

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 actions specified in the service bulletin described previously.

Cost Impact

The FAA estimates that 57 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed installation, at an average labor rate of \$60 per work hour. Required parts would be minimal. Based on these figures, the cost impact of the installation proposed by this AD on U.S. operators is estimated to be \$3,420, or \$60 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 [Amended]

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

British Aerospace [Formerly Jetstream Aircraft Limited; British Aerospace (Commercial Aircraft) Limited]: Docket 98-NM-115-AD.

Applicability: Model 4101 airplanes, constructor's numbers 41004 through 41100 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 blockage of the fire extinguisher exhaust port, which could result in reduced fire protection in the rear baggage bay and consequent injury to the passengers and crewmembers, accomplish the following:

(a) Within 4 months after the effective date of this AD, install a warning placard near the fire extinguisher exhaust port in the rear baggage bay, in accordance with British Aerospace Regional Aircraft Service Bulletin J41-11-020, dated November 10, 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their request 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 §§ 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 April 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-10486 Filed 4-20-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-89-AD]

RIN 2120-AA64

Airworthiness Directives; Dornier Model 328-100 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 Dornier Model 328-100 series airplanes. This proposal would require a one-time inspection to detect discrepancies of circuit breaker panels 10VE and 11VE; follow-on corrective actions; modification of the contact points; and installation of a high capacity fuse. This proposal would also require replacement of power relays 32HB and 36HB on relay panel 22VE with new parts. 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 electrical short circuits of the contact points and power relays on the circuit breaker panels, which could result in increased risk of smoke and fire damage in the flight compartment.

DATES: Comments must be received by May 21, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-89-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 Fairchild Dornier, Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. 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 98-NM-89-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-89-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, notified the FAA that an unsafe condition may exist on certain Dornier Model 328-100 series airplanes. The LBA advises that it has received

reports indicating that, on certain in-service airplanes, signs of overheating, sparking, and burning were discovered on circuit breaker panels 10VE and 11VE at the back lighting contact points. These signs of damage may have included delamination, discoloration, pitting, and scorching. Investigation has revealed that an electrical short circuit occurred at the back lighting contact points of the circuit breaker panels. The cause of the electrical short circuit was attributed to the accumulation of moisture and condensation on the exposed contact points.

In addition, the LBA advises that the pilot of a Dornier Model 328-100 series airplane reported that the recirculation fan in the air-conditioning system failed. The recirculation fan was mounted on relay panel 22VE. During investigation into the failure of the recirculation fan, personnel discovered that power relay 32HB, power relay 36HB, and a connector had melted at relay panel 22VE. Further investigation revealed that power relays 32HB and 36HB became hot during flight, and the temperature of the relays exceeded permissible levels. The cause of the overheating and melting was attributed to an inadequate relay design that could not withstand higher electrical loads than anticipated. These electrical short circuits, if not corrected, could result in increased risk of smoke and fire damage in the flight compartment.

Explanation of Relevant Service Information

Dornier has issued Alert Service Bulletin ASB-328-31-016, dated April 2, 1997, which describes procedures for a one-time visual inspection to detect signs of overheating, sparking, or fire damage to circuit breaker panels 10VE and 11VE at the back lighting contact points. This alert service bulletin also describes procedures for replacement of any damaged circuit breaker panel with a new or serviceable panel, and modification of the contact points by applying additional sealant.

Dornier has also issued Service Bulletin SB-328-31-226, including Price/Material Information Sheet, dated June 16, 1997, which describes procedures for modification of circuit breaker panels 10VE and 11VE by installing a jiffy junction (high capacity fuse assembly).

In addition, Dornier has issued Service Bulletin SB-328-21-218, including Price/Material Information Sheet, dated July 2, 1997, which describes procedures for replacement of relays 32HB and 36HB, part number (P/N) DON405M520U5NL, on relay panel

22VE with new relays, P/N 2504MY1, having a higher load capacity.

Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The LBA classified these service bulletins as mandatory and issued German airworthiness directives 97-136, dated May 22, 1997; 97-330, dated November 20, 1997; and 97-323, dated November 20, 1997; in order to assure the continued airworthiness of these airplanes in Germany.

FAA's Conclusions

This airplane model is manufactured in Germany 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 LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, 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.

Cost Impact

The FAA estimates that 50 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 2 work hours per airplane to accomplish the proposed inspection and application of sealant to the contact points, at an average labor rate of \$60 per work hour. The cost of the sealant would be minimal. Based on this figure, the cost impact of the proposed inspection and modification on U.S. operators is estimated to be \$120 per airplane.

It would take approximately 1 work hour per airplane to accomplish the proposed installation of a high capacity fuse on the circuit breaker panels, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on this figure, the cost impact of the proposed installation on U.S. operators is estimated to be \$60 per airplane.

It would take approximately 5 work hours per airplane to accomplish the proposed replacement of the relays, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on this figure, the cost impact of the proposed replacement on U.S. operators is estimated to be \$300 per airplane.

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

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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 98–NM–89–AD.

Applicability: Model 328–100 series airplanes equipped with circuit breaker panels 10VE up to and including serial number 131, and 11VE up to and including serial number 133; and Model 328–100 series airplanes, serial numbers 3005 through 3095 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 (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 electrical short circuits of the contact points and power relays on the circuit breaker panels, which could result in increased risk of smoke and fire damage in the flight compartment, accomplish the following:

(a) For Model 328–100 series airplanes equipped with circuit breaker panels 10VE up to and including serial number 131, and 11VE up to and including serial number 133: Within 14 days after the effective date of this AD, perform a one-time visual inspection to detect discrepancies of circuit breaker panels 10VE and 11VE at the back lighting contact points, in accordance with Dornier Alert Service Bulletin ASB–328–31–016, dated April 2, 1997.

(1) If no discrepancy is detected, prior to further flight, modify the contact points by applying additional sealant in accordance with the alert service bulletin.

(2) If any discrepancy is detected, prior to further flight, replace the damaged circuit breaker panel with a new or serviceable panel and modify the contact points by applying additional sealant, in accordance with the alert service bulletin.

(b) For Model 328–100 series airplanes, serial numbers 3005 through 3095 inclusive: Within 90 days after the effective date of this AD, install a jiffy junction fitted with a high capacity fuse on circuit breaker panels 10VE and 11VE, in accordance with version 1 or version 2, as applicable, of the Accomplishment Instructions of Dornier Service Bulletin SB–328–31–226, including Price/Material Information Sheet, dated June 16, 1997.

(c) For Model 328–100 series airplanes, serial numbers 3005 through 3089 inclusive: Within 90 days after the effective date of this AD, replace relays 32HB and 36HB, part number (P/N) DON405M520U5NL, on relay

panel 22VE with new relays, P/N 2504MY1, in accordance with Dornier Service Bulletin SB–328–21–218, including Price/Material Information Sheet, dated July 2, 1997.

(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, 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 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 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 German airworthiness directives 97–136, dated May 22, 1997; 97–330, dated November 20, 1997; and 97–323, dated November 20, 1997.

Issued in Renton, Washington, on April 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 107, 108, and 139

[Docket Nos. 28979 and 28978]

RIN 2120–AD–46 and 2120–AD–45

Airport and Aircraft Operator Security; Notice of Public Meetings

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of reopening of the comment period and public meetings.

SUMMARY: This notice announces the reopening of the comment period and two public meetings on the notices of proposed rulemaking (NPRM), Airport Security (Parts 107 and 139), and Aircraft Operator Security (Part 108), published in the **Federal Register** on August 1, 1997. The comment period is being reopened and two public meetings are being held to provide an additional opportunity for the public to comment on the proposals.

DATES: The comment period will close on June 26, 1998. The public meetings will be held on May 21, 1998, at 9:00