

detect any discrepancy, in accordance with Saab Service Bulletin 340-76-041, dated May 29, 1997, or Revision 01, dated July 2, 1997. If any discrepancy is found, prior to further flight, replace the control quadrant with a new or serviceable control quadrant in accordance with the service bulletin.

(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, 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 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.

(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.

(d) The actions shall be done in accordance with Saab Service Bulletin 340-76-041, dated May 29, 1997, or Saab Service Bulletin 340-76-041, Revision 01, dated July 2, 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 Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. 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 3:** The subject of this AD is addressed in Swedish airworthiness directive 1-116, dated June 9, 1997.

(e) This amendment becomes effective on May 19, 1998.

Issued in Renton, Washington, on April 6, 1998.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 98-9588 Filed 4-13-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-ANE-39; Amendment 39-10426; AD 98-07-07]

RIN 2120-AA64

### Airworthiness Directives; Rolls-Royce, plc RB211 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

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

**SUMMARY:** This amendment supersedes existing airworthiness directive (AD) 96-13-04, applicable to Rolls-Royce, plc RB211 series turbofan engines, that currently requires removing and replacing a rigid low pressure (LP) fuel system tube assembly with a tube assembly incorporating flexible sections and revised clip points in order to preclude cracking and subsequent fuel leakage. This amendment requires replacing one of the flexible fuel tube assemblies installed in accordance with AD 96-13-04 with an alternate flexible fuel tube assembly that is not prone to rupture. This AD also requires immediate replacement of any rigid fuel tubes not previously removed from service as required by AD 96-13-04. The amendment is prompted by reports of fuel line rupture on one of the flexible fuel tube assemblies installed in accordance with AD 96-13-04. The actions specified by this AD are intended to prevent high volume fuel leaks and reported fuel collection inside the engine nacelle, which could result in an uncontrolled engine fire.

**DATES:** Effective April 29, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 29, 1998.

Comments for inclusion in the Rules Docket must be received on or before June 15, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 94-ANE-39, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.dot.gov". Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from Rolls-Royce, plc, P.O. Box 31, Moor Lane, Derby, DE248BJ, United Kingdom; telephone 1332-249428, fax 1332-249423. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New

England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7176, fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** On June 11, 1996, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 96-13-04, Amendment 39-9672 (61 FR 36622, July 12, 1996), applicable to Rolls-Royce, plc (R-R) Model RB211-535E4 and -535E4-B turbofan engines, to require removing and replacing the existing rigid low pressure (LP) fuel system tube assembly, part number (P/N) UL16692, with tube assembly, P/N AE709623-1 or P/N 163521538, having flexible sections and revised clip points to preclude cracking and subsequent fuel leakage. That action was prompted by multiple reports of fuel leaks. That condition, if not corrected, could result in a fuel system leak, which could result in rapid atomization of fuel and an engine fire.

Since the issuance of that AD, the Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom (UK), received 11 reports of fuel leaks from flexible fuel tube assembly, P/N AE709623-1, installed in accordance with AD 96-13-04, including two inflight engine shutdowns, one go-around, and one diversion as of December 16, 1997. A failure of the flexible fuel tube assembly could result in high volume fuel leaks and reported fuel collection inside the engine nacelle, which could result in an uncontrolled engine fire.

This engine model is manufactured in the UK and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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.

The FAA has reviewed and approved the technical contents of R-R Service Bulletin (SB) No. RB.211-73-C297, Revision 1, dated January 9, 1998, that describes procedures for replacing flexible fuel tube assembly, P/N AE709623-1, with an alternate flexible fuel tube assembly, P/N 163521538, that is not prone to rupture.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of this same type design, this AD supersedes AD 96-13-04 to require replacing one of the

flexible fuel tube assemblies, P/N AE709623-1, installed in accordance with AD 96-13-04 with an alternate flexible fuel tube assembly, P/N 163521538, that is not prone to rupture. This AD requires full compliance prior to exceeding 60 days after the effective date of the AD. The compliance time was established based upon the risk to flight safety and parts availability. This AD also requires, prior to further flight, replacement of any rigid fuel tubes that have not been removed from service in accordance with AD 96-13-04. These actions are required to be accomplished in accordance with the SB described previously.

Since a situation exists that requires immediate adoption of this regulation, notice and opportunity for prior public comment hereon is impracticable, and 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 should 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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94-ANE-39." The

postcard will be date stamped and returned to the commenter.

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 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 39-9672 (61 FR 36622, July 12, 1996), and by adding a new airworthiness directive, Amendment 39-10426, to read as follows:

**98-07-07 Rolls-Royce, plc:** Amendment 39-10426. Docket 94-ANE-39. Supersedes AD 96-13-04, Amendment 39-9672.

**Applicability:** Rolls-Royce, plc. (R-R) Models RB211-535E4 and -535E4-B turbofan engines installed on but not limited to Boeing 757 series and Tupolev 204 series aircraft.

**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 (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 high volume fuel leaks and reported fuel collection inside the engine nacelle, which could result in an uncontrolled engine fire, accomplish the following:

(a) Prior to further flight, remove from service rigid low pressure (LP) fuel system tube assembly, part number (P/N) UL16692, and replace with flexible fuel tube, P/N 163521538.

(b) Remove from service flexible fuel tube assembly, P/N AE709623-1, installed in accordance with AD 96-13-04, and replace it with alternate flexible fuel tube assembly, P/N 163521538, in accordance with R-R Service Bulletin (SB) No. RB.211-73-C297, Revision 1, dated January 8, 1998. Replace all fuel tube assemblies prior to exceeding 60 days after the effective date of this AD, or at the next shop visit, whichever occurs first.

(c) For the purpose of this AD, a shop visit is defined as the induction of an engine into the shop for any reason.

(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, Engine Certification Office. Operators shall submit their requests 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 AD, if any, may be obtained from the Engine Certification Office.

(e) 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 aircraft to a location where the requirements of this AD can be accomplished.

(f) The actions required by this AD shall be done in accordance with the following R-R SB:

*Document No.* RB.211-73-C297.

*Pages:* 1-8.

*Revision:* 1.

*Date:* January 8, 1998.

*Total pages:* 8.

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 Rolls-Royce, plc, P.O. Box 31, Moor Lane, Derby, DE248BJ, United Kingdom;

telephone 1332-249428, fax 1332-249423. 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.

(g) This amendment becomes effective on April 29, 1998.

Issued in Burlington, Massachusetts, on April 2, 1998.

**Jay J. Pardee,**

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

[FR Doc. 98-9582 Filed 4-13-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-69-AD; Amendment 39-10466; AD 98-08-17]

RIN 2120-AA64

#### **Airworthiness Directives; Turbo-Propeller Powered General Dynamics (Convair) Model 240, 340, and 440 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to various turbo-propeller powered General Dynamics (Convair) Model 240, 340, and 440 series airplanes, that requires revising the Airplane Flight Manual (AFM) to modify the limitation that prohibits positioning the power levers below the flight idle stop during flight, and to provide a statement of the consequences of positioning the power levers below the flight idle stop during flight. This amendment is prompted by incidents and accidents involving airplanes equipped with turboprop engines in which the ground propeller beta range was used improperly during flight. The actions specified by this AD are intended to prevent loss of airplane controllability, or engine overspeed and consequent loss of engine power caused by the power levers being positioned below the flight idle stop while the airplane is in flight.

**EFFECTIVE DATE:** May 19, 1998.

**ADDRESSES:** Information pertaining to this amendment may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office,

3960 Paramount Boulevard, Lakewood, California.

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

Frank Hoerman, Aerospace Engineer, Flight Test Branch, ANM-160L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 527-5371; fax (562) 625-5210.

#### **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 various turbo-propeller powered General Dynamics (Convair) Model 240, 340, and 440 series airplanes was published in the **Federal Register** on July 9, 1997 (62 FR 36747). That action proposed to require revising the Airplane Flight Manual (AFM) to modify the limitation that prohibits positioning the power levers below the flight idle stop during flight, and to provide a statement of the consequences of positioning the power levers below the flight idle stop during flight.

#### **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**

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### **Cost Impact**

There FAA estimates that 178 General Dynamics (Convair) Model 240, 340, and 440 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$10,680, or \$60 per airplane.

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

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.

#### **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:

##### **98-08-17 General Dynamics (Convair):**

Amendment 39-10466. Docket 97-NM-69-AD.

**Applicability:** All turbo-propeller powered Model 240, 340, and 440 series airplanes, including those models commonly referred to as Model 580, 600, and 640 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.