

'C,' including Appendix 1, dated July 2, 1997; is considered acceptable for compliance with the applicable action specified by this AD.

#### Modification

(b) For any airplane on which no cracking has been detected during any inspection required by paragraph (a) of this AD: Within 9 months after the effective date of this AD, modify FS409+128 of the bulkhead web drawing number 601R32208-123 of the fuselage in accordance with Canadair Regional Jet Service Bulletin 601R-53-047, including Appendix 1, Revision 'D,' dated December 22, 1997. Accomplishment of this modification terminates the requirements of this AD.

**Note 4:** Any modification accomplished prior to the effective date of this AD in accordance with Canadair Regional Jet Service Bulletin 601R-53-047, including Appendix 1 and Appendix 2, dated July 18, 1997; Revision 'A,' including Appendix 1, dated July 31, 1997; Revision 'B,' including Appendix 1, dated August 22, 1997; or Revision 'C,' including Appendix 1, dated October 7, 1997; is considered acceptable for compliance with the applicable actions required by this AD.

#### Repair

(c) For any airplane on which any cracking is detected during any inspection required by paragraph (a) of this AD: Prior to further flight, determine the extent of the cracking as specified in Part A of paragraph 2.B. of the Accomplishment Instructions of Canadair Regional Jet Alert Service Bulletin A601R-53-045, Revision 'D,' including Appendix 1, dated December 22, 1997, and accomplish the requirements of paragraph (c)(1) or (c)(2), as applicable.

(1) If the cracking is within the limits specified by Part A of paragraph 2.B. of the Accomplishment Instructions of the alert service bulletin, accomplish the requirements of paragraphs (c)(1)(i) and (c)(1)(ii) of this AD at the time specified in those paragraphs.

(i) Repeat the detailed visual inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 100 flight hours; and

(ii) Within 6 months after the effective date of this AD, or within 3 months after the initial date the crack was detected, whichever occurs later: Repair the affected area in accordance with Canadair Regional Jet Service Bulletin 601R-53-046, Revision 'B,' dated December 22, 1997.

Accomplishment of this repair terminates the requirements of this AD.

**Note 5:** Any repair accomplished prior to the effective date of this AD in accordance with Canadair Regional Jet Service Bulletin 601R-53-046, dated June 27, 1997, or Revision 'A,' dated July 2, 1997, is considered acceptable for compliance with the applicable actions specified by this AD.

(2) If the cracking is outside the limits specified by Part A of the Accomplishment Instructions of the alert service bulletin, prior to further flight, perform a high frequency eddy current (HFEC) inspection to detect cracks of the forward side of the web of fuselage FS409+128 bulkhead web drawing

number 601R32208-123, along the upper edge of the horizontal angle part number 601R32208-73, in accordance with Part B of paragraph 2.B. of the Accomplishment Instructions of the alert service bulletin.

(i) If, during any HFEC inspection required by paragraph (c)(2) of this AD, any cracking is detected that is within the limits specified by Part B of paragraph 2.B. of the Accomplishment Instructions of the alert service bulletin, accomplish the requirements of paragraphs (c)(2)(i)(A) and (c)(2)(i)(B) of this AD at the times specified in those paragraphs.

(A) Repeat the HFEC inspection required by paragraph (c)(2) of this AD thereafter at intervals not to exceed 50 flight hours, and repeat the detailed visual inspection required by paragraph (a) of this AD thereafter at interval not to exceed 100 flight hours; and

(B) Within 6 months after the effective date of this AD, or within 3 months after the initial date the crack was detected, whichever occurs later: Repair the affected area in accordance with Canadair Regional Jet Service Bulletin 601R-53-046, Revision 'B,' dated December 22, 1997.

Accomplishment of this repair terminates the requirements of this AD.

(ii) If, during any HFEC inspection required by paragraph (c)(2) of this AD, any cracking is detected that is outside the limits specified by Part B of paragraph 2.B. of the Accomplishment Instructions of the alert service bulletin, prior to further flight, determine the extent of the cracking as specified in paragraph 1.D. ("Compliance") of Canadair Regional Jet Service Bulletin 601R-53-046, Revision 'B,' dated December 22, 1997, and accomplish the requirements of paragraph (c)(2)(ii)(A) or (c)(2)(ii)(B) of this AD, as applicable.

(A) If the cracking is within the limits specified by paragraph 1.D. ("Compliance") of the service bulletin, prior to further flight, repair in accordance with the service bulletin. Accomplishment of this repair terminates the requirements of this AD.

(B) If the cracking is outside the limits specified by paragraph 1.D. ("Compliance") of the service bulletin, prior to further flight, repair in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO).

#### Alternative Methods of Compliance

(d)(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, New York ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

(d)(2) Alternative methods of compliance, approved previously in accordance with AD 97-14-11, amendment 39-10082, are approved as alternative methods of compliance for this AD.

**Note 6:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York 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.

**Note 7:** The subject of this AD is addressed in Canadian airworthiness directive CF-97-11R2, dated December 22, 1997.

Issued in Renton, Washington, on November 2, 1999.

**D.L. Riggins,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 99-29177 Filed 11-8-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NE-31-AD]

RIN 2120-AA64

#### Airworthiness Directives; Air Cruisers Company Emergency Evacuation Slide/Rafts

**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 Air Cruisers Company emergency evacuation slide/rafts. This proposal would require a one-time repacking of affected slide/rafts identified by serial numbers, and repetitive folding of all affected slide/rafts whenever the slide/rafts are removed from the airplane during scheduled aircraft maintenance. This proposal is prompted by reports of separation of the lower aspirator during a number of deployments. The actions specified by the proposed AD are intended to prevent failure of the slide to properly inflate, which could result in the inability to evacuate the passenger cabin in the event of an aircraft emergency.

**DATES:** Comments must be received by January 10, 2000.

**ADDRESSES:** Submit comments to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-NE-31-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ane-adcomment@faa.gov".

Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Air Cruisers Company, Technical Publications Department, PO Box 180, Belmar, NJ 07719-0180; telephone (732) 681-3527, fax (732) 280-8212. This information may be examined at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Ezra Sasson, Aerospace Engineer, New York Aircraft Certification Office, FAA, Engine and Propeller Directorate, 10 Fifth Street, 3rd floor, Valley Stream, NY 11581-1200; telephone (516) 256-7520, fax (516) 568-2716.

#### **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 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-NE-31-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, New England Region, Office of the Regional Counsel, Attention: Rules

Docket No. 99-NE-31-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

#### **Discussion**

The Federal Aviation Administration (FAA) has received reports of separation of the lower aspirator during a number of deployments of Air Cruisers Company emergency evacuation slide/rafts, part numbers (P/Ns) 62774-401, 62774-402, 62774-403, 62774-404, 62774-405, 62774-406, 62774-407 and 62774-408. The investigation revealed that the lower aspirator is not being placed and set correctly within the pack during manufacture. No incidents have been reported from the field. However, 8 incidents occurred at Air Cruisers Company and at Boeing during quality control functionality inspections. This condition, if not corrected, could result in failure of the slide/raft to properly inflate, which could result in the inability to evacuate the passenger cabin in the event of an aircraft emergency.

#### **Service Information**

The FAA has reviewed and approved the technical contents of Air Cruisers Company Service Bulletin (SB) 777-107-25-06, dated February 19, 1999, that identifies improperly packed slide/rafts by serial number (S/N), and describes procedures for repacking of affected slide/rafts; and slide/raft folding procedure P-12054 and P-12064, Revision E, dated October 14, 1998.

#### **Proposed Actions**

Since an unsafe condition has been identified that is likely to exist or develop on other slide/rafts of this same design, the proposed AD would require one-time repacking of affected slide/rafts identified by S/N within 2 months (after the effective date of this AD, and for uninstalled slide/rafts, prior to installation. The compliance time is based upon risk analysis. In addition, this AD would require folding of slide/rafts that are removed for scheduled maintenance within 18 months after the effective date of this AD, and repetitive folding whenever the slide/rafts are removed from the airplane during scheduled aircraft maintenance, in accordance with the latest FAA-approved folding procedure. The actions would be required to be accomplished in accordance with the service documents described previously.

#### **Economic Analysis**

There are approximately 314 slide/rafts of the affected design in the worldwide fleet. The FAA estimates that

74 slide/rafts installed on airplanes of US registry would be affected by this proposed AD, that it would take approximately 10 work hours per slide/raft to accomplish the repacking, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on US operators is estimated to be \$44,400.

#### **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:

**Air Cruisers Company:** Docket No. 99-NE-31-AD.

**Applicability:** Air Cruisers Company emergency evacuation slide/rafts, part

numbers (P/Ns) 62774-62774-401, 62774-402, 62774-403, 62774-404, 62774-405, 62774-406, 62774-407 and 62774-408, installed on but not limited to Boeing 777-200 and -300 series airplanes.

**Note 1:** This airworthiness directive (AD) applies to each slide/raft 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 slide/rafts 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 failure of the slide to properly inflate, which could result in the inability to evacuate the passenger cabin in the event of an aircraft emergency, accomplish the following:

#### Repacking

(a) For slide/rafts listed by serial number (S/N) in Air Cruisers Company Service Bulletin (SB) 777-107-25-06, dated February 19, 1999, accomplish the following:

(1) For slide/rafts currently installed on aircraft, repack within 2 months after the effective date of this AD, in accordance with the procedures described in Air Cruisers Company SB 777-107-25-06, dated February 19, 1999.

(2) For uninstalled slide/rafts, prior to installation repack in accordance with the procedures described in Air Cruisers Company SB 777-107-25-06, dated February 19, 1999.

#### Folding

(b) Fold slides whenever the slide/rafts are removed from the airplane during scheduled aircraft maintenance, in accordance with Air Cruisers Company folding procedure P-12054 and P-12064, Revision E, dated October 14, 1998.

#### 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, New York Aircraft Certification Office. Operators shall submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York Aircraft Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the New York Aircraft Certification Office.

#### Ferry Flights

(d) 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 Burlington, Massachusetts, on November 3, 1999.

**Mark C. Fulmer,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 99-29332 Filed 11-8-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-259-AD]

RIN 2120-AA64

#### Airworthiness Directives; Aerospatiale Model ATR-42 and ATR-72 Series Airplanes

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

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

**SUMMARY:** This document proposes to rescind an existing airworthiness directive (AD), applicable to all Aerospatiale Model ATR-42 and ATR-72 series airplanes, that currently requires revising the Airplane Flight Manual (AFM) to add specific flightcrew instructions to be followed in the event of failure of the first generator, which could lead to the loss of main battery power and result in the loss of all electrical power, except the emergency battery supply, during flight. Since the issuance of that AD, the FAA has received further information indicating that the incident that prompted that AD was an isolated case.

**DATES:** Comments must be received by December 9, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-259-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

Information pertaining to this proposed rule may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

#### FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA,

Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

#### 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 98-NM-259-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. 98-NM-259-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

On April 20, 1998, the FAA issued AD 98-09-16, amendment 39-10497 (63 FR 20064, April 23, 1998), applicable to all Aerospatiale Model ATR-42 and ATR-72 series airplanes, to require revising the Airplane Flight Manual (AFM) to add specific flightcrew instructions to be followed in the event of failure of one or both of the direct current (DC) generators. That action was prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in that AD are intended to prevent failure of the second of two DC generators after the failure of the first generator. Such