

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:

**99-18-07 Boeing:** Amendment 39-11273.  
Docket 98-NM-222-AD.

**Applicability:** Model 747-400 series airplanes, as listed in Boeing Alert Service Bulletin 747-25A3142, Revision 1, dated August 6, 1998, 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 ceiling panels from falling into the passenger area in the event of failure of certain latch assemblies on the ceiling panels, which could result in consequent injury to the crew and passengers, accomplish the following:

(a) Within 24 months after the effective date of this AD, install strap assemblies on the ceiling panels and rails that support the video monitors, in accordance with Boeing Alert Service Bulletin 747-25A3142, dated October 16, 1997, or Revision 1, dated August 6, 1998.

### Alternative Methods of Compliance

(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, Seattle Aircraft Certification Office, 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, Seattle ACO.

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

### Special Flight Permits

(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.

### Incorporation by Reference

(d) The installation shall be done in accordance with Boeing Alert Service Bulletin 747-25A3142, dated October 16, 1997, or Boeing Service Bulletin 747-25A3142, Revision 1, dated August 6, 1998. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on October 5, 1999.

Issued in Renton, Washington, on August 23, 1999.

**Vi L. Lipski,**

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

[FR Doc. 99-22388 Filed 8-30-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-10-AD; Amendment 39-11279; AD 99-18-13]

RIN 2120-AA64

### Airworthiness Directives; de Havilland Inc. Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all de Havilland Inc.

Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 airplanes. This AD requires amending the Limitations Section of the airplane flight manual (AFM) to prohibit the positioning of the power levers aft of the flight idle stop while the airplane is in flight. The AFM amendment includes a statement of consequences if the limitation is not followed. This AD is a result of numerous incidents and five documented accidents involving airplanes equipped with turboprop engines where the propeller beta was improperly utilized during flight. None of the incidents or accidents involved de Havilland Inc. Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 airplanes. The actions specified by

this AD are intended to prevent loss of airplane control or engine overspeed with consequent loss of engine power caused by the power levers being positioned aft of the flight idle stop while the airplane is in flight.

**EFFECTIVE DATE:** October 8, 1999.

**ADDRESSES:** This information may be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-10-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Peter LeVoci, Flight Test Pilot, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone: (516) 256-7514; facsimile: (516) 568-2716.

### SUPPLEMENTARY INFORMATION:

#### Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all de Havilland Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on October 22, 1998 (63 FR 56582). The NPRM proposed to require amending the Limitations Section of the AFM to prohibit the positioning of the power levers aft of the flight idle stop while the airplane is in flight, including a statement of consequences if the limitation is not followed. This AFM amendment shall consist of the following language:

Positioning of power levers aft of the flight idle stop while the airplane is in flight is prohibited. Such positioning may lead to loss of airplane control or may result in an overspeed condition and consequent loss of engine power.

The NPRM was the result of numerous incidents and five documented accidents involving airplanes equipped with turboprop engines where the propeller beta was improperly utilized during flight. None of the incidents or accidents involved de Havilland Inc. Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 airplanes.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the one comment received.

### Comment Disposition

The commenter supports the AD as written and believes that the FAA

should issue additional AD action that mandates a modification that would prevent the flight crews from intentionally or inadvertently selecting the power levers below the flight idle stop while in flight. The commenter suggests this modification be in the form of a mechanical lockout device to preclude such power lever selection.

The FAA is currently evaluating each of the aircraft where AD's were issued to address this issue with a flight manual revision. The purpose of this evaluation is to determine whether a mechanical lockout device is necessary. Among those aircraft the FAA is evaluating are the de Havilland DHC-6 series airplanes. If the FAA determines that such a device is necessary, additional rulemaking may be initiated. No changes have been made to the final rule as a result of this comment.

#### The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

#### Compliance Time of This AD

The FAA has determined that the compliance time of this AD will be specified in calendar time instead of hours time-in-service. While the condition addressed by this AD is unsafe while the airplane is in flight, the condition is not a result of repetitive airplane operation; the potential of the unsafe condition occurring is the same on the first flight as it is for subsequent flights. The compliance time of "30 days after the effective date of this AD" will not inadvertently ground airplanes and will assure that all owners/operators of the affected airplanes accomplish this action in a reasonable time period.

#### Cost Impact

The FAA estimates that 114 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per airplane to incorporate the AFM amendment, and that the average labor rate is approximately \$60 an hour. Accomplishing the AFM revision requirements of this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR

43.7), and must be entered into the aircraft records showing compliance with the AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9). The only cost impact of this AD is the time it would take each owner/operator of the affected airplanes to insert the information into the AFM.

#### 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.

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) 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 final 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.

#### 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 a new airworthiness directive (AD) to read as follows:

**99-18-13 De Havilland Inc:** Amendment 39-11279; Docket No. 97-CE-10-AD.

**Applicability:** Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 airplanes, all serial numbers, 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 (e) 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 the next 30 days after the effective date of this AD, unless already accomplished.

To prevent loss of airplane control or engine overspeed with consequent loss of engine power caused by the power levers being positioned aft of the flight idle stop while the airplane is in flight, accomplish the following:

(a) Amend the Limitations Section of the airplane flight manual (AFM) by inserting the following language:

Positioning of power levers aft of the flight idle stop while the airplane is in flight is prohibited. Such positioning may lead to loss of airplane control or may result in an overspeed condition and consequent loss of engine power.

(b) This action may be accomplished by incorporating a copy of this AD into the Limitations Section of the AFM.

(c) Amending the AFM, as required by this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, FAA, New York Aircraft Certification Office (ACO), 10 Fifth Street, Third Floor, Valley Stream, New York 11581. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

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

(f) This amendment becomes effective on October 8, 1999.

Issued in Kansas City, Missouri, on August 23, 1999.

**Terry L. Chasteen,**

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

[FR Doc. 99-22535 Filed 8-30-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-56-AD; Amendment 39-11281; AD 99-18-15]

RIN 2120-AA64

#### **Airworthiness Directives; Raytheon Aircraft Company Beech Models C90A, B200, B300, and 1900D Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Raytheon Aircraft Company (Raytheon) Beech Models C90A, B200, B300, and 1900D airplanes. This AD requires replacing the landing gear hand pump for airplanes that had a pump within a certain serial number range installed at manufacture; and prohibits the future installation of any of these pumps on all of the affected airplanes. This AD is the result of information from the manufacturer of improper machining of the pump housing on certain landing gear emergency hand pumps on the affected airplanes. This resulted in an insufficient groove depth to retain a snap ring, which retains the check valve in its proper position within the housing. The actions specified in this AD are intended to detect any improperly machined landing gear emergency hand pumps, which, if not removed from service, could result in the inability to properly lower and lock the landing gear in the event of failure of the primary retraction/extension system.

**DATES:** Effective September 27, 1999.

Comments for inclusion in the Rules Docket must be received on or before October 27, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-56-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

This information may be examined at the Federal Aviation Administration

(FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-56-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Mr. Paul DeVore, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4142; facsimile: (316) 946-4407.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

The FAA has received information from the Raytheon Aircraft Corporation (Raytheon) of improper machining of the pump housing on landing gear emergency hand pumps, part number 101-388007-3, serial numbers 2702 through 2833; that are installed on certain Raytheon Beech Models C90A, B200, B300, and 1900D airplanes. This resulted in an insufficient groove depth to retain a snap ring, which retains the check valve in its proper position within the housing. These landing gear emergency hand pumps may have been installed at manufacture on airplanes within the following serial number range:

Model	Serial numbers
C90A .....	LJ-1526 through LJ-1550.
B200 .....	BB-1628 through BB-1659.
B300 .....	FL-213 through FL-237.
1900D ....	UE-346 through UE-356, UE-358, and UE-367.

Continuing to utilize these pumps in service could result in the inability to properly lower and lock the landing gear in the event of failure of the primary retraction/extension system.

##### **The FAA's Determination**

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that:

- These improperly machined landing gear emergency hand pumps should be removed from service; and
- AD action should be taken to prevent the above-referenced condition from occurring.

##### **Explanation of the Provisions of the AD**

Since an unsafe condition has been identified that is likely to exist or develop in other Raytheon Beech Models C90A, B200, B300, and 1900D airplanes of the same type design, the FAA is taking AD action. This AD requires replacing the landing gear hand pump for airplanes that had a pump within a certain serial number range

installed at manufacture; and prohibits the future installation of any of these pumps on all of the affected airplanes.

##### **Determination of the Effective Date of the AD**

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for public prior 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 immediate flight safety and, thus, was not preceded by notice and opportunity to 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 above. 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 No. 99-CE-56-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,