

would be required to be accomplished in accordance with the service bulletin described previously, except as discussed below.

### Differences Between the Proposed Rule and the Service Bulletin

Operators should note that, although the service bulletin recommends accomplishment of the application of sealant prior to the accumulation of 4,000 total flight cycles or within 750 days (after receipt of the service bulletin), whichever occurs earlier, this proposed AD would require the application of sealant within 24 months after the effective date of this AD. In developing an appropriate compliance time for this proposed AD, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the actions (two hours). In light of all of these factors, the FAA finds a compliance time of 24 months after the effective date of this AD for accomplishing the proposed actions to be warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety. The FAA also finds that such a compliance time will provide operators with approximately the same amount of time to accomplish the proposed actions as what was specified in the service bulletin.

### Cost Impact

There are approximately 37 airplanes of the affected design in the worldwide fleet. The FAA estimates that 8 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$100 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,760, or \$220 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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 the following new airworthiness directive:

**Boeing:** Docket 98-NM-374-AD.

**Applicability:** All Model 777-200 series airplanes, line numbers 41 through 91 inclusive, certificated in any category.

**Note 1:** This AD applies to each airplane 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 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 (b) 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 fuel or fuel vapors from entering the passenger and cargo compartments of the airplane in the event of a failure of the primary seal or development of a crack in the wing center section structure, accomplish the following:

### Corrective Actions

(a) Within 24 months after the effective date of this AD, apply sealant to the front spar and upper surface of the wing center section under the overwing stub beams on the left and right sides of the airplane, in accordance with Boeing Service Bulletin 777-57-0033, dated March 26, 1998.

### Alternative Methods of Compliance

(b) 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.

### Special Flight Permits

(c) 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.

Issued in Renton, Washington, on July 12, 1999.

**D.L. Riggan,**

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

[FR Doc. 99-18201 Filed 7-15-99; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NM-46-AD]

RIN 2120-AA64

### Airworthiness Directives; Boeing Model 747 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 747 series airplanes. This proposal would require removal of cable guards in the lateral control system and replacement with

new, improved cable guards. This proposal is prompted by reports of high control wheel forces and restricted control wheel movement. The actions specified by the proposed AD are intended to prevent deterioration of cable guards in the lateral control system, which could result in a jam of the lateral control system and consequent reduced lateral controllability of the airplane.

**DATES:** Comments must be received by August 30, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-M-46-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:** 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:**

**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-46-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-46-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The FAA has received reports indicating that operators of Boeing Model 747 series airplanes have experienced high control wheel forces or restricted control wheel movement. Physical inspection of the cable runs revealed that the cable guards had deteriorated due to exposure to Boeing Material Specification (BMS) 3-24 aircraft grease. Deteriorated cable guards can splinter and fall into the cable pulley covers. This condition, if not corrected, could result in a jam of the lateral control system and consequent reduced lateral controllability of the airplane.

**Explanation of Relevant Service Information**

The FAA has reviewed and approved Boeing Alert Service Bulletin 747-27A2364, dated September 3, 1998, which describes procedures for removal of cable guards in the lateral control system and replacement with new cable guards. The new, improved cable guards are made of a material that shows no signs of deterioration when exposed to either BMS 3-24 or BMS 3-33, a newer general purpose aircraft grease. Accomplishment of the actions specified in the alert service bulletin is intended to adequately address the identified unsafe condition.

The FAA has also reviewed Boeing Service Letter 747-SL-27-134, dated December 23, 1993, which provides an acceptable procedure for removal of cable guards in the lateral control system and replacement with new, improved cable guards between Stations 300 and 420.

**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 removal of cable guards in the lateral control system and replacement with new, improved cable guards. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

**Cost Impact**

There are approximately 956 airplanes of the affected design in the worldwide fleet. The FAA estimates 219 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 10 work hours per airplane to accomplish the proposed replacement, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$11,000 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$2,540,400, or \$11,600 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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 the following new airworthiness directive:

**Boeing:** Docket 99–NM–46–AD.

**Applicability:** Model 747 series airplanes, as listed in Boeing Alert Service Bulletin

747–27A2364, dated September 3, 1998, 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 (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 as indicated, unless accomplished previously.

To prevent deterioration of cable guards in the lateral control system, which could result in a jam of the lateral control system and

consequent reduced lateral controllability of the airplane, accomplish the following:

**Replacement**

(a) Within 2 years after the effective date of this AD, remove existing cable guards in the lateral control system and replace with new, improved cable guards in accordance with Boeing Alert Service Bulletin 747–27A2364, dated September 3, 1998.

**Note 2:** Removal of existing cable guards and replacement with new, improved cable guards between Stations 300 and 420 accomplished prior to the effective date of this AD in accordance with Boeing Service Letter 747–SL–27–134, dated December 23, 1993, is considered acceptable for compliance with paragraph (a) of this AD.

**Spares**

(b) As of the effective date of this AD, no person shall install a cable guard with a part number and dash number listed in Table 1 of this AD, on any airplane.

TABLE 1.—CABLE GUARDS NOT TO BE INSTALLED

| Part No.       | Part dash No.   |
|----------------|---|
| 65B82025 ..... | 65B82025–2 through 65B82025–4 inclusive.<br>65B82025–9 through 65B82025–10 inclusive.<br>65B82025–17 through 65B82025–22 inclusive.<br>65B82025–25.<br>65B82025–27 through 65B82025–46 inclusive.<br>65B82025–48 through 65B82025–57 inclusive.   |
| 65B82204 ..... | 65B82204–9 through 65B82204–10 inclusive.<br>65B82204–18 through 65B82204–22 inclusive.<br>65B82204–25.<br>65B82204–31 through 65B82204–40 inclusive.<br>65B82204–43 through 65B82204–44 inclusive.<br>65B82204–61 through 65B82204–76 inclusive.<br>65B82204–81 through 65B82204–86 inclusive. |
| 65B82443 ..... | 65B82443–9 through 65B82443–10 inclusive.<br>65B82443–12.<br>65B82443–14 through 65B82443–18 inclusive.<br>65B82443–21 through 65B82443–22 inclusive.<br>65B82443–26 through 65B82443–31 inclusive.   |

**Alternative Methods of Compliance**

(c) 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**

(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.

Issued in Renton, Washington, on July 12, 1999.

**D.L. Riggins,**

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

[FR Doc. 99–18200 Filed 7–15–99; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 99–AGL–27]

**Proposed Establishment of Class E Airspace; Gwinn, MI; Proposed Revocation of Class E Airspace; Sawyer, MI, and K.I. Sawyer, MI**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking; withdrawal.

**SUMMARY:** This action withdraws the Notice of Proposed Rulemaking (NPRM) which proposed to establish Class E airspace at Gwinn, MI, and revoke the Class E airspace at Sawyer, MI, and K.I. Sawyer, MI. The NPRM is being withdrawn as a result of the change of the associated city for Sawyer Airport, and will be reissued in the near future.

**DATES:** [The withdrawal is effective July 16, 1999].

**FOR FURTHER INFORMATION CONTACT:** Annette Davis, Air Traffic Division, Airspace Branch, AGL–520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7568.

**SUPPLEMENTARY INFORMATION:**