

certificated for operation in the United States.

### Explanation of Requirements of Proposed 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, the proposed AD would require accomplishment of the actions specified in the alert service bulletin described previously.

### Cost Impact

The FAA estimates that 10 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 14 work hours per airplane to accomplish the proposed installation, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$122 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$9,620, or \$962 per airplane.

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 [Amendment]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**De Havilland, Inc.:** Docket 97-NM-330-AD.

*Applicability:* Model DHC-8-301, -311, -314, and -315 series airplane; serial numbers 100, and 202 through 433 inclusive; excluding serial numbers 271 and 408; 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 severe overheating of the electrical connectors for the lights in the forward end of the passenger overhead compartments, which could result in smoke and fire in the passenger cabin, accomplish the following:

(a) Within 400 hours time-in-service after the effective date of this AD, install additional wiring and new electrical connectors for the lights in the forward end of the passenger overhead compartments in accordance with Bombardier Alert Service Bulletin S.B. A8-33-39, Revision 'A,' date October 24, 1997.

(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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

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

(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 3:** The subject of this AD is addressed in Canadian airworthiness directive CF-97-17, dated September 26, 1997.

Issued in Renton, Washington, on March 13, 1998.

**Darrell M. Pederson,**

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

[FR Doc. 98-7225 Filed 3-20-98; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. 97-NM-43-AD]

RIN 2120-AA64

### Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA) Model CN-235 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 CASA Model CN-235 series airplanes. This proposal would require modification of certain fastener holes of the center wing. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent fatigue cracking in this area, which could result in reduced structural integrity of the wing.

**DATES:** Comments must be received by April 22, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 97-NM-43-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

Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**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:**

**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 97-NM-43-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. 97-NM-43-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The Dirección General de Aviación Civil (DGAC), which is the airworthiness authority for Spain, notified the FAA that an unsafe condition may exist on certain CASA Model CN-235 series airplanes. The DGAC advises that cracks have been found around several fastener holes in the structural joints of the center wing

structure of the CASA Model CN-235 fatigue test article. Fatigue cracking in this area, if not detected and corrected in a timely manner, could result in reduced structural integrity of the wing.

**Explanation of Relevant Service Information**

CASA has issued Service Bulletins SB-235-57-14, Revision 1, dated June 21, 1996, and SB-235-57-05, Revision 2, dated June 21, 1996, which both describe procedures for modification of the fastener holes of the center wing. The modification entails a rototest inspection to detect cracking of certain fastener holes of the center wing; removal of cracking; and cold working the fastener holes of the center wing to increase the expected fatigue life to the design objective for the airplane. Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition.

The DGAC classified these service bulletins as mandatory and issued Spanish airworthiness directive 04/94, dated August 1994, in order to assure the continued airworthiness of these airplanes in Spain.

**FAA's Conclusions**

This airplane model is manufactured in Spain 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 Proposed 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, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously, except as discussed below.

**Differences Between Proposed Rule and Foreign AD**

Operators should note that, although the parallel Spanish airworthiness directive does not mandate the accomplishment of required actions for CASA Model CN-235 series airplane, serial number C-011, the applicability

of this proposed AD would include that airplane. Although that airplane was not certificated for civilian operation by the DGAC, the FAA has certificated it as such. The FAA has determined that the unsafe condition addressed in this AD may also exist or develop on that airplane.

**Differences Between Proposed Rule and Related Service Bulletins**

Operators should note that, although the service bulletins specify that the manufacturer may be contacted for disposition of certain repairs, this proposal would require that any repair, other than those specifically identified in the service bulletins, be accomplished in accordance with a method approved by the FAA.

**Cost Impact**

The FAA estimates that 2 airplanes of U.S. registry would be affected by this proposed AD.

The FAA estimates that the actions specified in CASA Service Bulletin SB-235-57-14 would be required to be accomplished on one airplane of U.S. registry. These proposed actions would take approximately 220 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$719 per airplane. Based on these figures, the cost impact of this proposed inspection on the single U.S. operator is estimated to be \$13,919.

For CASA Model CN-235 series airplane, serial number C-011, on which the actions specified in CASA Service Bulletin SB-235-57-05 would be required to be accomplished, those proposed actions would take approximately 1,900 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$11,330 per airplane. Based on these figures, the cost impact of the proposed actions for that airplane is estimated to be \$125,330.

The cost impact figures discussed above are 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:

**Construcciones Aeronauticas, S.A. (CASA):**  
Docket 97-NM-43-AD.

**Applicability:** Model CN-235 series airplanes; as listed in CASA Service Bulletins SB-235-57-14, Revision 1, dated June 21, 1996; and SB-235-57-05, Revision 2, dated June 21, 1996; and Model CN-235 having serial number C-011; 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 (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 as indicated, unless accomplished previously.

To prevent fatigue cracking in the fastener holes of the center wing, which could result in reduced structural integrity of the wing, accomplish the following:

(a) For airplanes listed in CASA Service Bulletins SB-235-57-14, Revision 1, dated June 21, 1996; and SB-235-57-05, Revision 2, dated June 21, 1996: Perform a rototest inspection of the fastener holes of the center wing to detect cracking, in accordance with the applicable service bulletin, at the time specified in paragraph (c) of this AD.

(1) If no crack is found, prior to further flight, cold work the fastener holes in accordance with the applicable service bulletin.

(2) If any crack is found, prior to further flight, remove it in accordance with the service bulletin; repeat the rototest inspection to detect cracking; and cold work the fastener holes, in accordance with the applicable service bulletin. If any crack is found that cannot be removed using the procedures specified in the applicable service bulletin, prior to further flight, repair it in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate.

(b) For airplane serial number C-011: Perform a rototest inspection of the fastener holes of the center wing to detect cracking, in accordance with CASA Service Bulletin SB-235-57-05, Revision 2, dated June 21, 1996, at the time specified in paragraph (c) of this AD.

(1) If no crack is found, prior to further flight, cold work the fastener holes in accordance with the service bulletin.

(2) If any crack is found, prior to further flight, remove it in accordance with the service bulletin; repeat the rototest inspection to detect cracking; and cold work the fastener holes, in accordance with the service bulletin. If any crack is found that cannot be removed using the procedures specified in the service bulletin, prior to further flight, repair it in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate.

(c) Accomplish the inspection required by paragraph (a) or (b) of this AD, as applicable, at the later of the times specified in paragraphs (c)(1) and (c)(2) of this AD.

(1) Prior to the accumulation of 17,000 total flight cycles or 37,400 total flight hours, whichever occurs first.

(2) Within 6 months after the effective date of this AD.

(d) 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 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(e) 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.

**Note 3:** The subject of this AD is addressed in Spanish airworthiness directive 04/94, dated August 1994.

Issued in Renton, Washington, on March 16, 1998.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 98-7366 Filed 3-20-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-AGL-18]

#### Proposed establishment of Class E Airspace; Rush City, MN

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class E airspace at Rush City, MN. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (Rwy) 34, and a Nondirectional Beacon SIAP to Rwy 34, have been developed for Rush City Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approaches. This action would create controlled airspace with a southwest extension for Rush City Municipal Airport.

**DATES:** Comments must be received on or before May 11, 1998.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 98-AGL-18, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Airspace Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

**FOR FURTHER INFORMATION CONTACT:** Michelle M. Behm, Air Traffic Division,