

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-ANE-39-AD; Amendment 39-10155, AD 97-21-02]

RIN 2120-AA64

Airworthiness Directives; Teledyne Continental Motors E-165, E-185, E-225, O-470 and IO-470 Series Reciprocating Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Teledyne Continental Motors E-165, E-185, E-225, O-470 and IO-470 series reciprocating engines. This action supersedes priority letter AD 97-15-01 that currently requires removal from service of affected cylinders, and reassembly with serviceable parts. This action adds the latest revision to applicable Critical Service Bulletin (CSB), corrects references to Parts of that CSB, and lists a new contact telephone number to obtain the CSB from the manufacturer. This amendment is prompted by the availability of the new CSB revision and the need to correct the CSB references. The actions specified by this AD are intended to prevent extreme side loading of the piston, and consequent failure of the piston and engine.

DATES: Effective October 27, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 27, 1997.

Comments for inclusion in the Rules Docket must be received on or before December 9, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97-ANE-39-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.dot.gov". Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from Teledyne Continental Motors, PO Box 90, Mobile, AL 36601; telephone toll free (888) 826-5874. This information may be

examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. **FOR FURTHER INFORMATION CONTACT:** Jerry Robinette, Aerospace Engineer, Atlanta Aircraft Certification Office, FAA, Small Airplane Directorate, Campus Building, 1701 Columbia Ave., Suite 2-160, College Park, GA 30337-2748; telephone (404) 305-7371, fax (404) 305-7348.

SUPPLEMENTARY INFORMATION: On July 17, 1997, the Federal Aviation Administration (FAA) issued priority letter airworthiness directive (AD) 97-15-01, applicable to Teledyne Continental Motors (TCM) new and rebuilt Model O-470 and IO-470 series engines with serial numbers (S/Ns) listed in Table 1 of TCM Critical Service Bulletin (CSB) No. CSB97-10, dated June 19, 1997; and TCM Model E-165, E-185, E-225, O-470 and IO-470 series engines, regardless of S/N, which have cylinder(s) with part number and purchase date as shown in Table 2 of TCM CSB No. CSB97-10, dated June 19, 1997. The priority letter AD requires removal from service of affected cylinders, and reassembly with serviceable parts.

That action was prompted by a report from TCM of an engine equipped with factory new cylinders with approximately 28 hours time in service (TIS) that was discovered to have high aluminum particulates during an oil analysis. Further investigation revealed the piston pin plug was experiencing increased wear, which was, in turn, traced to the roughness of the cylinder bore. A stock sweep at the factory revealed 10 additional cylinders with this condition. The cylinder bore surface finish on some cylinders is rougher than specified. This condition was caused during a manganese phosphate coating process on the cylinder barrel bore. The cylinders are exposed to the phosphate process in batches of 10 cylinders. The manganese phosphate coating provides resistance to corrosion during the first hours of operation. The problem occurred because of extended exposure of the cylinder bore to the manganese phosphate treatment which results in the surface finish being rougher than specified, although the piston pin plug will wear first; it will, in turn, wear a groove in the cylinder wall which will cause massive oil consumption in the near future. This will result in accelerated piston pin plug wear, as the piston pin plug is made of aluminum

while the cylinder barrel is made of nitrided steel. The FAA has determined that one side of the piston pin could disconnect from the piston if the wear of the pin plug becomes excessive. This condition, if not corrected, can result in extreme side loading of the piston, and consequent failure of the piston and engine.

Since issuance of the priority letter AD, the FAA has determined that the references to Parts 2A and 2B, and Appendix A of the CSB are in error, and should reference Parts 2-1(a) and 2-2. In addition, this superseding AD lists a new, toll-free contact telephone number to obtain the CSB from the manufacturer.

Also, the FAA has reviewed and approved the technical contents of the latest revision, TCM CSB No. CSB97-10A, dated July 15, 1997, that provides a list of S/Ns of new and rebuilt model O-470 and IO-470 engines with affected cylinders installed, and a list of cylinders with part number and purchase date that may be installed on E-165, E-185, E-225, O-470 and IO-470 series engines, regardless of serial number. This CSB describes procedures for removal and shipment to the factory of affected cylinders, and procedures for reassembly with serviceable parts.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of this same type design, this AD supersedes priority letter AD 97-15-01 to add reference to the latest revision of the applicable CSB, correct incorrect references to parts of the applicable CSB, and list a new contact telephone number to obtain the CSB from the manufacturer. Operators that have removed affected cylinders in accordance with priority letter AD 97-15-01 or the original version of the CSB are in compliance with this AD and no further action is required. The actions are required to be accomplished in accordance with the CSB described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public 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 flight safety and, thus, was not preceded by notice and an opportunity for public 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 under the caption **ADDRESSES**. 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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-ANE-39-AD." The postcard will be date stamped and returned to the commenter.

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. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

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 the following new airworthiness directive:

AD 97-21-02 Teledyne Continental Motors:

Amendment 39-10155. Docket No. 97-ANE-39-AD. Supersedes AD 97-15-01.

Applicability: Teledyne Continental Motors (TCM) new and rebuilt Model O-470 and IO-470 series reciprocating engines with serial numbers (S/Ns) listed in Table 1 of TCM Critical Service Bulletin (CSB) No. CSB97-10A, dated July 15, 1997; and TCM Model E-165, E-185, E-225, O-470 and IO-470 series reciprocating engines, regardless of S/N, which have cylinder(s) with part number and purchase date as shown in Table 2 of TCM CSB No. CSB97-10A, dated July 15, 1997. These engines are installed on but not limited to the following aircraft: Bellanca Models 14-19-2 and 14-19-3; Cessna Models 180, 180A through K, 182, 182A through R, 185, 185A through E, 188, 188A, 188B, 210, 210A through C, 210-5 (205), 210-5A (205A), 305A, 305C, 305D, 305F, 310, 310A through Q, E310H, E310J, 310J-1; Frontier-Aerospace, Inc. (Fletcher) Models FU-24 and FU-24A; Luscombe Aircraft Corporation Model 11A; Navion models Navion, Navion A, and Navion D through G; Prop-Jets, Inc. Models 200, 200A through C; Raytheon (formerly Beech) Models 35, A35 through P35, 35R, 35-33, 35-A355, 35-B33, 35-C33, E33, F33, 45 (YT-34), A45 (T-34A, B-45), D45 (T-34B), 95-55, 95-55A, 95-B55, 95-B55A and 95-B55B; Reims models F182P and F182Q; and Twin Commander Aircraft, Inc. Model 500-A.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (d) 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 extreme side loading of the piston, and consequent failure of the piston and engine, accomplish the following:

(a) Operators that have removed affected cylinders in accordance with priority letter AD 97-15-01 and TCM CSB No. CSB97-10, dated June 19, 1997, are in compliance with this AD and no further action is required.

(b) For the TCM O-470 and IO-470 series engines listed by S/N in Table 1 of TCM CSB No. CSB97-10A, dated July 15, 1997, within 10 hours time in service (TIS) after the effective date of this AD, accomplish the following:

(1) Remove from service the cylinders, six each, and the piston pins, six each, in accordance with the Inspection Instructions, Part 2-1(a), of TCM CSB No. CSB97-10A, dated July 15, 1997.

(2) Obtain serviceable replacement parts and reassemble the engine in accordance with the Inspection Instructions, Part 2-2, of TCM CSB No. CSB97-10A, dated July 15, 1997.

(c) For the E-165, E-185, E-225, series engines and those O-470 and IO-470 series engines not listed by S/N in Table 1 of TCM CSB No. CSB97-10A dated July 15, 1997, within 10 hours TIS after the effective date of this AD, accomplish the following:

(1) Determine from engine log books or maintenance records if a cylinder has been replaced with a cylinder purchased in the time frames shown in Table 2 of TCM CSB No. CSB97-10A, dated July 15, 1997.

(2) If a cylinder was not replaced with a cylinder purchased during those time frames listed in the CSB, or if a cylinder is identified with the letter "M" or "P" steel stamped after the cylinder position number, as cylinders marked with "M" or "P" have a surface finish that has been found to be within specification, no further action is required. The cylinder position number is located at the 12 o'clock position on the cylinder mounting flange.

(3) If a cylinder has been replaced with a cylinder purchased during those time frames listed in the CSB, remove from service the affected cylinders and piston pins in accordance with the Inspection Instructions, Part 2-1(a) of TCM CSB No. CSB97-10A, dated July 15, 1997.

(4) Obtain serviceable replacement parts and reassemble the engine in accordance with the Inspection Instructions, Part 2-2, of TCM CSB No. CSB97-10A, dated July 15, 1997.

(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, Atlanta Aircraft Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta 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 Atlanta Aircraft Certification Office.

(e) 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 aircraft to a location where the requirements of this AD can be accomplished.

(f) The actions required by this AD shall be done in accordance with the following TCM CSB:

Document No.	Pages	Date
CSB97-10A Total pages: 11.	1-11	July 15, 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 Teledyne Continental Motors, PO Box 90, Mobile, AL 36601; telephone toll free (888) 826-5874. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment supersedes priority letter AD 97-15-01, issued July 17, 1997.

(h) This amendment becomes effective on October 27, 1997.

Issued in Burlington, Massachusetts, on September 30, 1997.

James C. Jones,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 97-26797 Filed 10-9-97; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF LABOR

Wage and Hour Division

29 CFR Part 697

Industries in American Samoa; Wage Order

AGENCY: Wage and Hour Division, Employment Standards Administration, Labor.

ACTION: Final rule.

SUMMARY: Under the Fair Labor Standards Act, minimum wage rates in American Samoa are set by a special industry committee appointed by the Secretary of Labor. This document puts into effect the minimum wage rates recommended for various industry categories by Industry Committee No. 22 which met in Pago Pago, American Samoa, during the week of June 22, 1997.

DATES: This rule shall become effective on October 27, 1997.

Applicability date: The new minimum wage rates are effective on

October 27, 1997 unless otherwise noted.

FOR FURTHER INFORMATION CONTACT:

Arthur M. Kerschner, Jr., Office of Enforcement Policy, Child Labor and Special Employment Team, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S-3510, 200 Constitution Avenue, NW., Washington, D.C. 20210; telephone (202) 219-7640. This is not a toll free number. Copies of the Final Rule in alternative formats may be obtained by calling (202) 219-7605, (202) 219-4634 (TDD). The alternative formats available are large print, electronic file on computer disk and audio-tape.

SUPPLEMENTARY INFORMATION:

I. Paperwork Reduction Act

This rule contains no reporting or recordkeeping requirements which are subject to review and approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

II. Background

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064), as amended (29 U.S.C. 205, 206, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 663 (62 F.R. 14446), the Secretary of Labor appointed and convened Industry Committee No. 22 for Industries in American Samoa, referred to the Committee the question of the minimum rates of wages to be paid under section 8 of the FLSA to employees within the industries, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted in Pago Pago pursuant to the notice, the Committee filed with the Administrator of the Wage and Hour Division a report containing its findings of fact and recommendations with respect to minimum wage rates for various industry classifications. The FLSA requires that the Secretary publish this report in the **Federal Register** and further requires that the recommendations in the report be effective 15 days after publication.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950 and 29 CFR 511.18, this rule hereby revises § 697.1 and 697.3 of 29 CFR part 697 to implement the recommendations of Industry Committee No. 22.

Executive Order 12866/Section 202 of the Unfunded Mandates Reform Act of 1995 and Executive Order 12875/Small Business Regulatory Enforcement Fairness Act

This rule is not a "significant regulatory action" within the meaning of Executive Order 12866, and no regulatory impact analysis is required. This document puts into effect the wage rates recommended by Industry Committee No. 22 which met in Pago Pago, American Samoa during the week of June 22, 1997. The Committee recommended increases over two years in various industry categories, ranging from 6 cents per hour for the shipping and transportation industry, classification B—unloading of fish from marine vessels; to 25 cents per hour for the publishing industry.

When these increases are fully implemented, wage rates will range from \$2.45 an hour (miscellaneous activities) to \$3.87 an hour (shipping and transportation, classification A, stevedoring, lighterage, and maritime shipping activities).

There are approximately 16,000 employees in the various industry classifications. Based on the number of workers whose wages must be increased to the new minimum wage levels in 1997 and/or 1998, and assuming that employees currently paid at or in excess of the new minimum wages will also receive commensurate wage increases to maintain relative pay comparability, increases in the overall annual wage bill are expected to be modest—approximately \$208,000 in 1997 and \$2.8 million in 1998. Thus this rule is not expected to result in a rule that may [1] have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; [2] create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; [3] materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or [4] raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

For reasons similar to those noted above, the rule does not require a § 202 statement under the Unfunded Mandates Reform Act of 1995. Because the Secretary has no authority to change a recommendation of the Industry Committee, compliance with Executive