

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 82-CE-36-AD; Amendment 39-10852; AD 83-22-01 R1]

RIN 2120-AA64

**Airworthiness Directives; The New Piper Aircraft, Inc.; Models PA-23-235, PA-23-250, and PA-E23-250 Airplanes**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

**SUMMARY:** This amendment clarifies information contained in Airworthiness Directive (AD) 83-22-01, which currently requires inserting certain zero fuel weight limitations into the Limitations Section of the airplane flight manual (AFM) on certain The New Piper Aircraft, Inc. (Piper) Models PA-23-235, PA-23-250, and PA-E23-250 airplanes. The FAA has received reports that reference in the AD to two of the

AFM reports contains incorrect information. In particular, reference to Report 1308, Revision B, contains the words "normally aspirated"; and reference to Report 1360, Revision B, contains the word "Turbocharged." These references should be removed. This document clarifies AD 83-22-01 by removing the words "normally aspirated" and "Turbocharged" from the reference to these reports. The actions specified in this AD are intended to continue to prevent possible wing structure damage caused by excessive fuel weight, which could result in loss of control of the airplane.

**EFFECTIVE DATE:** November 25, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 82-CE-36-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

The AFM reports referenced in this AD may be obtained from The New Piper Aircraft, Inc., Customer Services,

2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 82-CE-36-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Mr. William Herderich, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, GA 30349; telephone: (770) 703-6084; facsimile: (770) 703-6097.

**SUPPLEMENTARY INFORMATION:****Discussion**

AD 83-22-01, Amendment 39-4758, currently requires inserting certain zero fuel weight limitations into the Limitations Section of the airplane flight manual (AFM) on The New Piper Aircraft, Inc. (Piper) Models PA-23-235, PA-23-250, and PA-E23-250 airplanes. These limitations are included in the following reports:

Airplane Model	Serial Numbers	Report
PA-23-235 .....	27-505 through 27-622 .....	Report 1207, Rev. B.
PA-23-250 .....	27-1 through 27-1999 .....	Report 1036, Rev. B.
PA-23-250 .....	27-2000 through 27-2504 .....	Report 1204, Rev. C.
PA-23-250 .....	27-2505 through 27-3836; and 27-3838 through 27-3943 .....	Report 1308, Rev. B (4800 lbs. Gross weight).
PA-23-250 .....	27-2505 through 27-3836; and 27-3838 through 27-3943 .....	Report 1360, Rev. B (5200 lbs. Gross weight).
PA-23-250 .....	27-3837, 27-3944 through 27-4425, and 27-4427 through 27-4523 .....	Report 1520, Rev. B.
PA-23-250 .....	27-4426, 27-4574 through 27-7554168 .....	Report 1630, Rev. 17.
PA-23-250 .....	7654001 and up .....	Report 1948, Rev. 13.
PA-E23-250 .....	27-2505 through 27-3836, and 27-3838 through 27-3943 .....	Report 1378, Rev. B.
PA-E23-250 .....	27-3837, 27-3944 through 27-4425; and 27-4427 through 27-4573 .....	Report 1521, Rev. B.
PA-E23-250 .....	27-4426 and 27-4574 through 27-7554168 .....	Report 1631, Rev. B.
PA-E23-250 .....	27-7654001 and up .....	Report 2049, Amendment 5.

**Need for the Correction**

The FAA has received reports that reference in the AD to two of the AFM reports contains incorrect information. In particular, reference to Report 1308, Revision B, contains the words "normally aspirated"; and reference to Report 1360, Revision B, contains the word "Turbocharged." Both of these reports apply to both normally aspirated and turbocharged airplanes.

Consequently, the FAA has determined that there is a need to clarify AD 83-22-01 to eliminate any confusion concerning the particular report that the owners/operators of the affected airplanes need to incorporate into their AFM.

**Correction of Publication**

This document clarifies the intent of AD 83-22-01 by eliminating reference

to "normally aspirated" and "Turbocharged" in the applicable reports. This document also adds the amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

Since this action only clarifies the intent of AD 83-22-01, it has no adverse economic impact and imposes no additional burden on any person than would have been necessary by the existing AD. Therefore, the FAA has determined that prior notice and opportunity for public comment are unnecessary.

**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 removing

Airworthiness Directive (AD) 83-22-01, Amendment 39-4758, and by adding a new AD to read as follows:

**83-22-01 R1 The New Piper Aircraft, Inc.:** Amendment 39-10852; Docket No. 82-CE-36-AD; Revises AD 83-22-01, Amendment 39-4758.

**Applicability:** The following models and serial numbers, certificated in any category:

Model	Serial Numbers
PA-23-235 .....	27-505 through 27-622.
PA-23-250 .....	27-1 and up.
PA-E23-250 ....	27-2505 through 27-7554168, and 27-7654001 and up

**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 (e) 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 in the body of this AD, unless already accomplished.

To prevent possible wing structure damage caused by excessive fuel weight, which could result in loss of control of the airplane, accomplish the following:

(a) Within 30 days after the effective date of this AD, unless already accomplished (compliance with AD 83-22-01), insert a copy of this AD into the Limitations Section of the airplane flight manual (AFM), and operate the airplane in accordance with the Zero Fuel Weight Limitations specified below:

(1) Models PA-23-235 and PA-23-250 (S/N's 27-1 through 27-1999) airplanes: Zero Fuel weight—4,000 lbs.

(2) Models PA-23-250 and PA-E23-250 (serial number 27-2000 and up) airplanes: Zero Fuel weight (normally aspirated)—4,400 lbs.; (Turbo-charged)—4,500 lbs.

(b) Within 12 months after November 3, 1983 (the effective date of AD 83-22-01) or prior to further flight after the effective date of this AD, whichever occurs later, incorporate the appropriate AFM report as follows:

Airplane Model	Serial Numbers	Report
PA-23-235 .....	27-505 through 27-622 .....	Report 1207, Rev. B.
PA-23-250 .....	27-1 through 27-1999 .....	Report 1036, Rev. B.
PA-23-250 .....	27-2000 through 27-2504 .....	Report 1204, Rev. C.
PA-23-250 .....	27-2505 through 27-3836; and 27-3838 through 27-3943 .....	Report 1308, Rev. B (4800 lbs. Gross weight).
PA-23-250 .....	27-2505 through 27-3836; and 27-3838 through 27-3943 .....	Report 1360, Rev. B (5200 lbs. Gross weight).
PA-23-250 .....	27-3837, 27-3944 through 27-4425, and 27-4427 through 27-4523 .....	Report 1520, Rev. B.
PA-23-250 .....	27-4426, 27-4574 through 27-7554168 .....	Report 1630, Rev. 17.
PA-23-250 .....	7654001 and up .....	Report 1948, Rev. 13.
PA-E23-250 .....	27-2505 through 27-3836, and 27-3838 through 27-3943 .....	Report 1378, Rev. B.
PA-E23-250 .....	27-3837, 27-3944 through 27-4425; and 27-4427 through 27-4573 .....	Report 1521, Rev. B.
PA-E23-250 .....	27-4426 and 27-4574 through 27-7554168 .....	Report 1631, Rev. B.
PA-E23-250 .....	27-7654001 and up .....	Report 2049, Amendment 5.

(c) The actions required by this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, GA 30349.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

(2) Alternative methods of compliance approved in accordance with AD 83-22-01 (revised by this action) are considered approved as alternative methods of compliance for this AD.

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

(f) The AFM reports referenced in this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. These documents may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment revises AD 83-22-01, Amendment 39-4758.

(h) This amendment becomes effective on November 25, 1998.

Issued in Kansas City, Missouri, on October 15, 1998.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-28301 Filed 10-21-98; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-ASO-14]

#### Establishment of Class D Airspace; Albemarle, NC

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

#### **ACTION:** Final rule.

**SUMMARY:** This amendment establishes Class D airspace at Albemarle, NC. The North Carolina Air National Guard has installed a control tower at the Stanly County Airport. As a result, Class D surface area airspace is required when the control tower is open to accommodate current Standard Instrument Approach Procedures (SIAPs) and for Instrument Flight Rules (IFR) operations at the airport. This action establishes Class D airspace extending upward from the surface to and including 3,100 feet MSL within a 3.9-mile radius of the Stanly County Airport. Control tower hours of operation are tentatively scheduled for 1300-2100, Tuesday through Saturday. **EFFECTIVE DATE:** 0901 UTC, January 28, 1999.

**FOR FURTHER INFORMATION CONTACT:** Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

#### **SUPPLEMENTARY INFORMATION:**

#### **History**

On August 27, 1998, the FAA proposed to amend part 71 of the