

Incorporation by Reference

(f) Except as provided by paragraph (b) of this AD, the actions shall be done in accordance with Lockheed L-1011 Service Bulletin 093-55-031, dated April 26, 1996. 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 Lockheed Martin Aircraft & Logistics Center, 120 Orion Street, Greenville, South Carolina 29605. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on April 30, 1999.

Issued in Renton, Washington, on March 17, 1999.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-7116 Filed 3-25-99; 8:45 am]

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

[Docket No. 99-ANE-09-AD; Amendment 39-11089; AD 99-04-15]

RIN 2120-AA64

Airworthiness Directives; Dr.Ing.h.c.F. Porsche Aktiengesellschaft (Porsche) 3200N01, N02, and N03 Reciprocating Engines

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) 99-04-15 that was sent previously to all known U.S. owners and operators of Porsche PFM3200N01, N02, and N03 reciprocating engines by individual letters. This AD requires replacement of valve springs prior to further flight on PFM3200N01, N02, and N03 engines. This amendment is prompted by reports of six cases of undetected fatigue failures of valve springs, with one valve spring failure causing an in-flight engine failure that ended in an emergency landing. The actions specified by this AD are intended to prevent an in-flight engine shutdown due to undetected fatigue failures of valve springs.

DATES: Effective April 12, 1999, to all persons except those persons to whom

it was made immediately effective by priority letter AD 99-04-15, issued on February 8, 1999, 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 12, 1999.

Comments for inclusion in the Rules Docket must be received on or before May 26, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-ANE-09-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.gov." Comments sent via the Internet must contain the docket number in the subject line.

The applicable service information may be obtained from Porsche Aviation Products, Inc., 1600 Holcomb Avenue, Reno, Nevada, 89502; Attn: Mr. Gary Butcher, telephone (702) 329-3937, fax (702) 329-0426. This information may be examined at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7176, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: The Luftfahrt-Bundesamt Authority (LBA), which is the German airworthiness authority, recently notified the Federal Aviation Administration (FAA) that an unsafe condition may exist on certain Dr.Ing.h.c.F. Porsche Aktiengesellschaft (Porsche) PFM3200N01, N02, and N03 reciprocating engines. The LBA advises that they have received reports of six cases of undetected fatigue failures of valve springs with one valve spring failure causing an in-flight engine failure that ended in an emergency landing. A metallurgical analysis determined that the relative motion between the valve spring and valve spring retainer will result in fatigue cracking of the valve spring and eventual failure of the spring. This condition, if not corrected, could result in an in-flight engine shutdown.

Porsche has issued Service Bulletin (SB) No. N/105-036, dated October 8, 1998, that specifies procedures for

replacing all valve springs in each engine cylinder head. The LBA has classified this SB as mandatory and has issued airworthiness directive (AD) FCAA 1998-436, dated October 8, 1998, in order to assure the airworthiness of these engines in Germany.

This engine model is manufactured in Germany and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LBA has kept the FAA informed of the situation described above. This engine model is used on a high-performance single-engine airplane. The nature of the valve spring failure is such that the pilot may not have advanced warning of engine failure. Therefore, the FAA has determined that the compliance time should reflect a reasonable degree of conservatism. The FAA has examined the findings of LBA, reviewed all available information, and determined that airworthiness directive (AD) action is necessary for products of this type design that are certificated for operation in the United States.

On February 8, 1999, the FAA issued AD 99-04-15, applicable to Porsche PFM3200N01, N02, and N03 reciprocating engines, installed on but not limited to Mooney M20L series airplanes.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of this same type design, this AD requires replacement of valve springs prior to further flight on PFM3200N01, N02, and N03 engines with 500 hours or more time-in-service (TIS) since new or since last overhaul after the effective date of this AD. Additionally, this AD requires replacement of valve springs by 500 hours TIS on PFM3200N01, N02, and N03 engines with less than 500 hours TIS since new or since last overhaul after the effective date of this AD. After the initial valve spring replacement, this AD requires replacement of springs at intervals not to exceed 500 hours TIS.

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 February 8, 1999, to all known U.S. owners and operators of Porsche PFM3200N01, N02, and N03 reciprocating engines. These conditions still exist, and the AD is hereby published in the **Federal Register** as an

amendment to Section 39.13 of part 39 of the Federal Aviation Regulations (14 CFR part 39) to make it effective to all persons.

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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-ANE-09-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 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 the following new airworthiness directive:

99-04-15 Dr. Ing. h.c.F. Porsche Aktiengesellschaft (Porsche) PFM:
Amendment 39-11089 Docket 99-ANE-09-AD.

Applicability: Porsche PFM3200N01, N02, and N03 reciprocating engines, installed on but not limited to Mooney M20L series airplanes.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (d) 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 in-flight engine shutdown due to undetected fatigue failures of valve springs, accomplish the following:

(a) Prior to further flight, for engines that upon the effective date of this AD have 500 or more hours time-in-service (TIS) since

new or since the last overhaul, replace all valve springs in accordance with Porsche service bulletin (SB) No. N/105-036, dated October 8, 1998, Instructions, page 2, Nos. 1-14.

(b) For engines that upon the effective date of this AD have less than 500 hours TIS since new or since the last overhaul, replace all valve springs prior to accumulating 500 hours TIS since new or since the last overhaul in accordance with Porsche SB No. N/105-036, dated October 8, 1998, Instructions, page 2, Nos. 1-14.

(c) Thereafter, at intervals not to exceed 500 hours TIS since last valve spring replacement, replace all valve springs in accordance with Porsche SB No. N/105-036, dated October 8, 1998, Instructions, page 2, Nos. 1-14.

(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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(e) The replacement of the valve springs must be done in accordance with Porsche SB No. N/105-036, dated October 8, 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 Porsche Aviation Products, Inc., 1600 Holcomb Avenue, Reno, Nevada, 89502; Attn: Mr. Gary Butcher, telephone (702) 329-3937, fax (702) 329-0426. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(f) This amendment becomes effective April 12, 1999, to all persons except those persons to whom it was made immediately effective by priority letter AD 99-04-15, issued February 8, 1999, which contained the requirements of this amendment.

Issued in Burlington, Massachusetts, on March 17, 1999.

Donald Plouffe,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.
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