DATES: The design standards are effective March 9, 1999.

ADDRESSES: Copies of the Department of Commerce Aeronautics Bulletin 7A, as amended October 1, 1934, and Transport Canada's TP10141E Ultralight (Sportplane) design standard may be obtained from the following: Small Airplace Directorate, Standards Office (ACE–110), Aircraft Certification Service, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106.

FOR FURTHER INFORMATION CONTACT: Roger Chudy, Aerospace Engineer, Standards Office (ACE–112), Small Airplane Directorate, Aircraft Certification Service, FAA; telephone number (816) 426–6934, fax number (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Background

The ''primary'' category for aircraft was created specifically for the simple, low performance personal aircraft. Section 21.17(f) provides a means for applicants to propose airworthiness standards for their particular primary category aircraft. The FAA procedure establishing appropriate airworthiness standards includes reviewing and possibly revising the applicant's proposal, publication of the submittal in the **Federal Register** for public review and comment, and addressing the comments. After all necessary revisions, the standards are published as approved FAA airworthiness standards.

Accordingly, the applicant, Orlando Helicopter Airways, Inc., submitted a request to the FAA to include the Department of Commerce Aeronautics Bulletin 7A, as amended October 1, 1934, as the design standard for the unmodified airplane structure and Transport Canada's TP10141E Ultralight (Sportplane) design standard for all modifications. The Department of Commerce Aeronautics Bulletin 7A was used in the original certification in March 1928 of the Curtiss Travel Aire 2000; therefore, the FAA considers this standard as continuing to be valid for the unmodified parts of the Deland Travelaire.

On July 29, 1998, the **Federal Register** published an announcement of the proposed design standards and a request for comments. No comments were received to this proposal; therefore, this notice makes the design standards available for the Model Deland Travelaire airplane.

Citation

The authority citation for the airworthiness standards is as follows:

Authority: 42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701–44702, 44707, 44709, 44711, 44713, 44715, 45303.

Airworthiness Standards for Acceptance Under the Primary Category Rule

The FAA is requiring 500 hours of operational aviation service history of the derivative V8 engine/wood-propeller combination on an airplane rather than the 200 hours offered by the applicant. The applicant has agreed to this position, therefore, the certification basis for the Deland Travelaire will be the Primary Category Rule (part 21, § 21.24) with Department of Commerce Aeronautics Bulletin 7A, as amended October 1, 1934, as the design standard of the unmodified airplane structure and with Transport Canada's TP10141E Ultralight (Sportplane) Design Standard as the design standard for all modifications.

Compliance with the acoustical standards of the latest amendment to 14 CFR part 36 at the time of certification will be required.

Issued in Kansas City, Missouri on March 9, 1999.

Marvin Nuss,

Acting Manager, Small Airplane Directorate.

[FR Doc. 99–6755 Filed 3–18–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–SW–10–AD; Amendment 39–11080; AD 99–03–10]

RIN 2120–AA64

Airworthiness Directives; Agusta S.p.A. (Agusta) Model A109E Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 99–03–10 which was sent previously to all known U.S. owners and operators of Agusta Model A109E helicopters by individual letters. This AD requires, before further flight, inspections of the exhaust ejector locking system, clamp, and dampers for each engine. This AD also requires, at specified time intervals, verifying the torque of the metallic clamps and installing safety wire on the metallic clamps; inspecting and modifying the ejector saddles and the locking metallic clamps; and inspecting the metallic clamps, locking mechanisms, and dampers. This amendment is prompted by an inflight incident in which a metallic clamp which secured the left-hand engine exhaust ejector to the ejector saddle became detached and subsequently separated from the helicopter. The actions specified by this AD are intended to prevent loss of the metallic clamp or the engine exhaust ejector, which could result in damage to the main or tail rotor system and subsequent loss of control of the helicopter.

DATES: Effective April 5, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99–03–10, issued on January 28, 1998, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 1999.

Comments for inclusion in the Rules Docket must be received on or before May 18, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW–10-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The applicable service information may be obtained from Agusta S.p.A., 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605–222595. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Scott Horn, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5125, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: On January 28, 1999, the FAA issued Priority Letter AD 99–03–10, applicable to Agusta Model A109E helicopters, which requires, before further flight, inspections of the exhaust ejector to ejector saddle locking system, torque of the metallic clamp, and installation of safety wire and the metallic clamp at the bottom of the ejector saddle for each engine. The AD also requires, at specified time intervals, verifying the torque of the metallic clamps and

installing safety wire on the metallic clamps; inspecting and modifying the ejector saddles and the locking metallic clamps; and inspecting the metallic clamps, locking mechanisms, and dampers. That action was prompted by an inflight incident in which a metallic clamp which secured the left-hand engine exhaust ejector to the ejector saddle became detached and subsequently separated from the helicopter. This condition, if not corrected, could result in loss of the metallic clamp or the engine exhaust ejector, which could result in damage to the main or tail rotor system and subsequent loss of control of the helicopter.

The FAA has reviewed Agusta Bollettino Tecnico No. 109EP–3, dated December 22, 1998 (Technical Bulletin), which describes procedures for the inspection of both engine exhaust ejectors, dampers, and clamps, and modification of the ejector saddle on each engine.

Since the unsafe condition described is likely to exist or develop on other Agusta Model A109E helicopters of the same type design, the FAA issued Priority Letter AD 99–03–10 to prevent loss of the metallic clamp or the engine exhaust ejector, which could result in damage to the main or tail rotor system and subsequent loss of control of the helicopter. The AD requires, before further flight, inspections of the exhaust ejector to ejector saddle locking system, torque of the metallic clamp, and installation of safety wire and the metallic clamp at the bottom of the ejector saddle for each engine. The AD also requires verifying the torque of the metallic clamps and installing safety wire on the metallic clamps. Within the next 10 hours time-in-service (TIS), inspection and modification of the ejector saddles and the locking metallic clamps are required. Thereafter, at intervals not to exceed 25 hours TIS, inspecting the metallic clamps, locking mechanisms, and dampers is required. The actions are required to be accomplished in accordance with the Technical Bulletin described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the structural integrity of the helicopter. Therefore, inspection of the exhaust ejector locking system, clamp torque, and dampers as well as installation of safety wire in the metallic clamp for each engine is required prior to further flight, and this AD must be issued immediately.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on January 28, 1999 to all known U.S. owners and operators of Agusta Model A109E helicopters. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

There are minor changes in this published version of the priority letter AD that indicate the incorporated parts of the Technical Bulletin are contained in the ''Compliance Instructions'' section. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 4 helicopters of U.S. registry will be affected by this AD, that it will take approximately 0.5 work hour for the initial inspection, 2 work hours for the modification, and 0.5 work hour for each repetitive inspection, per helicopter, and the average labor rate is $60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $5,400 for the first year and $4,800 each year thereafter, assuming 1,000 hours TIS for each helicopter annually.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 99–SW–10–AD.'' The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 a new airworthiness directive to read as follows:

AD 99–03–10 Agusta S.p.A.: Amendment 39–11080. Docket No. 99–SW–10–AD.

Applicability: Model A109E helicopters, serial numbers up to and including 11036, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent loss of the metallic clamp or the engine exhaust ejector which could result in damage to the main or tail rotor system and subsequent loss of control of the helicopter, accomplish the following for each engine:

(a) Prior to further flight, in accordance with Part I of the Compliance Instructions in Agusta Bollettino Tecnico No. 109EP–3, dated December 22, 1998 (Technical Bulletin), inspect the exhaust ejector to ejector saddle locking system, the dampers at the bottom of the ejector saddle, and the torque of the metallic clamp, and install safety wire on the metallic clamp. If any damage is found as a result of the inspection, accomplish Part II of the Compliance Instructions in the Technical Bulletin prior to further flight.

(b) Within the next 10 hours time-in-service (TIS), inspect the dampers and metallic clamps, and reposition and modify the ejector saddle and the locking metallic clamp in accordance with Part II of the Compliance Instructions in the Technical Bulletin.

(c) Thereafter, at intervals not to exceed 25 hours TIS, inspect the metallic clamp, locking mechanism, and dampers in accordance with Part III of the Compliance Instructions in the Technical Bulletin.

(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, Rotorcraft Directorate, Rotorcraft Standards Staff, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(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 helicopter to a location where the requirements of this AD can be accomplished.

(f) The inspections and modification shall be done in accordance with Agusta Bollettino Tecnico No. 109EP–3, dated December 22, 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 Agusta S.p.A., 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605–222595. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on April 5, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99–03–10, issued January 28, 1999, which contained the requirements of this amendment.

(h) The subject of this AD is addressed in Registro Aeronautico Italiano (Italy) AD No. 98–465, dated December 24, 1998.

Issued in Fort Worth, Texas, on March 10, 1999.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99–6556 Filed 3–18–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–CE–78–AD; Amendment 39–11007; AD 99–02–15]

RIN 2120–AA64

Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This action confirms the effective date of Airworthiness Directive (AD) 99–02–15, which applies to certain Avions Pierre Robin Model R2160 airplanes. AD 99–02–15 requires repetitively inspecting the engine bearer for cracks, and replacing the engine bearer with a reinforced part either immediately or at a certain time period depending on whether cracks are found during the inspections. Replacing the engine bearer with a reinforced part terminates the repetitive inspection requirement. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for France. The actions specified in this AD are intended to detect and correct cracks in the engine bearer, which could result in the engine separating from the airplane.

EFFECTIVE DATE: March 29, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Karl M. Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426–6932; facsimile: (816) 426–2169.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with request for comments in the **Federal Register** on January 26, 1999 (64 FR 3817). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA anticipates that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, was received within the comment period, the regulation would become effective on March 29, 1999. No adverse comments were received, and thus this notice confirms that this final rule will become effective on that date.

Issued in Kansas City, Missouri, on March 11, 1999.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–6713 Filed 3–18–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97–ASW–24]

RIN 2120–AA66

Modification to the Gulf of Mexico High Offshore Airspace Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Gulf of Mexico High Offshore Airspace Area. Specifically, this action modifies the Gulf of Mexico High Offshore Airspace Area by extending the boundaries further east and south of the current location to the Houston Air Route Traffic Control Center (ARTCC) Flight Information Region/Control Area (FIR/CTA). The FAA is taking this action to