

Issued in Renton, Washington, on August 19, 1998.

**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. 98-NM-158-AD; Amendment 39-10720; AD 98-18-04]

RIN 2120-AA64

#### **Airworthiness Directives; Aerospatiale Model SN-601 (Corvette) Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Aerospatiale Model SN-601 (Corvette) series airplanes, that requires repetitive inspections to detect corrosion, cracking, or rupture of the support arms of the aileron balance weights; and repair, if necessary. Accomplishment of the repair terminates the repetitive inspection requirement of this AD. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent corrosion, cracking, or rupture of the support arms of the aileron balance weights, which may cause reduced flutter damping or jamming of the aileron, and consequent reduced controllability of the airplane.

**DATES:** Effective October 1, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 1, 1998.

**ADDRESSES:** The service information referenced in this AD may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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:** 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:** 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 all Aerospatiale Model SN-601 (Corvette) series airplanes was published in the **Federal Register** on July 7, 1998 (63 FR 36626). That action proposed to require repetitive inspections to detect corrosion, cracking, or rupture of the support arms of the aileron balance weights; and repair, if necessary. Accomplishment of the repair terminates the repetitive inspection requirement of this AD.

#### **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**

The FAA estimates that 2 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$240, or \$120 per airplane, per inspection cycle.

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, 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 adding the following new airworthiness directive:

**98-18-04 Aerospatiale:** Amendment 39-10720. Docket 98-NM-158-AD.

**Applicability:** All Model SN-601 (Corvette) 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 (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 corrosion, cracking, or rupture of the support arms of the aileron balance weights, which may cause reduced flutter damping or jamming of the aileron, and consequent reduced controllability of the airplane, accomplish the following:

(a) Within 10 landings or 10 days after the effective date of this AD, whichever occurs later: Perform a detailed visual inspection to detect corrosion, cracking, or rupture of the support arms of the aileron balance weights, in accordance with *Aerospatiale All Operators Telex (AOT) A/BTE/AM 499.368/95*, dated March 7, 1995.

(1) If no corrosion, cracking, or rupture is detected on the support arms, repeat the inspection thereafter at intervals not to exceed 200 flight hours or 6 months, whichever occurs earlier.

(2) If any corrosion, cracking, or rupture is detected on the support arms: Except as provided by paragraph (b) of this AD, prior to further flight, repair in accordance with the AOT. Accomplishment of this repair constitutes terminating action for the repetitive inspection requirements of this AD.

(b) If any corrosion, cracking, or rupture is detected on the support arms, and *Aerospatiale All Operators Telex (AOT) A/BTE/AM 499.368/95*, dated March 7, 1995, specifies to contact *Aerospatiale* for an appropriate repair: 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 *Direction Générale de l'Aviation Civile* (or its delegated agent).

(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, 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.

(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) Except as provided by paragraph (b) of this AD, the actions shall be done in accordance with *Aerospatiale All Operators Telex (AOT) A/BTE/AM 499.368/95*, dated March 7, 1995. 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 *Aerospatiale*, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. 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 French airworthiness directive 95-054-019 (B), dated March 29, 1995.

(f) This amendment becomes effective on October 1, 1998.

Issued in Renton, Washington, on August 19, 1998.

**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. 98-AEA-05]

#### Establishment of Class E Airspace; Tidioute, PA

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace extending upward from 700 feet Above Ground Level (AGL) at Tidioute, PA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 28, a GPS RWY 10 SIAP, a VHF Omni-Directional Radio Range (VOR) Distance Measuring Equipment (DME)-A SIAP, a VOR/DME RNAV RWY 28, and a VOR/DME RNAV RWY 10 SIAP at Rigrtona Airport has made this action necessary. This action is intended to provide adequate Class E airspace to contain instrument flight rules (IFR) operations to Rigrtona Airport at Tidioute, PA.

**EFFECTIVE DATE:** 0901 UTC, December 3, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 553-4521.

#### SUPPLEMENTARY INFORMATION:

#### History

On June 30, 1998, a notice proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish Class E airspace at Tidioute, PA, was published in the **Federal Register** (63 FR 35547). The development of a GPS RWY 28 SIAP, GPS RWY 10 SIAP, VOR/DME-A SIAP, VOR/DME RNAV RWY 28, and a VOR/DME RNAV RWY 10 SIAP for Rigrtona Airport, Tidioute, PA, requires the establishment of the Class E airspace at the airport. The notice proposed to establish controlled airspace extending upward from 700 feet AGL to contain IFR operations in controlled airspace during portions of

the terminal operation and while transitioning between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas designations for airspace extending upward from 700 feet AGL are published in paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) establishes Class E airspace at Tidioute, PA, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing the GPS RWY 28 SIAP, GPS RWY 10 SIAP, VOR/DME-A SIAP, VOR/DME RNAV 28 SIAP, and VOR/DME RNAV 10 SIAP to Rigrtona Airport.

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. Therefore, this regulation—(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 matter that will only affect air traffic procedures and air navigation it is certified that this rule will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows: