

number or with a PCU having a serial number of 1252A or higher.

(f) As of the effective date of this AD, no person shall install a reworked PCU manifold cylinder bore containing chrome plating on a rudder PCU having P/N 65C37052-() or P/N 65C37053-() on any airplane unless the cylinder bore has been reworked using the oversize method or the steel sleeve method specified in Boeing Service Letter 737-SL-27-30, dated April 1, 1985.

(g)(1) 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.

(g)(2) Alternative methods of compliance, approved previously in accordance with AD 97-09-14, amendment 39-10010, are approved as alternative methods of compliance with this AD.

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

(h) 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.

Issued in Renton, Washington, on April 20, 1999.

**D.L. Riggins,**

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

[FR Doc. 99-10346 Filed 4-23-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-07-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Stemme GmbH & Co. KG Model S10-VT Sailplanes**

**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 Stemme GmbH & Co. KG (Stemme) Model S10-VT sailplanes. The proposed AD would require modifying the wastegate control in order to eliminate heat damage. The proposed AD is the result of mandatory continuing airworthiness information (MCAI)

issued by the airworthiness authority for Germany. The actions specified by the proposed AD are intended to prevent the wastegate control from malfunctioning because of heat damage, which could result in loss of automatic manifold pressure control and engine damage.

**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-07-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 Stemme GmbH & Co. KG, Gustav-Meyer-Allee 25, D-13355 Berlin, Germany; telephone: 49.33.41.31.11.70; facsimile: 49.33.41.31.11.73. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

#### **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-07-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-07-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

##### **Discussion**

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain Stemme Model S10-VT sailplanes. The LBA reports instances of heat damage to the wastegate control cable with one malfunction of the wastegate control. This caused damage in the turbocharger pressure oil tubes and their mountings.

This condition, if not corrected in a timely manner, could result in loss of automatic manifold pressure control and engine damage.

##### **Relevant Service Information**

Stemme has issued Service Bulletin No. A31-10-034, Amendment 01.a, pages 3 and 4, dated July 24, 1998, which specifies procedures for modifying the wastegate control in order to eliminate heat damage.

The LBA classified this service bulletin as mandatory and issued German AD 1998-400, dated October 22, 1998, in order to assure the continued airworthiness of these sailplanes in Germany.

##### **The FAA's Determination**

This sailplane 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.

The FAA has examined the findings of the LBA; reviewed all available information, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

##### **Explanation of the Provisions of the Proposed AD**

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

develop in other Stemme Model S10-VT sailplanes of the same type design registered in the United States, the FAA is proposing AD action. The proposed AD would require modifying the wastegate control in order to eliminate heat damage. Accomplishment of the proposed action would be required in accordance with the service information previously referenced.

#### Cost Impact

The FAA estimates that 6 sailplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 4 workhours per sailplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$150 per sailplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$2,340, or \$390 per sailplane.

#### 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:

**Stemme GMBH & Co. KG:** Docket No. 99-CE-07-AD.

**Applicability:** Model S10-VT sailplanes, serial numbers 11-004 through 11-006 and 11-008 through 11-013, certificated in any category.

**Note 1:** This AD applies to each sailplane 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 sailplanes 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 3 calendar months after the effective date of this AD, unless already accomplished.

To prevent the wastegate control from malfunctioning because of heat damage, which could result in loss of automatic manifold pressure control and engine damage, accomplish the following:

(a) Modify the wastegate control in order to eliminate heat damage, in accordance with the Instructions section of Stemme Service Bulletin No. A31-10-034, Amendment 01.a, pages 3 and 4, dated July 24, 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 sailplane 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, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) Questions or technical information related to Stemme Service Bulletin No. A31-10-034, Amendment 01.a, dated July 24, 1998, should be directed to Stemme GmbH & Co. KG, Gustav-Meyer-Allee 25, D-13355

Berlin, Germany; telephone: 49.33.41.31.11.70; facsimile: 49.33.41.31.11.73. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in German AD 1998-400, dated October 22, 1998.

Issued in Kansas City, Missouri, on April 19, 1999.

**James E. Jackson,**

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

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### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-06-AD]

RIN 2120-AA64

#### Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASH 26E Sailplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to supersede Airworthiness Directive (AD) 98-09-09, which currently requires replacing the internal cooling air fan with a fan that incorporates a white impeller on all Alexander Schleicher Segelflugzeugbau (Alexander Schleicher) Model ASH 26E sailplanes. The proposed AD would require inspecting the internal cooling air fan for damage, and replacing any fan that does not incorporate a black impeller with a fan that incorporates a black impeller either immediately or at a certain time period, depending on the results of the inspection. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by the proposed AD are intended to prevent failure of the internal cooling system air fan caused by a certain design configuration of the impeller, which could cause the engine to overheat with possible engine failure. **DATES:** Comments must be received on or before June 8, 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-06-