

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 action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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 has been placed 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 a new airworthiness directive (AD) to read as follows:

**British Aerospace:** Docket No. 98-CE-28-AD.

**Applicability:** Jetstream Models 3101 and 3201 airplanes, all serial numbers, certificated in any category, that are equipped with the ground inhibit function (Modification JM7813A (SB 27-JM7813A) or JM7813B).

**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 within 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent failure of the ground inhibit relay while it is in the energized position caused by the current design, which could result in failure of the stall warning system and possible loss of control of the airplane in certain situations if the crew was not aware that the system had failed, accomplish the following:

(a) Remove the ground inhibit time delay and the ground test relay from the stall warning and protection system, and rewire part of the stall warning and protection system to assure that system reliance is maintained after relay removal. Accomplish these actions in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of British Aerospace Jetstream Alert Service Bulletin 27-A-JM7847, dated December 24, 1997.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) Questions or technical information related to British Aerospace Jetstream Alert Service Bulletin 27-A-JM7847, dated December 24, 1997, should be directed to British Aerospace Regional Aircraft, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland; telephone: (01292) 479888; facsimile: (01292) 479703. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in British Aerospace Jetstream Alert Service Bulletin 27-A-JM7847, dated December 24, 1997. This service bulletin is classified as mandatory by the United Kingdom Civil Aviation Authority (CAA).

Issued in Kansas City, Missouri, on April 23, 1998.

**Marvin R. Nuss,**

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

[FR Doc. 98-11438 Filed 4-29-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-ANE-06-AD]

#### Airworthiness Directives; Rolls-Royce, plc Viper Series Turbojet Engines

**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 Rolls-Royce, plc Viper series turbojet engines. This proposal would require a one-time visual inspection of the barometric flow control unit (BFCU) augmentor and bypass valve joint washer for joint washer integrity, and replacement, if necessary, with serviceable parts. This proposal is prompted by a report of a high pressure fuel leak at the BFCU augmentor and bypass valve assembly joint, washer interface. The actions specified by the proposed AD are intended to prevent a high pressure fuel leak, which could result in an engine nacelle fire and damage to the aircraft.

**DATES:** Comments must be received by June 1, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-ANE-06-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be submitted to the Rules Docket by using the following Internet address: "9-ad-engineprop@faa.dot.gov". 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 Rolls-Royce, plc, Technical Publications Department CLS-4, P.O. Box 3, Filton, Bristol, BS34 7QE England; telephone 117-979-1234, fax 117-979-7575. 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:** James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7176, fax (781) 238-7199.

## 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 98-ANE-06-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. 98-ANE-06-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

## Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom (UK), notified the Federal Aviation Administration (FAA) that an unsafe condition may exist on Rolls-Royce, plc (R-R) Viper Mk. 521, 522, 526 and 601 series turbojet engines. The CAA advises that they have received a report of an accident following an outbreak of fire on a military Viper variant due to a barometric flow control unit (BFCU) augmentor and bypass valve assembly interface joint failure. The failure is attributed to inadequate interface torque loads and manufacturing defects with the interface washer. The civil version of the Viper is sufficiently similar to the military variant that experienced the failure to warrant this AD action against

the civil version. This condition, if not corrected, could result in a high pressure fuel leak, which could result in an engine nacelle fire and damage to the aircraft.

R-R has issued Service Bulletins (SBs) Nos. 73-A120, 73-A121, 73-A68, 73-A69, 73-A35, and 73-A36, dated November 1997, that specify procedures for a one-time inspection of BFCU augmentor and bypass valve joint washer for joint washer integrity, and replacement, if necessary, with serviceable parts. The CAA classified these SBs as mandatory in order to assure the airworthiness of these engines in the UK.

This engine model is manufactured in the UK and is 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 CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of the same type design registered in the United States, the proposed AD would require a one-time inspection of BFCU augmentor and bypass valve joint washer for joint washer integrity, and replacement, if necessary, with serviceable parts. The actions would be required to be accomplished in accordance with the SBs described previously.

There are approximately 140 engines of the affected design in the worldwide fleet. The FAA estimates that 52 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 5 work hours per engine to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$15,600.

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:

**Rolls-Royce plc:** Docket No. 98-ANE-06-AD.

*Applicability:* Rolls-Royce plc (R-R) Viper Mk. 521, 522, 526 and 601 series turbojet engines, installed on but not limited to Raytheon (formerly British Aerospace, Hawker Siddeley) Models BH.125 and DH.125 series aircraft.

**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 a high pressure fuel leak, which could result in an engine nacelle fire and damage to the aircraft, accomplish the following:

(a) For R-R Viper Mk. 521, and 522 series engines, perform a one-time inspection of the barometric flow control unit (BFCU) augmentor and bypass valve joint washer for joint washer integrity, and replace, if necessary, with serviceable parts, in accordance with R-R Service Bulletins (SBs) Nos. 73-A120 and 73-A121, as applicable, dated November 1997, as follows:

(1) For engines with less than 200 hours time in service (TIS) since new, overhaul, or repair of the BFCU, inspect within 2 months, or 100 hours TIS after the effective date of this AD, whichever occurs first.

(2) For engines with 200 or more hours TIS since new, overhaul, or repair of the BFCU, inspect at the next engine removal after the effective date of this AD.

(b) For R-R Viper Mk. 526 series engines, perform a one-time inspection of the barometric flow control unit (BFCU) augmentor and bypass valve joint washer for joint washer integrity, and replace, if necessary, with serviceable parts, in accordance with R-R Service Bulletins (SBs) Nos. 73-A68 and 73-A69, as applicable, dated November 1997, as follows:

(1) For engines with less than 200 hours time in service (TIS) since new, overhaul, or repair of the BFCU, inspect within 2 months, or 100 hours TIS after the effective date of this AD, whichever occurs first.

(2) For engines with 200 or more hours TIS since new, overhaul, or repair of the BFCU, inspect at the next engine removal after the effective date of this AD.

(c) For R-R Viper Mk. 601 series engines, perform a one-time inspection of the BFCU augmentor and bypass valve joint washer for joint washer integrity, and replace, if necessary, with serviceable parts, in accordance with R-R SBs Nos. 73-A35 and 73-A36, as applicable, dated November 1997, as follows:

(1) For engines with less than 200 hours TIS since new, overhaul, or repair of the BFCU, inspect within 2 months, or 100 hours TIS after the effective date of this AD, whichever occurs first.

(2) For engines with 200 or more hours TIS since new, overhaul, or repair of the BFCU, inspect at the next engine removal after the effective date of this AD.

(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, Engine 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, Engine 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 Engine 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.

Issued in Burlington, Massachusetts, on April 23, 1998.

**Jay J. Pardee,**

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

[FR Doc. 98-11436 Filed 4-29-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-310-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A310 and A300-600 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain Airbus Model A310 and A300-600 series airplanes, that currently requires, among other things, repetitive inspections to ensure correct synchronization of the hydraulic control valves of the trimmable horizontal stabilizer (THS) actuator; replacement of the horizontal stabilizer actuator motors with new or serviceable motors and resynchronization of the valves, or adjustment of the synchronization, if necessary; and a functional test of the THS. This proposed AD would add a requirement to replace the hydraulic motor of the THS with an improved motor, which would constitute terminating action for the repetitive inspections. This proposal also would expand the applicability to include additional airplanes. This proposal is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent desynchronization of the hydraulic control valves, which could result in runaway of the horizontal stabilizer to its full up or down position, subsequent reduced maneuvering capability, and potential pitch upset.

**DATES:** Comments must be received by June 1, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 97-NM-310-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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information 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 97-NM-310-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. 97-NM-310-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

On January 12, 1996, the FAA issued AD 96-01-52, amendment 39-9491 (61