

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AH81

Prevailing Rate Systems; Changes in Federal Wage System Survey Jobs

AGENCY: Office of Personnel Management.

ACTION: Proposed rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing a proposed rule that would change the Helper (Trades) WG-5 appropriated fund Federal Wage System survey job from required to optional, add the word "Heavy" to the name of the Janitor WG-2 FWS survey job, change the title of the Warehouseman WG-5 survey job to Warehouse Worker WG-5, and remove the Boiler Plant Operator WG-9 survey job from the list of optional survey jobs. These changes are being made to make Federal Wage System survey jobs more useful survey tools for local wage surveys.

DATES: Comments must be received on or before May 26, 1999.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Administration, Workforce Compensation and Performance Service, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415, or FAX: (202) 606-4264.

FOR FURTHER INFORMATION CONTACT: Mark A. Allen, (202) 606-2848, FAX: (202) 606-0824, or email to maallen@opm.gov.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) is engaged in an ongoing project to review the survey job descriptions used by Federal agencies during Federal Wage System (FWS) local wage surveys to determine prevailing rates of pay for FWS employees. The FWS is the pay system for the Federal Government's blue-collar workforce.

As a result of this review, OPM proposes to change the Helper (Trades) WG-5 appropriated fund FWS survey job from required to optional. In the past, the Helper (Trades) WG-5 survey job has produced adequate data for use in calculating FWS pay rates in only about one-quarter of the appropriated fund FWS wage areas. Because of this, OPM proposes that its use become optional rather than required. In addition, OPM proposes that the word "Heavy" be added to the title of the Janitor WG-2 appropriated fund FWS survey job and that the Warehouseman WG-5 survey job title be changed to Warehouse Worker WG-5. These changes would better distinguish the Janitor WG-2 survey job from the Janitor (Light) WG-1 survey job and modernize the Warehouseman WG-5 survey job title. Finally, OPM proposes that the Boiler Plant Operator WG-9 survey job be removed from the list of optional survey jobs. The Boiler Plant Operator WG-10 survey job would remain an optional survey job. This change is proposed because only 0.5 percent of FWS employment in WG-9 positions is represented by this survey job and because matching private sector jobs only at the WG-10 journey level would be more consistent with the other survey jobs used in FWS wage surveys. The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, has reviewed and concurred by consensus with these changes.

E.O. 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with E.O. 12866.

Regulatory Flexibility Act

I certify that these regulations would not have a significant economic impact on a substantial number of small entities because they would affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

U.S. Office of Personnel Management.

Janice R. Lachance,

Director.

Accordingly, the Office of Personnel Management is proposing to amend 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

§ 532.217 [Amended]

2. In Section 532.217, paragraph (a) is amended by adding the word "(Heavy)" after the job title "Janitor", by removing the job title "Warehouseman" and replacing it with "Warehouse Worker", by removing the job title and job grade for "Helper (Trades)" and adding it in grade order to paragraph (c), and amending paragraph (c) by removing the job title "Boiler Plant Operator" and job grade "9".

[FR Doc. 99-10401 Filed 4-23-99; 8:45 am]

BILLING CODE 6325-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-125-AD]

RIN 2120-AA64

Airworthiness Directives; Cessna Aircraft Company Model 182S Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The document proposes to supersede Airworthiness Directive (AD) 98-13-10, which currently requires repetitively inspecting all engine exhaust muffler end plates (four total) for cracks on all Cessna Aircraft Company (Cessna) Model 182S airplanes, and replacing any muffler where an end plate is found cracked. AD 98-13-10 also requires fabricating and installing a placard that specifies immediately inspecting all engine exhaust muffler end plates any time the engine backfires upon start-up. The

proposed AD is the result of Cessna developing an improved design exhaust system for the Model 182S airplanes. The proposed AD would retain the actions of AD 98-13-10 on all affected airplanes, and would require replacing the exhaust system with an improved design exhaust system within a certain period of time, as terminating action for those requirements retained from AD 98-13-10. The proposed AD would also limit the effectivity to not include those airplanes manufactured with the improved design exhaust system. The actions specified by the proposed AD are intended to detect and correct damage to the engine exhaust mufflers caused by cracking and the high stresses imposed on the attachment of the exhaust at the area of the firewall, which could result in exhaust gases entering the airplane cabin with consequent crew and passenger injury.

DATES: Comments must be received on or before June 25, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-125-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 Cessna Aircraft Company, Product Support, P.O. Box 7706, Wichita, Kansas 67277; telephone: (316) 517-5800; facsimile: (316) 942-9006. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Paul Pendleton, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4143; facsimile: (316) 946-4407.

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. 98-CE-125-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this MPRM by submitting a request to the FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-125-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

AD 98-13-10, Amendment 39-10598 (63 FR 32973, June 17, 1998), currently requires the following on all Cessna Model 1825 airplanes:

- Repetitively inspecting all engine exhaust muffler end plates (four total) for cracks;
- Replacing any muffler where an end plate is found cracked; and
- Fabricating and installing a placard that specifies immediately inspecting all engine exhaust muffler end plates any time the engine backfires upon start-up.

Actions Since Issuance of Previous Rule and Relevant Service Information

Cessna has developed a new exhaust system muffler that, when incorporated, would eliminate the need for the repetitive inspection required by AD 98-13-10.

Cessna Service Bulletin SB98-78-03, dated December 14, 1998, includes procedures for installing this improved design exhaust system muffler.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, including the referenced service information, the FAA has determined that AD action should be taken to detect and correct damage to the engine exhaust mufflers caused by cracking and the high stresses imposed on the

attachment of the exhaust at the area of the firewall, which could result in exhaust gases entering the airplane cabin with consequent crew and passenger injury.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Cessna Model 182S airplanes of the same type design, the proposed AD would supersede AD 98-13-10. The proposed AD would retain the actions of AD 98-13-10 on all affected airplanes, and would require replacing the exhaust system with an improved design exhaust system within a certain period of time, as terminating action for the actions retained from AD 98-13-10. The proposed AD would also limit the effectivity to not include those airplanes manufactured with the improved design exhaust system. Accomplishment of the proposed replacement would be required in accordance with Cessna Service Bulletin SB98-78-03, dated December 14, 1998.

Cost Impact

The FAA estimates that 150 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 1 workhour per airplane to accomplish the proposed inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the proposed inspection on U.S. operators is estimated to be \$9,000, or \$60 per airplane. These figures only take into account the cost of the proposed initial inspection and do not take into account the costs of any repetitive inspections or replacements needed if cracks were found.

The inspection cost of the proposed AD is the same as that presented in AD 98-13-10. Therefore, the proposed AD imposes no inspection cost impact on U.S. operators of the affected airplanes over that already required in AD 98-13-10.

The FAA estimates that it would take approximately 4 workhours per airplane to accomplish the proposed replacement, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$463 per muffler assembly (2 required) per airplane. Based on these figures, the total cost impact of the proposed replacement on U.S. operators is estimated to be \$174,900, or \$1,166 per airplane.

Parts credit and labor allowance credit for the actions proposed in this NPRM may be obtained by submitting the appropriate paperwork to Cessna before June 14, 1999. Any removed

mufflers should be returned with the paperwork.

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, or 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 contracting 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 14 CFR part 39 of the Federal Aviation Regulations 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 removing Airworthiness Directive (AD) 98-13-10, Amendment 39-10598, and by adding a new AD to read as follows:

Cessna Aircraft Company: Docket No. 98-CE-125-AD; Supersedes AD 98-13-10, Amendment 39-10598.

Applicability: Model 182S airplanes, serial numbers 18280001 through 18280286, certified 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 (g) 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 damage to the engine exhaust mufflers caused by cracking and the high stresses imposed on the attachment of the exhaust at the area of the firewall, which could result in exhaust gases entering the airplane cabin with consequent crew and passenger injury, accomplish the following:

(a) Within 5 days after the effective date of this AD, unless already accomplished (compliance with AD 98-13-10), accomplish the following:

(1) Fabricate a placard that specifies immediately inspecting all engine exhaust muffler end plates when the engine backfires upon start-up, and install this placard on the instrument panel within the pilot's clear view. The placard should utilize letters of at least 0.10-inch in height and contain the following words:

"If the engine backfires upon start-up, prior to further flight, inspect and replace (as necessary) all engine exhaust muffler end plates."

(2) Insert a copy of this AD into the Limitations Section of the airplane flight manual (AFM).

(b) Within 25 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 98-13-10), and thereafter at intervals not to exceed 25 hours TIS after each inspection (including any inspection accomplished after an engine backfire) until the replacement required by paragraphs (b)(1) and (d) of this AD are accomplished, inspect all engine exhaust muffler end plates (four total) for cracks on the forward (upstream) or aft (downstream) end of each muffler can.

(1) Prior to further flight, replace any engine exhaust muffler where an end plate is found cracked with one of improved design, part number (P/N) 1254017-19 or P/N 9954200-9 (or FAA-approved equivalent part number). Accomplish these replacements in accordance with Cessna Service Bulletin SB98-78-03, dated December 14, 1998.

(2) This replacement terminates the repetitive inspection required by this AD for that particular engine exhaust muffler. The repetitive inspections would still be required for any other engine exhaust muffler not replaced with the improved design parts.

(3) The placard requirements of this AD are still required until all engine exhaust system mufflers are replaced with the improved design parts.

Note 2: Cessna Service Bulletin SB98-78-02, Issued: June 6, 1998, depicts the area to be inspected. The actions of this service bulletin are different from those required by this AD. This AD takes precedence over the

actions specified in this service bulletin. Accomplishment of Cessna Service Bulletin SB98-78-02, Issued: June 6, 1998, is not considered an alternative method of compliance to the actions of this AD.

(c) Fabricating and installing the placard and inserting this AD into the Limitations Section of the AFM, as required by paragraph (a) of this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(d) Within 12 calendar months after the effective date of this AD, replace the engine exhaust mufflers with ones of improved design, part number (P/N) 1254017-19 or P/N 9954200-9 (or FAA-approved equivalent part number). Accomplish these replacements in accordance with Cessna Service Bulletin SB98-78-03, dated December 14, 1998.

(1) These replacements terminate the repetitive inspection and placard requirements of this AD, as specified in paragraphs (a) and (b), including all subparagraphs, of this AD.

(2) The replacements may be accomplished prior to 12 calendar months after the effective date of this AD, as terminating action for the repetitive inspection and placard requirements of this AD.

(e) As of the effective date of this AD, no person may install, on any affected airplane, an engine exhaust muffler that is not of improved design, P/N 1254017-19 or P/N 9954200-9 (or FAA-approved equivalent part number).

(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) 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, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

(2) Alternative methods of compliance approved in accordance with AD 98-13-10 are not considered approved as alternative methods of compliance for this AD.

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

(h) All persons affected by this directive may obtain copies of the documents referred to herein upon request to the Cessna Aircraft Company, Product Support, P.O. Box 7706, Wichita, Kansas 67277; or may examine these documents at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(i) This amendment supersedes AD 98-13-10, Amendment 39-10598.

Issued in Kansas City, Missouri, on April 20, 1999.

James E. Jackson,

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

[FR Doc. 99-10348 Filed 4-23-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-21-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-100, -200, and -200C Series Airplanes

AGENCY: Federal Aviation
Administration, DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 737-100, -200, and -200C series airplanes. This proposal would require inspections to detect corrosion and cracking of the inboard track of each outboard flap where the track attaches to the rear spar, and repair, if necessary. For certain airplanes, this proposal also provides for optional terminating action for the repetitive inspections required for those airplanes. This proposal is prompted by several reports of cracking of the inboard track of the outboard flap. The actions specified by the proposed AD are intended to detect and correct corrosion and cracking of the inboard track of the outboard flap, which could result in loss of the outboard trailing edge flap and consequent reduced controllability of the airplane.

DATES: Comments must be received by June 10, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-21-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport

Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Rick Kawaguchi, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1153; fax (425) 227-1181.

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 shall 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 summarizing 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 Number 99-NM-21-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-21-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports indicating that cracking of the inboard track of the outboard flap where the track attaches to the rear spar has been found on several airplanes. Such cracking has been attributed to stress corrosion. Corrosion in that area can be accelerated if a phenolic rub strip is installed at the interface between the flap track and wing skin. (The rub strip is intended to protect the surface of the

wing skin from abrasion.) The phenolic rub strip may draw moisture into the interface, which could result in corrosion. Also, inadequate clamp-up of the attachment bolts can make the area where the flap track attaches to the rear spar more vulnerable to moisture absorption and, consequently, to corrosion. Such corrosion, if not corrected, could result in cracking of the inboard flap track, which could result in loss of the outboard trailing edge flap and consequent reduced controllability of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 737-57-1065, Revision 3, dated December 17, 1982. That service bulletin describes, among other things, procedures for a preventive modification of the interface between the inboard track of the outboard flap and the rear spar. The modification involves replacing the existing rub strip with an aluminum rub strip; replacing the existing shim, if necessary; and replacing certain attachment bolts with new attachment bolts. Accomplishment of the modification specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require, for certain airplanes, repetitive visual inspections to detect corrosion, and repetitive high frequency eddy current (HFEC) inspections to detect cracking, of the inboard track of each outboard flap where the track attaches to the rear spar, and repair, if necessary. For certain other airplanes, the proposed AD would require a one-time visual inspection to detect corrosion, and a one-time HFEC inspection to detect cracking, of the inboard track of each outboard flap where the track attaches to the rear spar, and repair, if necessary. The HFEC inspections would be required to be accomplished in accordance with the Boeing 737 Nondestructive Test Manual.

For certain airplanes, the proposed AD also provides an optional terminating action for the repetitive inspection requirement. This action would be required to be accomplished in accordance with the service bulletin described previously, except as discussed below.