

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-CE-01-AD]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. Model PA-46-350P Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain The New Piper Aircraft, Inc. (Piper) Model PA-46-350P airplanes. The proposed AD would require installing reinforcement plates to the wing forward and aft attach fittings. The proposed AD is the result of a report that sheet steel material that is below design strength standards could be utilized on the wing attach fittings on the Model PA-46-350P airplanes manufactured since January 1995. The actions specified by the proposed AD are intended to prevent structural failure of the wing attach fittings caused by the utilization of substandard material, which could result in the wing separating from the airplane with consequent loss of control.

DATES: Comments must be received on or before May 28, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-01-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach,

Florida 32960. This information also may be examined at the Rules Docket at the address above.

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

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 should 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 that summarizes 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 No. 99-CE-01-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, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-01-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

Piper has reported to the FAA a potential structural defect on certain

Model PA-46-350P airplanes. The report was made based on Piper's obligation under section 21.3 of the Federal Aviation Regulations (14 CFR 21.3). This report indicates that sheet steel material that is below design strength standards could be utilized on the wing attach fittings on the Model PA-46-350P airplanes manufactured since January 1995.

Piper discovered the condition during development testing in which premature yielding of the sheet steel material occurred. After sending samples of the material to a lab for analysis, Piper learned that the sheet steel was subjected to an annealing process instead of a normalizing process. The design requirements of the wing forward and aft attach fittings are for the sheet steel to be normalized instead of annealed.

Piper received the annealed sheet steel material in early 1995. Those Model PA-46-350P airplanes that were manufactured since January 1995 could utilize the annealed sheet steel wing attach fittings. The airplanes that were delivered since January 1995 incorporate serial numbers 4622191 through 4622200 and 4636001 through 4636175.

This condition, if not corrected, could lead to failure of the wing attach fittings caused by utilization of substandard material, which could result in the wing separating from the airplane with consequent loss of control.

Relevant Service Information

Piper has issued Service Bulletin No. 1027, dated November 19, 1998, which specifies installing reinforcement plates to the wing forward and aft attach fittings by incorporating the Wing to Fuselage Reinforcement Installation Kit, Piper part number 766-656. This kit includes all the materials and procedures for accomplishing this installation.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to eliminate the unsafe condition previously referenced.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or

develop in other Piper Model PA-46-350P airplanes of the same type design manufactured since January 1995, the FAA is proposing AD action. The proposed AD would require installing reinforcement plates to the wing forward and aft attach fittings by incorporating the Wing to Fuselage Reinforcement Installation Kit, Piper part number 766-656. Accomplishment of the proposed installation would be required in accordance with the instructions to the above-referenced kit, as referenced in Piper Service Bulletin No. 1027, dated November 19, 1998.

Cost Impact

The FAA estimates that 185 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 30 workhours per airplane to accomplish the proposed installation, and that the average labor rate is approximately \$60 an hour. Piper will give warranty credit for parts on all affected aircraft. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$333,000, or \$1,800 per airplane.

Piper has informed the FAA that parts have been distributed to accomplish the installation on 6 of the affected airplanes. Presuming that these parts were incorporated on 6 of the affected airplanes, this would reduce the cost impact of this AD by \$10,800 from \$333,000 to \$322,200.

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 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) 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 has been placed 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 a new airworthiness directive (AD) to read as follows:

The New Piper Aircraft, Inc.: Docket No. 99-CE-01-AD.

Applicability: Model PA-46-350P airplanes, serial numbers 4622191 through 4622200 and 4636001 through 4636175, certificated in any category.

Note 1: The affected serial numbers refer to airplanes that have been delivered since January 1995 and could have insufficient strength wing attach fittings installed. Airplanes manufactured after serial number 4636175 have this problem corrected prior to delivery.

Note 2: 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 within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent the potential for failure of the wing attach fittings caused by the utilization of substandard material, which could result in the wing separating from the airplane with consequent loss of control of the airplane, accomplish the following:

(a) Install reinforcement plates to the wing forward and aft attach fittings by incorporating the Wing to Fuselage Reinforcement Installation Kit, Piper part number 766-656. Accomplishment of the installation would be required in accordance with the instructions to the above-referenced kit, as referenced in Piper Service Bulletin No. 1027, dated November 19, 1998.

(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 airplane 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, FAA, Atlanta Aircraft Certification Office (ACO), One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

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

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-6716 Filed 3-18-99; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Chapter IX

[Docket No. FR-4459-N-02]

Section 8 Housing Certificate Fund Rule; Notice of Intent To Establish a Negotiated Rulemaking Committee and Notice of First Meeting

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of intent to establish a negotiated Rulemaking Advisory Committee and notice of first meeting.

SUMMARY: HUD is establishing a Negotiated Rulemaking Advisory Committee under the Federal Advisory Committee Act. The establishment of the committee is required by the Quality Housing and Work Responsibility Act of 1998, which requires issuance of regulations under the Negotiated Rulemaking Act of 1990. The purpose of the Committee is to discuss and negotiate a rule that would change the current method of distributing funds to public housing agencies (PHAs) funds for purposes of renewing assistance contracts in the tenant-based Section 8 program. The committee will consist of