Alternative Methods of Compliance

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

Special Flight Permits

(e) Special flight permits may be issued in accordance with §§ 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.

Incorporation by Reference

(f) The actions shall be done in accordance with Boeing Alert Service Bulletin 767–57A0054, Revision 2, dated April 18, 1996; or Boeing Service Bulletin 767–57A0054, Revision 3, dated October 30, 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.

(g) This amendment becomes effective on July 8, 1999.

Issued in Renton, Washington, on May 21, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–13878 Filed 6–2–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–CE–21–AD; Amendment 39–11184; AD 99–11–13]

RIN 2120–AA64

Airworthiness Directives; Cessna Aircraft Company Model 402C Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Cessna Aircraft Company (Cessna) Model 402C airplanes. This AD requires inspecting the forward, aft, and auxiliary wing spars for cracks; repairing any cracks found; and reporting the results of the inspection to the Federal Aviation Administration (FAA). This AD is the result of an accident of one of the affected airplanes where the right-hand wing failed just inboard of the nacelle at Wing Station (WS) 87. Investigation of this accident revealed fatigue cracking of the forward main spar that initiated at the edge of the front spar forward lower spar cap. The actions specified by this AD are intended to detect and correct any cracks in the forward, aft, and auxiliary wing spars, which could result in reduced or loss of control of the airplane.

DATES: Effective June 21, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 21, 1999.

Comments for inclusion in the Rules Docket must be received on or before July 23, 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–21–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from the Cessna Aircraft Company, P. O. Box 7706, Wichita, Kansas 67277; telephone: (316) 941–7550, facsimile: (316) 942–9008. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99–CE–21–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Eual Conditt, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209, telephone: (316) 946–4128; facsimile: (316) 946–4407.

SUPPLEMENTARY INFORMATION:

Discussion

The FAA has received a report of an accident on a Cessna Model 402C airplane where the right-hand wing failed just inboard of the nacelle at Wing Station (WS) 87 during a normal descent. Investigation of this accident revealed fatigue cracking of the forward main spar that initiated at the edge of the front spar forward lower spar cap.

The airplane involved in the above-referenced accident had accumulated over 20,000 hours time-in-service (TIS). Analysis shows that the fatigue cracks could propagate after 10,000 hours TIS. Information available to the FAA shows that a large percentage of the Cessna Model 402C airplane fleet has already accumulated 10,000 hours TIS.

Relevant Service Information

Cessna has issued Service Bulletin MEB99–3, dated May 6, 1999, which includes procedures for conducting an internal and external inspection of the forward, aft, and auxiliary wing spars for cracks.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, including the relevant service information, the FAA has determined that:

—In order to detect cracking on Cessna Model 402C airplanes, an external and internal inspection of the forward, aft, and auxiliary wing spars for cracks should be accomplished upon accumulating 10,000 hours total TIS on the airplane or within the next 25 hours TIS for those airplanes having already accumulated 10,000 hours TIS; and

—AD action should be taken to assure that these inspections are accomplished.

Explanation of the Provisions of the AD

Since an unsafe condition has been identified that is likely to exist or develop in other Cessna Model 402C airplanes of the same type design, this AD requires inspecting the forward, aft, and auxiliary wing spars for cracks; repairing any cracks found; and reporting the results of the inspection to the FAA.

Accomplishment of the inspections as specified in this AD is required in accordance with Cessna Service Bulletin MEB99–3, dated May 6, 1999. The repair, if necessary, is required in accordance with an FAA-approved repair scheme.

Possible Follow-Up AD Action

The FAA is requiring a reporting requirement of the inspection results in order to analyze the situation and determine whether repetitive inspections of the wing spars are necessary. The FAA will review all information received and will then determine whether additional AD action is necessary.

Determination of the Effective Date of the AD

Since a situation (possible loss of control of the airplane caused by a cracked wing spar) exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for public prior comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to 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 above. 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 rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 99–CE–21–AD.'' The postcard will be date stamped and returned to the commenter.

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.

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 (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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 (AD) to read as follows:

99–11–13 Cessna Aircraft Company: Amendment 39–11184; Docket No. 99-CE–21–AD.

Applicability: Model 402C airplanes, serial numbers 689; 402C0001 through 402C0125; 402C0201 through 402C0355; 402C0401 through 402C0528; 402C0601 through 402C0653; and 402C0801 through 402C1020, 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 in the body of this AD, unless already accomplished.

Note 2: The compliance times specified in Cessna Service Bulletin MEB99–3, dated May 6, 1999, are different than those required by this AD. The compliance times of this AD take precedence over those specified in the service bulletin.

To detect and correct any cracks in the forward, aft, and auxiliary wing spars, which could result in reduced or loss of control of the airplane, accomplish the following:

(a) Upon accumulating 10,000 hours total time-in-service (TIS) on the airplane or within the next 25 hours TIS after the effective date of this AD, whichever occurs later, accomplish the external and internal inspection of the forward, aft, and auxiliary wing spars for cracks, in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Cessna Service Bulletin MEB99–3, dated May 6, 1999.

(b) If any crack(s) is/are found on any forward, aft, or auxiliary wing spar during the inspections required by paragraph (a) of this AD, prior to further flight, accomplish the following:

(1) Obtain an FAA-approved repair scheme from the Cessna Aircraft Company, P. O. Box 7706, Wichita, Kansas 67277; telephone: (316) 941–7550, facsimile: (316) 942–9008; and

(2) Incorporate this repair scheme.

(c) If any crack(s) is/are found during the inspections required by paragraph (a) of this AD, submit a report of inspection findings to the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; facsimile: (316) 946–4407; at the applicable time specified in paragraph (c)(1) or (c)(2) of this AD. The report must include the results of the findings, a description of any cracking found, a description of any previous wing repairs or modifications, the airplane serial number, and the total number of hours TIS on the airplane. The ''Lower Wing Spars and Skin Inspection Report'' included as page 6 of Cessna Service Bulletin MEB99–3, dated May 6, 1999, may be utilized for this reporting requirement. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120–0056.

(1) *For airplanes on which the inspections are accomplished after the effective date of this AD:* Submit the report within 10 days after performing the inspection required by paragraph (a) of this AD.

(2) *For airplanes on which the inspections have already been accomplished prior to the effective date of this AD:* Submit the report within 10 days after the effective date of this AD, unless already accomplished.

(d) Special flight permits may be issued in accordance with §§ 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.

(e) An alternative method of compliance or adjustment of the 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. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(f) The inspections required by this AD shall be done in accordance with Cessna Service Bulletin MEB99-3, dated May 6, 1999. 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 the Cessna Aircraft Company, P. O. Box 7706, Wichita, Kansas 67277. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(g) This amendment becomes effective on June 21, 1999.

Issued in Kansas City, Missouri, on May 21, 1999.

Michael K. Dahl,

Acting Manager, Small Airplane Directorate.

[FR Doc. 99–13875 Filed 6–2–99; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–223–AD; Amendment 39–11186; AD 99–11–15]

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 a one-time detailed visual inspection to detect improperly installed or frayed aileron cables, and a one-time detailed visual inspection to detect improper identification or location of the cable markers, and corrective actions, if necessary. This amendment is prompted by a report that an aileron cable failed, due to improper installation onto the wrong groove of an aileron cable drum. The actions specified by this AD are intended to detect and correct an improperly installed aileron cable; such installation could lead to the failure of the aileron cable, and consequent reduced lateral control capability of the airplane.

DATES: Effective July 8, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 8, 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, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; 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 September 8, 1998 (63 FR 47447). That action proposed to require a one-time detailed visual inspection to detect improperly installed or frayed aileron cables, and a one-time detailed visual inspection to detect improper identification or location of the cable markers, and corrective actions, if necessary.

Comments

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 the Proposal

Two commenters support the proposed rule, and two commenters offered no objection to the proposed rule.

Request To Reference Revised Service Information

One commenter requests that the FAA revise the proposed rule to add references to Revision 1 of Boeing Service Bulletin 747–27–2367, dated December 17, 1998, as an appropriate source of service information for accomplishment of the actions specified by the proposal. The proposed AD referenced only the original issue of the service bulletin, dated June 25, 1998.

The FAA concurs with the commenter's request. The FAA has reviewed and approved Boeing Service Bulletin 747–27–2367, Revision 1. The instructions contained in Revision 1 of the service bulletin are substantially similar to those in the original issue of the service bulletin. Therefore, paragraph (a) of this final rule has been revised to state that the inspections are to be accomplished in accordance with either the original issue or Revision 1 of the service bulletin. However, among other things, Revision 1 removes airplanes from the effectivity listing of the original service bulletin, and revises certain illustrations to clarify the accomplishment instructions. Therefore, the applicability statement of this final rule has been revised to make this AD applicable to, ''Model 747 series airplanes, as listed in Boeing Service Bulletin 747–27–2367, Revision 1. . . .'' In addition, the cost impact section has been revised in this final rule to reflect the reduction in the number of affected airplanes.

Request To Increase Compliance Threshold

One commenter requests that the compliance threshold for accomplishment of the one-time detailed visual inspections be increased from 18 months to 36 months. The commenter states that the inspections must be accomplished during a heavy maintenance check, and that a similar maintenance task is scheduled for every 2C-check on Model 747 series airplanes. The commenter further states that increasing the compliance threshold would allow operators to accomplish the inspections specified in this AD concurrently with that similar task. The commenter justifies its request for an increased inspection threshold by stating that a failure effects assessment indicates that, in the event of failure of two cables about a cable drum, the handling qualities of Model 747 series airplanes would be ''adequate.''

The FAA does not concur with the commenter's request to increase the compliance threshold. Service history has indicated that many aileron cable markers are located incorrectly, which may lead to a greater exposure to failures of the aileron cables and possible mishandling of the airplane. The FAA has determined that a compliance time of 18 months is adequate to allow operators to