

Dated: February 12, 1998.

Mark A. Kinsey,
Acting Director.

[FR Doc. 98-4452 Filed 2-20-98; 8:45 am]

BILLING CODE 4220-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. 29147, Amdt. No. 25-94]

Transport Category Airplanes, Technical Amendments and Other Miscellaneous Corrections

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment corrects a number of errors in the safety standards for transport category airplanes. None of the changes are substantive in nature, and none will impose any additional burden on any person.

EFFECTIVE DATE: March 25, 1998.

FOR FURTHER INFORMATION CONTACT:
Gary L. Killion, Manager, Regulations
Branch, ANM-114, Transport Airplane
Directorate, Aircraft Certification
Service, FAA, 1601 Lind Ave. S.W.,
Renton, Washington 98055-4056;
telephone (425) 227-2114.

SUPPLEMENTARY INFORMATION:

Background

A number of unrelated errors in the safety standards for transport category airplanes have been brought to the attention of the FAA. Some are due to inadvertent omissions or other editing errors; others are simply typographical or printing errors. This final rule amends part 25 to correct those errors. None of the corrections are substantive in nature, and none will impose any additional burden on any person.

Discussion

Subpart B of part 25, which contains flight requirements, incorporates a number of miscellaneous printing errors. Section 25.107 contains two such errors concerning the symbols used to denote specific airspeeds. Section 25.111(a) contains an erroneous reference to § 25.121(f) in lieu of § 25.121(c), and § 25.111(d)(4) contains a misspelled word. The heading of § 25.119 refers to the singular "engine" rather than the plural "engines". Section 25.233 contains an inappropriate sentence break. All of those errors are corrected herewith.

Part 25 was amended by Amendment 25-86 (61 FR 5218, February 9, 1996) to

incorporate revised discrete gust load design requirements. As printed in the **Federal Register**, the introductory paragraph of § 25.349(a) incorrectly reads, "* * * principal masses furnishing the *reaching* inertia forces." This phrase is corrected to read, "* * * principal masses furnishing the *reacting* inertia forces."

Part 25 was amended by Amendment 25-91 (62 FR 40702, July 29, 1997) to incorporate revised structural loads requirements for transport category airplanes. Due to an editing error associated with that amendment, § 25.481(a)(3) is worded as a sentence rather than a prepositional phrase continuing the text of paragraph (a). That error is corrected by removing the word "is" from § 25.481(a)(3).

Part 25 was amended by Amendment 25-88 (61 FR 57946, November 8, 1996) to adopt a number of changes concerning the type and number of passenger emergency exits in transport category airplanes. Due to inadvertent editing errors, existing requirements concerning flightcrew emergency exits and the distance between passenger emergency exits were omitted from § 25.807. That section is hereby amended to correct those omissions. This amendment places no additional burden on any persons because the operators of such airplanes are required to comply in any event by corresponding standards in parts 121 and 135.

Prior to the adoption of Amendment 25-56 (47 FR 58489, December 30, 1982), § 25.832(a)(2) specified a maximum cabin ozone concentration of 0.1 parts per million by volume under specified conditions. Although unrelated to that amendment, a printing error was introduced shortly thereafter in § 25.832(a)(2). As a result of that error, subsequent printings of part 25 have specified a maximum concentration of 0.01 parts per million by volume. Also the lead-in paragraph of § 25.832(a) was inadvertently changed to read, "* * * shown *now* to exceed—" in lieu of "* * * shown *not* to exceed—." Section 25.832 is hereby amended to correct both of those printing errors.

Prior to the adoption of Amendment 25-40, § 25.903(c) specified that each component of the stopping and restarting system on the engine side of the firewall that might be exposed to fire must be at least fire-resistant. It was recognized then that the benefits of requiring the components of the restarting system to be fire-resistant were slight because an engine could seldom be restarted safely following a fire in that engine. Amendment 25-40,

therefore, removed the words "and restarting" from § 25.903(c). Although this change was adopted and published appropriately in the **Federal Register** (42 FR 15042, March 17, 1977), it has never appeared in subsequent printings of part 25. This misprint is, therefore, corrected by omitting the words "and restarting" as intended by Amendment 25-40.

Prior to 1968, the oil tanks of transport category airplanes type certificated under the provisions of part 25 of the Federal Aviation Regulations (FAR) were required to be constructed of fireproof materials. In contrast, those in smaller general aviation airplanes type certificated under the provisions of part 23 were, and still are, permitted to be constructed of materials that are only fire resistant. This difference was in recognition of the relatively small quantity of oil that can be carried in the integral sumps of the reciprocating engines typically used in the latter airplanes, the fact that the oil sump serves as a heat sink in dissipating heat from a fire near the sump, and the fact that the cooling airflow around a reciprocating engine will direct flames away from the sump. During the late 1960s, two applicants each proposed to replace the troublesome existing engines in de Havilland DH.114 Heron transport category airplanes with then modern reciprocating engines. Although large enough to be transport category airplanes, the Herons incorporated four engines comparable in size and power ratings to the engines typically used in twin-engine part 23 airplanes. Because they were designed primarily for installation in part 23 airplanes, the replacement engines proposed by both applicants incorporated integral oil sumps that were not constructed of fireproof materials. Replacing the integral sumps of those engines with fireproof sumps would have imposed an undue burden with no commensurate safety improvement. Part 25 was, therefore, amended (Amendment 25-19, 33 FR 15410, October 17, 1968) to permit the installation of reciprocating engines having non-fireproof integral oil sumps of not more than a specified quantity. As a result of this amendment, an erroneous reference to § 25.1013(a) was introduced in § 25.1185(a). Section 25.1185(a) is, therefore, amended to refer correctly to § 25.1183(a) in lieu of § 25.1013(a).

Part II of Appendix F contains criteria for seat cushion flammability testing. The last sentence of paragraph (a)(3) of Part II refers to "* * * the test specified in § 25.853(b) * * *." At the time the paragraph was written the reference was correct; however, the material contained

in § 25.853(b) has since been moved to § 25.853(c). Paragraph (a)(3) of Part II of Appendix F is, therefore, amended to refer correctly to § 25.853(c).

Regulatory Evaluation

There are no quantifiable costs of benefits attributable to this final rule since each change is a non-substantive correction that will impose no additional burden on any person. A full regulatory evaluation is, therefore, not required.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily and disproportionately burdened by government regulations. The RFA requires agencies to review rules which may have "a significant economic impact on a substantial number of small entities. This final rule will have no economic impact, significant or otherwise, because it makes only non-substantive corrections of errors.

International Trade Impact Assessment

Recognizing that regulations that are nominally domestic in nature often affect international trade, the Office of Management and Budget directs Federal Agencies to assess whether or not a rule or regulation would affect any trade-sensitive activity. This final rule will have no effect, positive or negative, on international trade since it makes only non-substantive corrections of errors.

Federalism Implications

The changes adopted herein will not have a substantial direct effect on the states, on the relationship between the national government and the states, or on the distribution of power or responsibilities among the various levels of government. It is, therefore, determined in accordance with Executive Order 12612 that this final rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

International Compatibility

The FAA has reviewed the corresponding regulations of the International Civil Aviation Organization regulations, where they exist, and those of the European Joint Aviation Authorities (JAA). The FAA has identified no differences in these amendments and the foreign regulations. Some of the errors were, in fact, brought to the attention of the FAA by JAA representatives.

Good Cause Justification for Immediate Adoption

This amendment is needed to make editorial corrections in part 25. In view of the need to expedite these changes, and because the amendment is editorial in nature and would impose no additional burden on the public, I find that notice and opportunity for public comment before adopting this amendment are unnecessary.

Conclusion

The FAA has determined that this final rule imposes no additional burden on any person. Accordingly, it has been determined that the action (1) is not a significant rule under Executive Order 12866 and (2) is not a significant rule under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety.

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration (FAA) amends 14 CFR part 25 as follows:

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

1. The authority citation for part 25 continues to read as follows:

Authority: 49 U.S.C. 106(g) 40113, 44701, 44702 and 44704.

§ 25.107 [Amended]

2. In § 25.107, paragraph (a)(1), remove "V_{MCG}" and add "V_{MCG}," in its place; and in paragraph (e), remove "VR" and add "V_R," in its place.

§ 25.111 [Amended]

3. In § 25.111, paragraph (a), remove "§ 25.121(f)" and add "§ 25.121(c)" in its place.

§ 25.119 [Amended]

4. In the heading of § 25.119, remove the word "engine" and add "engines" in its place.

§ 25.233 [Amended]

5. In § 25.233, paragraph (a), remove ". At" and add "at" in its place.

§ 25.349 [Amended]

6. In § 25.349, introductory paragraph, remove the words "reaching inertia fores" and add "reacting inertia forces" in its place.

§ 25.481 [Amended]

7. In § 25.481, paragraph (a)(3), remove the word "is".

8. Section 25.807 is amended by adding a new paragraph (f)(4) and new paragraph (j) to read as follows:

§ 25.807 Emergency exits

* * * * *

(f) * * *

(4) For an airplane that is required to have more than one passenger emergency exit for each side of the fuselage, no passenger emergency exit shall be more than 60 feet from any adjacent passenger emergency exit on the same side of the same deck of the fuselage, as measured parallel to the airplane's longitudinal axis between the nearest edges.

* * * * *

(j) *Flightcrew emergency exits.* For airplanes in which the proximity of passenger emergency exits to the flightcrew area does not offer a convenient and readily accessible means of evacuation of the flightcrew, and for all airplanes having a passenger seating capacity greater than 20, flightcrew exits shall be located in the flightcrew area. Such exits shall be of sufficient size and so located as to permit rapid evacuation by the crew. One exit shall be provided on each side of the airplane; or, alternatively, a top hatch shall be provided. Each exit must encompass an unobstructed rectangular opening of at least 19 by 20 inches unless satisfactory exit utility can be demonstrated by a typical crewmember.

§ 25.832 [Amended]

9. In § 25.832, paragraph (a), remove the word "now" and add the word "not" in its place, and in paragraph (a)(2) remove "0.01" and add "0.1" in its place.

§ 25.903 [Amended]

10. In § 25.903, paragraph (c), remove the words "and restarting" from the second sentence.

§ 25.1185 [Amended]

11. In § 25.1185, paragraph (a), remove "§ 25.1013(a)" and add "§ 25.1183(a)" in its place.

Appendix F to Part II [Amended]

12. In Appendix F, Part II, in paragraph (a)(3), remove "§ 25.853(b)" and add "§ 25.853(c)" in its place.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 98-4162 Filed 2-20-98; 8:45 am]

BILLING CODE 4910-13-M