

trips while on the ground, do not reset without first identifying the source of the electrical fault.

ELECTRICAL SYSTEM

Fuel Pumps

If the circuit breaker for any wing tank fuel boost pump (circuit breakers U3, U4, U7, U8, U9, U10, U13, U14) trips, do not reset. If the pump trips while in flight, continue flight in accordance with the procedures in the "Tank Pumps LOW Lights On" portion of the Procedures section of the AFM. If the breaker trips while on the ground, do not reset without first identifying the source of the electrical fault.

"

(b) Within 50 flight hours or 10 days after the effective date of this AD, whichever occurs first, install a placard on the engineer's fuel panel that states:

"If FQIS is operative, do not operate the fuel boost pumps when less than 1,200 pounds of fuel are in the corresponding wing tanks."

(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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

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

(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.

(e) This amendment becomes effective on April 28, 1998, to all persons except those persons to whom it was made immediately effective by emergency AD 98-08-09, issued on April 3, 1998, which contained the requirements of this amendment.

Issued in Renton, Washington, on April 16, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98-10756 Filed 4-22-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-124-AD; Amendment 39-10497; AD 98-09-16]

RIN 2120-AA64

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

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to all Aerospatiale Model ATR-42 and ATR-72 series airplanes. This action requires 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. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent failure of the second of two DC generators after the 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.

DATES: Effective May 8, 1998.

Comments for inclusion in the Rules Docket must be received on or before May 26, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-124-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Information pertaining to this amendment may be obtained from or 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: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on all Aerospatiale Model ATR-42

and ATR-72 series airplanes. The DGAC advises that an ATR airplane experienced the loss of the number one direct current (DC) generator, followed by the loss of the number two DC generator, during flight. The loss of the second generator occurred following an attempt by the flightcrew to reset the number one generator, in accordance with approved procedures. After a few minutes, the airplane experienced the loss of main battery power. The cause of the failure of the second generator is currently under investigation. Such failures, if not corrected, could result in the loss of all electrical power, except the emergency battery supply, during flight.

French Airworthiness Directives

The DGAC issued French telegraphic airworthiness directives T98-148-076(B) and T98-149-038(B), both dated March 20, 1998, in order to assure the continued airworthiness of these airplanes in France. These French airworthiness directives require adherence to instructions specified in ATR AFM Chapter 5-04 in the event of one DC generator failure, and specify that no attempt should be made to reset the affected DC generator. Additionally, the French airworthiness directives note that, in the event of failure of both DC generators, resetting the generators should be attempted.

Explanation of FAA's Findings

The current version of the FAA-approved ATR Airplane Flight Manual (AFM) specifies that a single failed generator is to be left in the "OFF" position; however, the AFM does not explicitly prohibit an attempted reset of a failed generator. Moreover, for some operators, Flight Crew Operating Manuals may contain instructions for one attempt to reset a failed generator. Therefore, the FAA has determined that explicit instructions must be provided in the Limitations section of the AFM to specify that flight crews should not attempt to reset a single failed generator. However, in the event of dual DC generator failure, reset of the generators should be attempted.

FAA's Conclusions

These airplane models are manufactured in France and are 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 DGAC has kept the FAA informed of the situation described above. The FAA has

examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent failure of the second of two DC generators after the 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. This AD requires revising the Limitations Section of the AFM to add specific flightcrew instructions to be followed in the event of failure of one or both of DC generators.

Interim Action

This is considered to be interim action. The manufacturer has advised the FAA that it is currently investigating the cause of the dual generator failure and may develop a modification that will positively address the unsafe condition in this AD. Once the investigation is concluded, the FAA may consider further rulemaking.

Determination of Rule's Effective Date

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 shall 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 rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-124-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 that it 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, 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:

98-09-16 Aerospace: Amendment 39-10497. Docket 98-NM-124-AD.

Applicability: All Model ATR-42 and ATR-72 series airplanes, 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 (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 failure of the second of two direct current (DC) generators after the 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, accomplish the following:

(a) Within 10 flight hours after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statements. This action may be accomplished by inserting a copy of this AD into the AFM.

• In the event of failure of either DC generator during flight, do not attempt to reset the affected DC generator.

• In the event of failure of both DC generators during flight, one attempt to reset each of the generators may be made, as follows:

—If the first attempt to reset a generator is successful, do not attempt to reset the other generator.

—If the first attempt to reset a generator is not successful, one attempt to reset the other generator may be made.

—If neither attempt to reset the generators is successful, land at the nearest suitable airport."

(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, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(c) 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.

Note 3: The subject of this AD is addressed French telegraphic airworthiness directives T98-148-076(B) and T98-149-038(B), both dated March 20, 1998.

(d) This amendment becomes effective on May 8, 1998.

Issued in Renton, Washington, on April 20, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-10918 Filed 4-22-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-126-AD; Amendment 39-10491; AD 98-08-11]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 98-08-11 that was sent previously to all known U.S. owners and operators of certain McDonnell Douglas Model MD-11 and MD-11F series airplanes by individual notices. This AD requires opening the circuit breaker of the pneumatic sense line heater tape, installing an inoperative ring, and coiling and stowing the electrical wire to the circuit breaker of the pneumatic sense line heater tape. This AD also provides for an optional inspection, which, if accomplished, constitutes terminating action for deactivation of the pneumatic sense line heater tape. This action is prompted by a report indicating that, while an airplane was on the ground, fuel was found leaking from the fuel feed pipe of the number 2 engine due to inadequate clearance between the fuel feed pipe and the

pneumatic sense line heater tape. The actions specified by this AD are intended to detect and correct such inadequate clearance, which could result in a hole in the fuel feed pipe caused by electrical arcing, and consequent fuel leakage and possible ignition of the fuel vapors.

DATES: Effective April 28, 1998, to all persons except those persons to whom it was made immediately effective by emergency AD 98-08-11, issued on April 6, 1998, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of April 28, 1998.

Comments for inclusion in the Rules Docket must be received on or before June 22, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-126-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The applicable service information may be obtained from The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Roscoe Van Dyke, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 627-5254; fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: On April 6, 1998, the FAA issued emergency AD 98-08-11, which is applicable to certain McDonnell Douglas Model MD-11 and MD-11F series airplanes. That action was prompted by a report indicating that, while a McDonnell Douglas Model MD-11 series airplane was on the ground, fuel was found leaking from the fuel feed pipe of the number 2 engine. Investigation revealed that electrical arcing between a pneumatic sense line heater tape and the fuel feed pipe of the number 2 engine caused a hole in the pipe. As a result of this finding, the

operator inspected five additional airplanes, of which one airplane was found to have inadequate clearance between the fuel feed pipe and the pneumatic sense line heater tape. No evidence of arcing or chafing was detected. Such inadequate clearance, if not corrected, could result in a hole in the fuel feed pipe caused by electrical arcing, and consequent fuel leakage and possible ignition of the fuel vapors.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin MD11-36A030, dated April 2, 1998. The alert service bulletin describes procedures for opening the circuit breaker of the pneumatic sense line heater tape, installing an inoperative ring, and coiling and stowing the electrical wire to the circuit breaker of the pneumatic sense line heater tape. (Accomplishment of the above actions deactivates the pneumatic sense line heater tape.) The alert service bulletin also describes procedures for performing an inspection to determine if adequate clearance exists between the fuel feed pipe and pneumatic sense lines, and repositioning of the pneumatic sense lines, if necessary. Accomplishment of this inspection eliminates the need for deactivation of the pneumatic sense line heater tape. Accomplishment of the actions specified in the alert service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of the Rule

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design, the FAA issued emergency AD 98-08-11 to detect and correct inadequate clearance between the fuel feed pipe and the pneumatic sense line heater tape, which could result in a hole in the fuel feed pipe caused by electrical arcing, and consequent fuel leakage and possible ignition of the fuel vapors. The AD requires opening the circuit breaker of the pneumatic sense line heater tape, installing an inoperative ring, and coiling and stowing the electrical wire to the circuit breaker of the pneumatic sense line heater tape. This AD also provides for an optional inspection to determine if adequate clearance exists between the fuel feed pipe and pneumatic sense lines, and repositioning of the pneumatic sense lines, if necessary; which, if accomplished, constitutes terminating action for deactivation of the pneumatic sense line heater tape. The actions are