes AD 93-15-08 R1, Amendment 39-8686.

**Applicability:** Model 737 series airplanes equipped with IPECO Model 093 captain and first officer crew seats, having seat serial numbers up to and including 21121; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 the captain and first officer crew seats from sliding freely on the track, which could result in uncommanded movement of the seats and reduced controllability of the airplane, accomplish the following:

(a) Within 90 days after the effective date of this AD, perform a visual inspection of the seat identification labels of the captain and first officer crew seats to determine whether these seats were modified by installing a bearing retaining pin in the tracklock bracket assembly of the seats, and whether the seats were marked by an identification label, in accordance with IPECO Service Bulletin A001-25-74, Issue 2, dated May 6, 1993, or IPECO Service Bulletin A001-25-92, Issue 1, dated June 2, 1997.

(i) If the modification and marking of the crew seats were accomplished in accordance with service bulletin A001-25-74 or A001-25-92, no further action is required by this AD.

(ii) If the modification and marking were not accomplished in accordance with either service bulletin, within 90 days after the effective date of this AD, accomplish the modification (installation of a bearing retaining pin in the tracklock bracket assembly of the captain and first officer crew seats), and the marking of the seat identification label; in accordance with IPECO Service Bulletin A001-25-92, Issue 1, dated June 2, 1997.

(b) As of the effective date of this AD, no person shall install on any airplane a pilot/co-pilot (captain/first officer) crew seat that does not bear the marking "A001-25-74" or "A001-25-92" on the seat identification label.

(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, 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.

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

(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.

(e) The actions shall be done in accordance with IPECO Service Bulletin A001-25-92, Issue 1, dated June 2, 1997; or IPECO Service Bulletin A001-25-74, Issue 2, dated May 6, 1993.

(1) The incorporation by reference of IPECO Service Bulletin A001-25-92, issue 1, dated June 2, 1997, is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of IPECO Service Bulletin A001-25-74, Issue 2, dated May 6, 1993, was approved previously by the Director of the Federal Register as of August 24, 1993 (58 FR 42192, August 9, 1993).

(3) Copies may be obtained from IPECO, Inc., 3882 Del Amo Boulevard, suite 604, Torrance, California 90503. 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.

(f) This amendment becomes effective on September 24, 1997.

Issued in Renton, Washington, on September 3, 1997.

**Darrell M. Pederson,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. No. 97-ASO-5]

#### Amendment to Class E Airspace; Titusville, FL

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment modifies the Class E airspace area at Titusville, FL. Global Positioning System (GPS) Runway (RWY) 15 and RWY 33 Standard Instrument Approach Procedures (SIAPs) have been developed for the Arthur Dunn Air Park. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAPs. The operating status of the airport will change from Visual Flight Rules (VFR) to include Instrumental Flight Rules (IFR) operations concurrent with publication of the SIAPs

**EFFECTIVE DATE:** 0901 UTC, November 6, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Nancy B. Shelton, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5576.

#### SUPPLEMENTARY INFORMATION:

##### History

On April 14, 1997, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by modifying Class E airspace at Titusville,

FL (62 FR 18067). This action would provide adequate Class E airspace for IFR operations at the Arthur Dunn Air Park. Designations for Class E airspace extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. One comment was received objecting to the proposal. The United States Air Force objected to the proposed Class E airspace citing general safety concerns over parachute jumping activity and radar coverage in the vicinity of Arthur Dunn Air Park.

This FAA response action will enhance safety by lowering the floor of existing Class E airspace from 1200 feet AGL to 700 feet AGL within 6.3 miles of the Arthur Dunn Air Park to accommodate 2 GPS SIAPs which have been developed for the airport. The airspace modification as proposed is required in order to provide adequate controlled airspace for the GPS SIAPs into the Arthur Dunn Air Park.

#### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) modifies Class E airspace at Titusville, FL. Global Positioning System RWY 15 and RWY 33 SIAPs have been developed for the Arthur Dunn Air Park. Additional controlled airspace extending upward from 700 feet AGL is needed to accommodate the SIAPs. The operating status of the airport will change from VFR to include IFR operations concurrent with the publication of the SIAPs.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities