

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 within the next 3 calendar months after the effective date of this AD, unless already accomplished.

To prevent the airbrake from inadvertently deploying during high g maneuvers, which could result in an overstressing effect on the airframe with consequent reduced sailplane control, accomplish the following:

(a) Replace the airbrake lever in accordance with Ursula Technical Bulletin 101-25/2, dated January 21, 1998, and drawing No. 101-44-3(2), as referenced in the technical bulletin.

(b) 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 sailplane to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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

(d) Questions or technical information related to Ursula Hanle Technical Bulletin 101-25/2, dated January 21, 1998, should be directed to Ursula Hanle, Haus Schwalbenwerder, D-14728 Strodehne, Federal Republic of Germany; telephone and facsimile: +49 (0) 33875-30389. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(e) The replacement required by this AD shall be done in accordance with Ursula Technical Bulletin 101-25/2, dated January 21, 1998, and drawing No. 101-44-3(2), as referenced in the technical bulletin. 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 Ursula Hanle, Haus Schwalbenwerder, D-14728 Strodehne, Federal Republic of Germany. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, 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 German AD 1998-108, dated February 26, 1998.

(f) This amendment becomes effective on December 24, 1998.

Issued in Kansas City, Missouri, on November 12, 1998.

**Marvin R. Nuss,**

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

[FR Doc. 98-31012 Filed 11-20-98; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-20-AD; Amendment 39-10897; AD 98-24-11]

**RIN 2120-AA64**

#### **Airworthiness Directives; Mooney Aircraft Corporation Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Mooney Aircraft Corporation (Mooney) Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R airplanes. This AD requires inspecting the aileron control links for the installation of a reinforcing gusset; and, if no gusset is installed, repetitively inspecting the aileron control links (left-hand and right-hand) for cracks. If cracks are found, this AD requires replacing the aileron control links with parts of improved design. This AD is the result of service difficulty reports (SDR's) on the aileron control links and reported failures of the aileron control links. The actions specified by this AD are intended to detect and correct cracked aileron control links, which could result in loss of aileron control with consequent loss of control of the airplane.

**DATES:** Effective December 28, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 28, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from the Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas 78028. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules

Docket No. 98-CE-20-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bob D. May, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone: (817) 222-5156; facsimile: (817) 222-5960.

#### **SUPPLEMENTARY INFORMATION:**

#### **Events Leading to the Issuance of This AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Mooney Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on July 22, 1998 (63 FR 39254). The NPRM proposed to require inspecting the aileron control links for the installation of a reinforcing gusset; and, if a gusset is not installed, repetitively inspecting the aileron control links (left-hand and right-hand) for cracks using a magnetic particle method. If a crack is found, the NPRM proposed to require replacing the aileron control links with parts of improved design. Replacing the aileron control links would be considered a terminating action for the repetitive inspections. Accomplishment of the proposed action as specified in the NPRM would be required in accordance with Mooney Engineering Design Service Bulletin No. M20-264, dated February 1, 1998.

The NPRM was the result of service difficulty reports (SDR's) on the aileron control links and reported failures of the aileron control links.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the one comment received.

#### **Comment Disposition**

The commenter requests that the FAA reference Lake Aero Styling & Repair aileron control links. Lake Aero Styling & Repair holds a parts manufacturer approval (PMA) for parts that are equivalent to the improved design Mooney aileron control links.

The FAA does not concur. FAA policy is to not reference PMA parts in AD's, unless the FAA determines that the unsafe condition applies to the PMA parts. However, the FAA generally includes a statement of "or FAA-approved equivalent part number(s)"

after the referenced part number to account for PMA equivalent parts. The FAA inadvertently left this phrase out of the NPRM, and will add it to the final rule accordingly. If these Lake Aero Styling & Repair PMA parts are installed, then the actions of this AD would not apply because the parts are an FAA-approved equivalent to the improved design Mooney aileron control links.

### The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

### Cost Impact

The FAA estimates that 7,500 airplanes in the U.S. registry will be affected by the initial inspections, that it will take approximately 2 workhours per airplane to accomplish the initial inspections, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the initial inspections specified in this AD on U.S. operators is estimated to be \$900,000, or \$120 per airplane.

The above figures do not take into account the cost of repetitive inspections or aileron control link replacements. The FAA has no way of determining the number of repetitive inspections each owner/operator of the affected airplanes will incur or the number of aileron control links that will be found cracked during the required inspections and need replacement.

### 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 copy of the final 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, 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 a new airworthiness directive (AD) to read as follows:

**98-24-11 Mooney Aircraft Corporation:**  
Amendment 39-10897; Docket No. 98-CE-20-AD.

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

#### Models and Serial Numbers

M20B	all serial numbers
M20C	all serial numbers
M20D	all serial numbers
M20E	all serial numbers
M20F	all serial numbers
M20G	all serial numbers
M20L	all serial numbers
M20J	24-0001 through 24-3359
M20K	25-0001 through 25-1999
20M	27-0001 through 27-0197
M20R	29-0001 through 29-0042

**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 (f) 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 detect and correct cracked aileron control links, which could result in loss of aileron control and loss of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, visually inspect the aileron control links (left-hand and right-hand) at the second 90-degree angle joint from the Heim bearing for the installation of a reinforcement gusset. Accomplish this inspection in accordance with the Instructions section of Mooney Engineering Design Service Bulletin (SB) No. M20-264, Issue Date: February 1, 1998.

(b) If a reinforcement gusset is installed, this AD requires no further action.

(c) If a reinforcement gusset is not installed, prior to further flight after the inspection required in paragraph (a) of this AD, and thereafter at intervals not to exceed 100 hours TIS, inspect, using magnetic particle methods, the aileron control links for cracks. Accomplish this inspection in accordance with the Instructions section of Mooney Engineering Design SB No. M20-264, Issue Date: February 1, 1998.

(1) If cracks are found, prior to further flight, replace the cracked aileron control link with an aileron control link of improved design (part numbers as specified in the referenced service information or FAA-approved equivalent numbers). Accomplish this replacement in accordance with the Instructions section of Mooney Engineering Design SB No. M20-264, Issue Date: February 1, 1998.

(2) Replacing both aileron control links with aileron control links of improved design (part numbers as specified in the referenced service information or FAA-approved equivalent numbers) may be accomplished at any time as terminating action for the repetitive inspection requirement of this AD, but must be accomplished prior to further flight on any aileron control link found cracked.

(3) If one aileron control link is replaced prior to further flight when a crack is found, the other aileron control link must still be repetitively inspected every 100 hours TIS until replacement with an improved design part.

(d) Replacing the aileron control links in accordance with Mooney Engineering Design SB No. M20-264, Issue Date: February 1, 1998, is considered terminating action for the repetitive inspection requirement of this AD.

(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.

(f) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Fort Worth Airplane Certification Office (ACO), 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth Aircraft Certification Office.

(g) The inspections and replacements required by this AD shall be done in accordance with Mooney Engineering Design Service Bulletin No. M20-264, Issue Date: February 1, 1998. 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 the Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas 78028. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(h) This amendment becomes effective on December 28, 1998.

Issued in Kansas City, Missouri, on November 12, 1998.

**Marvin R. Nuss,**

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

[FR Doc. 98-31011 Filed 11-20-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-137-AD; Amendment 39-10892; AD 98-24-06]

RIN 2120-AA64

#### **Airworthiness Directives; Dornier-Werke G.m.b.H. Model Do 27 Q-6 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Dornier-Werke G.m.b.H. (Dornier) Model Do 27 Q-6 airplanes. This AD requires repetitively inspecting the rivets that attach the forward stabilizer attach fitting to the airplane fuselage for looseness, and replacing any loose rivets. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to prevent the stabilizer from detaching at the forward stabilizer attach flanges because of loose rivets, which could result in reduced or loss of control of the airplane.

**DATES:** Effective December 28, 1998.

The incorporation by reference of certain publications listed in the

regulations is approved by the Director of the Federal Register as of December 28, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from Daimler-Benz Aerospace, Dornier, Product Support, P.O. Box 1103, D-82230 Wessling, Federal Republic of Germany; telephone: (08153) 300; facsimile: (08153) 302985. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-137-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

#### **SUPPLEMENTARY INFORMATION:**

#### **Events Leading to the Issuance of This AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Dornier Model Do 27 Q-6 airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on September 14, 1998 (63 FR 49048). The NPRM proposed to require repetitively inspecting the rivets that attach the forward stabilizer attach fitting to the airplane fuselage for looseness, and replacing any loose rivets. Accomplishment of the proposed action as specified in the NPRM would be required in accordance with Dornier Service Bulletin No. 1140-0000, Date of Issue: September 29, 1995.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

#### **The FAA's Determination**

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD

and will not add any additional burden upon the public than was already proposed.

#### **Compliance Time of This AD**

The initial compliance time of this AD is presented in calendar time in order to assure that any rivets that are already loose are detected and corrected in a timely manner. The FAA has determined that 3 calendar months is a reasonable time for all owners/operators of the affected airplanes to comply with the initial inspection and possible replacement specified in this AD.

The repetitive inspection interval is at 100 hours time-in-service (TIS). After examining the information related to this subject, the FAA has determined that the rivets should not become loose within 100 hours TIS if they were not found loose or replaced during the last inspection. This will not put an undue burden on low usage airplanes of having to repetitively inspect every 3 calendar months if the airplanes had been rarely or never utilized.

#### **Cost Impact**

The FAA estimates that 13 airplanes in the U.S. registry will be affected by the initial inspection, that it will take approximately 1 workhour per airplane to accomplish the inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the initial inspection on U.S. operators is estimated to be \$780, or \$60 per airplane. These figures only take into account the costs of the initial inspection and do not take into account the costs of any repetitive inspections. The FAA has no way of determining the number of repetitive inspections each owner/operator will incur over the life of the affected airplanes.

If loose rivets are found and replacement is necessary, the FAA estimates that it will take approximately 8 workhours per airplane to accomplish the replacement, and that the average labor rate is approximately \$60 an hour. Replacement rivets will be supplied by Dornier at no cost to the owners/operators of the affected airplanes. Based on these figures, the cost impact of the replacement on U.S. operators is estimated to be \$480 per airplane where loose rivets are found.

#### **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