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 99–08–06 Eurocopter France: Amendment 39–11112. Docket No. 98–SW–58–AD.

Applicability: Model SE. 3160, SA. 316B, SA. 316C, and SA. 319B helicopters, with main rotor blade, part numbers (P/N) 3160S11–10000-all part numbers, 3160S11–30000-all part numbers, 3160S11–35000-all part numbers, 3160S11–40000-all part numbers, 3160S11–45000-all part numbers, 3160S11–50000-all part numbers, and 3160S11–55000-all part numbers, installed, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise 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 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, unless accomplished previously.

To detect bonding separation, corrosion, or cracks in the area of a main rotor blade (blade) root reinforcement strip, which could result in failure of the blade and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, and afterwards at intervals not to exceed 100 hours time-in-service or 6 calendar months, whichever occurs first, inspect the spar skin and blade root reinforcement strip area for a bonding separation, corrosion, or a crack in accordance with paragraphs 2.A and 2.B of the Accomplishment Instructions in Eurocopter SA 316/319 Service Bulletin No. 05.92. Revision No. 1, dated September 28, 1998 (SB), except operators are not required to contact Eurocopter if an anamoly is found.

(b) For the hatched areas (1.5 x 50mm and 10 x 100mm) on the upper and lower surfaces of each blade, if bonding separation is found, replace the blade with an airworthy blade prior to further flight (refer to Figure 1 of the SB).

(c) Bonding separation in the non-hatched area (10 x 100mm) of the upper and lower surfaces of each blade is permissible and must be inspected using the tapping method at intervals not to exceed 25 hours time-in-service to monitor possible propagation. When the bonding separation reaches the hatched area, the blade must be replaced with an airworthy blade (refer to Figure 1 of the SB).

(d) Visually inspect for a crack or corrosion on the upper and lower skin in the 100 x 100mm blade root area. If a crack or corrosion is detected, replace the blade with an airworthy blade prior to further flight (refer to Figure 1 of the SB).

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

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

(f) Special flight permits will not be issued.

(g) Accomplish the inspections in accordance with Eurocopter SA 316/319 Service Bulletin No. 05.92 Revision No. 1, dated September 28, 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 Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. 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.

(h) This amendment becomes effective on April 22, 1999.

Note 3: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 98–285–057(A), dated July 15, 1998, and AD 98–285–057(A)R1, dated December 16, 1998.

Issued in Fort Worth, Texas, on March 30, 1999.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99–8409 Filed 4–6–99; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–326–AD; Amendment 39–11105; AD 99–08–01]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that requires repetitive detailed visual inspections for corrosion, and repetitive high frequency eddy current (HFEC) inspections for cracks, of the upper link assembly on the number 2 and number 3 engine struts, and corrective actions, if necessary. This amendment is prompted by reports of corrosion and cracks located at the four fasteners that attach to the aft end to the upper link assembly on the number 2 and number 3 engine struts. The actions specified by this AD are intended to prevent failure of the upper link due to cracking or corrosion, subsequent damage to other strut support structure, and in-flight separation of an engine from the airplane.

DATES: Effective May 12, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 12, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tamara L. Anderson, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2771; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD)

that is applicable to certain Boeing Model 747 series airplanes was published in the **Federal Register** on April 9, 1998 (63 FR 17344). That action proposed to require repetitive detailed visual inspections for corrosion, and repetitive high frequency eddy current (HFEC) inspections for cracks, of the upper link assembly on the number 2 and number 3 engine struts, and corrective actions, if necessary.

Comments Received

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

Support for Proposed Rule

Two commenters support the proposed rule.

Request to Revise Compliance Time for the Initial Inspections of Certain Airplanes

One commenter, Boeing, notes that Chapter 54–00–01 of the Overhaul Manual (OHM) does not provide repair instructions other than instructions for replacement of the upper link aft fitting or the upper link tube. For airplanes with upper link assemblies that were overhauled in accordance with Chapter 54–00–01 of the OHM, and on which the four aft end attach bolts were installed with sealant, FLAG NOTE 1 of Figure 1 of Boeing Alert Service Bulletin 747–54A2187, dated May 22, 1997 (which is referenced in the proposed AD as the appropriate source of service information for accomplishment of the required inspections) recommends that the initial inspection be accomplished within 6,000 flight cycles or 8 years after the upper link assembly was overhauled.

From this comment, the FAA infers that the commenter is pointing out an error in the referenced alert service bulletin and is requesting that all affected airplanes be inspected at the later of the times specified in paragraphs (a)(2)(i) and (a)(2)(ii) of the proposed AD. The FAA concurs. Because the instructions for the subject overhaul are not available, the FAA has extended the compliance time for those affected airplanes to coincide with the compliance time for all other affected airplanes. The FAA has revised the final rule accordingly.

Request to Delete Note 2

One commenter requests that FAA delete **Note 2** of the notice of proposed rulemaking (NPRM). The commenter points out that **Note 2** removes the operator's ''equivalent procedure'' allowance specified in Boeing Alert Service Bulletin 747–54A2187. The commenter states that most airlines have FAA-approved procedures that are part of the maintenance program. These procedures are developed because each manufacturer has a slightly different procedure for commonly used processes. If operators are forced to use each manufacturer's specific procedure (i.e., Boeing 747 Airplane Maintenance Manual), as specified in **Note 2,** an undue burden would be placed on the operators. In addition, the FAA's Seattle Aircraft Certification Office (ACO) would receive numerous requests for approval of an alternative method of compliance (AMOC), which could delay implementation of the AD and significantly affect operators' ability to respond to AD's that have short compliance times.

The FAA concurs with the commenter's request to delete **Note 2** of the NPRM. The FAA has reconsidered its position, as was stated under the heading ''Differences Between Proposed Rule and Alert Service Bulletin.'' The FAA has determined that procedures ''equivalent'' to those procedures specified in the referenced alert service bulletin for removing or replacing the upper link that are employed by an operator will adequately address the identified unsafe condition and provide an acceptable level of safety. The FAA finds that, if an operator is required to remove or replace the upper link, those corrective actions may be accomplished in accordance with either the applicable chapter of the Boeing 747 Airplane Maintenance Manual (AMM) or an operator's ''equivalent procedure,'' when specified in the referenced alert service bulletin. Therefore, the FAA has removed **Note** 2 of the NPRM from the final rule.

Request to Clarify the Term ''Certain Corrective Actions''

One commenter requests that the FAA clarify whether the term ''certain corrective actions,'' as described under the heading ''Differences Between Proposed Rule and Alert Service Bulletin'' in the proposed AD, applies to repairs as well as removal and installation. The commenter states that the referenced alert service bulletin specifies that an operator's ''equivalent procedure'' may be used for removal or installation of the upper links and does not specify that an operator's ''equivalent procedure'' may be used for repairs of the upper links. In addition, the commenter points out that **Note** 2 of the NPRM states ''* * * and Boeing Alert Service Bulletin 747–54A2187, dated May 22, 1997, specifies that corrective actions may be accomplished in accordance with an operator's 'equivalent procedure.'''

The FAA finds that clarification is necessary. The term ''certain'' in that paragraph refers to some of the required corrective actions. The operator's ''equivalent procedure'' does not apply to the inspection specified in Figure 2 or the repair specified in Figure 3 of the alert service bulletin. The alert service bulletin specifies that ''certain'' corrective actions (i.e., removing, installing, and replacing the upper link) may be accomplished in accordance with an operator's ''equivalent procedure.'' Therefore, the FAA finds that the term ''certain'' is correct in that paragraph. The FAA acknowledges that **Note 2** of NPRM incorrectly reads ''corrective actions,'' rather than ''certain corrective actions.'' However, as discussed previously, **Note 2** is not restated in the final rule, thus, no change to the final rule is necessary.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 567 Boeing Model 747 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 173 airplanes of U.S. registry will be affected by this AD, that it will take approximately 12 work hours per airplane to accomplish the required inspections, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $124,560, or $720 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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:

99–08–01 Boeing: Amendment 39–11105. Docket 97–NM–326–AD.

Applicability: Model 747 series airplanes, line positions 1 through 886 inclusive; equipped with Pratt & Whitney JT9D–3 or –7, or General Electric CF6–45 or –50 engine struts; certificated in any category.

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, unless accomplished previously.

To prevent failure of the upper link due to cracking or corrosion, subsequent damage to other strut support structure, and in-flight separation of an engine from the airplane, accomplish the following:

(a) Perform a detailed visual inspection for corrosion, and a high frequency eddy current (HFEC) inspection for cracks, of the upper link assembly on the number 2 and number 3 engine struts, in accordance with Boeing Alert Service Bulletin 747–54A2187, dated May 22, 1997, at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Within 6,000 total flight cycles, or 8 years after the date of manufacture of the airplane, whichever occurs first.

(2) Within 600 flight cycles, or 6 months after the effective date of this AD, whichever occurs first.

(b) If no crack or corrosion is detected during any inspection required by paragraph (a) of this AD, repeat the inspections specified in paragraph (a) of this AD, thereafter, at intervals not to exceed 18 months.

(c) If any crack or corrosion is detected during any inspection required by this AD, prior to further flight, accomplish either paragraph (c)(1) or (c)(2) of this AD, in accordance with Boeing Alert Service Bulletin 747–54A2187, dated May 22, 1997. Thereafter, repeat the inspections required by paragraph (a) of this AD, at intervals not to exceed 6,000 flight cycles or 8 years, whichever occurs first.

(1) Repair the upper link within the limits specified in the alert service bulletin, in accordance with Part 2 of the Accomplishment Instructions of the alert service bulletin. (Complete corrosion and crack removal must be achieved within the limits specified in the alert service bulletin.) Or

(2) Replace the upper link with a new upper link assembly, in accordance with Part 3 of the Accomplishment Instructions of the alert service bulletin.

(d) Accomplishment of the modifications required in AD 95–13–07, amendment 39–9287 (for General Electric CF6–45 or –50 engine struts); or AD 95–10–16, amendment 39–9233 (for Pratt & Whitney JT9D–3 or –7 engine struts); constitutes terminating action for the requirements of this AD.

(e) 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, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

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

(f) 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.

(g) Except as provided by paragraph (d) of this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 747–54A2187, dated May 22, 1997. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on May 12, 1999.

Issued in Renton, Washington, on March 29, 1999.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–8309 Filed 4–6–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07–99–016]

RIN 2115–AE46

Special Local Regulations: St. Croix International Triathlon, St. Croix, USVI

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary special local regulations are being adopted for the Saint Croix International Triathlon. The event will be held from 5 a.m. to 9 a.m. Atlantic Standard Time (AST) on May 2, 1999, in Saint Croix, Christiansted Harbor, USVI. These regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: These regulations become effective at 4:30 a.m. and terminate at 9 a.m. AST on May 2, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. John Reyes at (787) 289–7900, extension 228.

SUPPLEMENTARY INFORMATION:

Background and Purpose

There will be approximately 300 participants swimming a course in Christiansted Harbor, St. Croix on May 2, 1999. The swimmers will be competing with numerous spectator craft in the area, creating an extra or unusual hazard in the navigable waterway. These regulations are required to provide for the safety of life on the navigable waters during the running of the St. Croix International Triathlon.