

(6) TP (Turboprop) CEB-A-158 Revision 2, dated April 15, 1998 (250-B15G series), or

(7) TP CEB-A-1286 Revision 2, dated April 15, 1998 (250-B17 series), or

(8) TP CEB-A-73-2014 Revision 2, dated April 15, 1998 (250-B17F series).

(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, Chicago 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, Chicago 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 Chicago Aircraft Certification Office.

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

Issued in Burlington, Massachusetts, on May 29, 1998.

**Jay J. Pardee,**

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

[FR Doc. 98-15087 Filed 6-5-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-134-AD]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) 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 Bombardier Model CL-600-2B19 (Regional Jet Series 100) airplanes. This proposal would require repetitive inspections of the inboard and outboard flap actuators to measure the rotational freedom of the actuator ball screw adjacent to the actuator housing, and replacement of the flap actuators with new or serviceable actuators, if necessary. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent premature wear

of the internal gears on the flap actuators, which could result in complete disconnection of the actuator gear set and a mechanical jam of the flap system. This condition could cause structural damage and/or significant twist of a flap panel, which could lead to reduced controllability of the airplane.

**DATES:** Comments must be received by July 8, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-134-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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York.

**FOR FURTHER INFORMATION CONTACT:** Anthony E. Gallo, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7510; 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 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-134-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-134-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

Transport Canada Aviation (TCA), which is the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) airplanes. TCA advises that there have been several in-service reports of premature wear of the internal gears on the inboard and outboard flap actuators on airplanes returned from service. Such deterioration could result in complete disconnection of the actuator gear set and a mechanical jam of the flap system, which could cause structural damage and/or significant twist of a flap panel, and result in reduced controllability of the airplane.

#### Explanation of Relevant Service Information

EEMCO has issued Service Bulletin 852D100-27-03, Revision A, dated February 27, 1997, including Appendices 1 and 2. This service bulletin describes procedures for repetitive inspections of the inboard and outboard flap actuators to measure the rotational freedom of the actuator ball screw adjacent to the actuator housing to determine the allowable intervals for backlash measurement; and replacement of the flap actuators with new or serviceable actuators, if necessary. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. TCA classified this service bulletin as mandatory and issued Canadian airworthiness directive CF-97-05, dated May 5, 1997, in order to assure the continued airworthiness of these airplanes in Canada.

Bombardier has issued Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-069, Revision B, dated March 13, 1997, as an additional source of service information for accomplishment of the inspection and measurement procedures described in the EEMCO service bulletin.

#### FAA's Conclusions

This airplane model is manufactured in Canada 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, TCA has kept the FAA informed of the situation described above. The FAA has examined the findings of TCA, 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 Proposed 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, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously.

#### Cost Impact

The FAA estimates that 81 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 inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$9,720, or \$120 per airplane, per inspection cycle.

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:

**Bombardier, Inc. (Formerly Canadair):**  
Docket 98-NM-134-AD.

**Applicability:** Model CL-600-2B19 (Regional Jet Series 100) airplanes, serial numbers 7003 through 7999 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 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 premature wear of the internal gears on the flap actuators, which could

result in complete disconnection of the actuator gear set, a mechanical jam of the flap system, significant twist of a flap panel leading to structural damage, and consequent reduced controllability of the airplane; accomplish the following:

(a) Prior to the accumulation of 1,000 total flight cycles, or within 400 flight cycles after the effective date of this AD, whichever occurs later: Inspect the inboard and outboard flap actuators to measure the rotational freedom of the actuator ball screw adjacent to the actuator housing to determine the allowable intervals for backlash measurement, in accordance with EEMCO Service Bulletin 852D100-27-03, Revision A, dated February 27, 1997, including Appendices 1 and 2. Repeat the inspections thereafter at the earliest applicable interval specified in Section 3.A., "Inspection Interval Criteria," Table I or Table II of the Accomplishment Instructions of the service bulletin, as applicable.

(b) If, during any inspection required by paragraph (a) of this AD, the measured backlash exceeds the allowable limit specified in Section 3.B., "Removal Criteria," and Table I or Table II of the Accomplishment Instructions of the service bulletin, as applicable: Prior to further flight, replace the actuator with a new or serviceable actuator, in accordance with the times and procedures specified in EEMCO Service Bulletin 852D100-27-03, Revision A, dated February 27, 1997, including Appendices 1 and 2. Thereafter, repeat the inspections in accordance with paragraph (a) of this AD.

**Note 2:** Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-069, Revision B, dated March 13, 1997, is an additional source of service information for accomplishment of the inspection and measurement procedures described in the EEMCO service bulletin.

(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 (ACO), FAA, Engine and Propeller Directorate. 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.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York 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.

**Note 4:** The subject of this AD is addressed in Canadian airworthiness directive CF-97-05, dated May 5, 1997.

Issued in Renton, Washington, on June 2, 1998.

**Darrell M. Pederson,**

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