

(b) If no cracking is detected during the inspection required by paragraph (a) of this AD, no further action is required by this AD.

(c) If any cracking is detected during the inspection required by paragraph (a) of this AD, prior to further flight, repair in accordance with a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Civil Aviation Authority (or its delegated agent).

(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 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 British airworthiness directive 005-04-98.

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

**Darrell M. Pederson,**

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

[FR Doc. 98-21659 Filed 8-12-98 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-203-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Short Brothers Model SD3-30, SD3-60, SD3-60 SHERPA, and SD3 SHERPA Series Airplanes; Short Brothers Model SD3-30 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 all SD3-30, SD3-60, SD3-60 SHERPA, and SD3 SHERPA series airplanes. This proposal would require repetitive visual inspections of the flap levers and bracket assembly of the inner flap sub-assembly of the left and right wings to

detect certain discrepancies; and corrective actions, if necessary. 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 detect and correct failure of the levers and bracket assembly, which could result in uncommanded retraction of the inner flap assembly and consequent reduced controllability of the airplane.

**DATES:** Comments must be received by September 14, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-203-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 Short Brothers, Airworthiness & Engineering Quality, P.O. Box 241, Airport Road, Belfast BT3 9DZ, Northern Ireland. 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-203-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-203-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### **Discussion**

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, notified the FAA that an unsafe condition may exist on all Short Brothers Model SD3-30, SD3-60, SD3-60 SHERPA, and SD3 SHERPA series airplanes. The CAA advises that, during an inspection, evidence of corrosion, cracking, and protective coating breakdown was detected on the levers and bracket assembly of the inner flap sub-assembly of the left and right wings. Investigation revealed that the discrepancies may have been initiated by incorrect rigging of the flaps. Such discrepancies, if not corrected, could result in failure of the levers and bracket assembly, which could result in uncommanded retraction of the inner flap assembly and consequent reduced controllability of the airplane.

#### **Explanation of Relevant Service Information**

Shorts has issued the following service bulletins, all dated January 14, 1997:

- SD360-27-26 (for Model SD3-60 series airplanes);
- SD360 Sherpa 27-1 (for Model SD3-60 SHERPA series airplanes);
- SD3 Sherpa 27-2 (for Model SD3 SHERPA series airplanes); and
- SD3-27-36 (for Model SD3-30 series airplanes).

These service bulletins describe procedures for repetitive visual inspections of the flap levers and bracket assembly of the inner flap sub-assembly of the left and right wings to detect discrepancies (i.e., corrosion, cracking, protective coating breakdown, and inadequate clearances between the forward face of the lower levers and the

bracket web); and corrective actions, if necessary. The corrective actions include renewal of protective coating, removal of corrosion and cracking within acceptable limits, replacement of discrepant parts with new parts, and re-rigging of the inner flap system. Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The CAA classified these service bulletins as mandatory and issued British airworthiness directives 008-01-97, 010-01-97, 011-01-97, and 009-01-97 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

### FAA's Conclusions

These airplane models are manufactured in the United Kingdom and are 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.

### 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 99 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 5 work hours per airplane to accomplish the proposed inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the inspection proposed by this AD on U.S. operators is estimated to be \$29,700, or \$300 per airplane, per inspection cycle.

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:

**Short Brothers PLC:** Docket 98-NM-203-AD.

**Applicability:** All Model SD3-30, SD3-60, SD3-60 SHERPA, and SD3 SHERPA 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.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent failure of the levers and bracket assembly, which could result in uncommanded retraction of the inner flap assembly and consequent reduced controllability of the airplane:

(a) Within 90 days after the effective date of this AD: Perform a visual inspection of the levers and bracket assembly of the inner flap sub-assembly of the left and right wings to detect discrepancies (i.e., corrosion, cracking, protective coating breakdown, and inadequate clearances between the forward face of the lower levers and the bracket web), in accordance with the applicable Shorts service bulletin specified below, all dated January 14, 1997:

- SD360-27-26 (for Model SD3-60 series airplanes);
- SD360 Sherpa 27-1 (for Model SD3-60 SHERPA series airplanes);
- SD3 Sherpa 27-2 (for Model SD3 SHERPA series airplanes); and
- SD3-27-36 (for Model SD3-30 series airplanes).

(1) If no discrepancy is detected, repeat the visual inspection thereafter at intervals not to exceed 4,800 flight hours or 24 months, whichever occurs earlier.

(2) If any discrepancy is detected, prior to further flight, rework the affected area, and accomplish follow-on corrective actions, in accordance with the applicable service bulletin.

(i) If the reworked parts remain within the allowable rework limits specified in the applicable service bulletin, repeat the visual inspection of the levers and bracket assembly thereafter at intervals not to exceed 1,200 flight hours or 6 months, whichever occurs earlier.

(ii) If any reworked part is outside the allowable rework limits specified in the applicable service bulletin, prior to further flight, replace the reworked part with a new part. Thereafter, repeat the inspection at intervals not to exceed 4,800 flight hours or 24 months, whichever occurs earlier.

(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 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.

**Note 3:** The subject of this AD is addressed in British airworthiness directives 008-01-97, 010-01-97, 011-01-97, and 009-01-97.

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

**Darrell M. Pederson,**

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

[FR Doc. 98-21658 Filed 8-12-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-175-AD]

RIN 2120-AA64

#### Airworthiness Directives; Aerospatiale Model ATR42 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain Aerospatiale Model ATR42-300 and -320 series airplanes, that currently requires a one-time inspection of the main landing gear (MLG) actuator fitting bolt holes for correct alignment, and rework of the fitting surface and bolt replacement, if necessary. This action would require replacement of the MLG actuator fitting bolts with new, improved bolts. This action also would revise the applicability of the existing AD. 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 failure of the MLG actuator fitting bolts, which could result in the inability to retract the MLG and attain an adequate climb gradient.

**DATES:** Comments must be received by September 14, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-175-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

AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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-175-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-175-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

On September 5, 1990, the FAA issued AD 90-19-06, amendment 39-6727 (55 FR 37457, September 12, 1990), applicable to certain Aerospatiale Model ATR42-300 and ATR42-320 series airplanes, to require a one-time inspection of the main landing gear (MLG) actuator fitting bolt holes for

correct alignment, and rework of the fitting surface and bolt replacement, if necessary. That AD also revises the applicability of another AD to add certain airplanes and to delete other airplanes that have been modified. That action was prompted by the issuance of new service information. The requirements of that AD are intended to prevent failure of the MLG actuator attachment fitting bolts, which could result in the inability to retract the MLG and attain an adequate climb gradient.

##### Actions Since Issuance of Previous Rule

Since the issuance of AD 90-19-06, the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that the actions required by that AD do not adequately preclude failure of the MLG actuator attachment fitting bolts, which could result in the inability to retract the MLG and attain an adequate climb gradient. The DGAC also advised that, since the MLG actuator attachment fitting bolts on Aerospatiale Model ATR42-200 and -500 series airplanes are similar in design to those bolts installed on Aerospatiale Model ATR42-300 and -320 series airplanes, Model ATR42-200 and -500 series airplanes also are subject to the same unsafe condition.

##### Explanation of Relevant Service Information

Additionally, since issuance of AD 90-19-06, the manufacturer has issued Avions de Transport Regional Service Bulletin ATR42-53-0112, dated January 20, 1998, which describes procedures for replacement of the MLG actuator fitting bolts with new bolts having a larger diameter. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 97-115-070(B)R1, dated February 11, 1998, in order to assure the continued airworthiness of these airplanes in France.

##### FAA's Conclusions

These airplane models are manufactured in France and are 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC,