

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.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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, Incorporation by reference, 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

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

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-11050 (64 FR 9056, February 24, 1999), and by adding a new airworthiness directive, Amendment 39-11425, to read as follows:

98-24-03 R1 BMW Rolls-Royce GmbH:
Amendment 39-11425. Docket 98-ANE-74-AD. Revises AD 98-24-03, Amendment 39-11050.

Applicability: BMW Rolls-Royce GmbH (BRR) Model BR700-710A1-10 and BR700-710A2-20 turbofan engines installed on, but not limited to, Gulfstream Aerospace G-V and Bombardier BD-700-1A10 series airplanes.

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 (f) 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 engine compressor and combustion core fairing (also referred to as the engine core fairing) detachment which could result in damage to the engine bypass duct, engine failure and damage to the aircraft, accomplish the following:

Inspections, Repair, Replacement, and Torquing

(a) Prior to further flight, visually inspect the engine core fairings and fasteners to ensure correct installation and for cracks, loose fairings, or fasteners, and if loose, cracked, damaged, or improperly installed, repair or replace with serviceable parts. Torque all the fasteners to the increased torque value, in accordance with BRR Service Bulletin (SB) BR700-72-900062, Revision 1, dated October 29, 1998, or Revision 2, dated November 3, 1998, or Revision 3, dated March 24, 1999.

(b) Thereafter, except as provided in paragraphs (c) or (d) of this AD, at intervals not to exceed 50 hours time-in-service (TIS) since last inspection, visually inspect the engine core fairings and fasteners for cracks, loose fairings, or fasteners, and, if loose, cracked, or damaged, repair or replace with serviceable parts. Torque all the fasteners to the increased torque value, in accordance with BRR SB BR700-72-900062, Revision 2, dated November 3, 1998, or Revision 3, dated March 24, 1999.

(c) Following an initial inspection in accordance with paragraph (a) of this AD, and one follow-on inspection in accordance with paragraph (b), if both inspections found no cracks, damage, loose fairings or fasteners the repetitive inspection interval may be increased to 150 hours TIS since last inspection in accordance with the procedures described in paragraph (b) of this AD.

(d) Reinspection and retorquing prior to further flight is required in accordance with paragraph (a) of this AD, following any engine core fairing or fastener which has been removed, repaired or replaced. One successful follow-on inspection and retorquing in accordance with paragraph (b) of this AD must be accomplished before the repetitive 150 hour TIS inspection interval described in paragraph (c) of this AD is permitted.

Optional Terminating Action

(e) Incorporation of the redesigned engine core fairings in accordance with BRR SB

BR700-72-100900, Revision 1, dated September 10, 1999, constitutes terminating action for the requirements specified in paragraphs (a), (b), (c), and (d) of this AD.

Alternative Methods of Compliance

(f) 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.

Incorporation by Reference

(g) The actions required by this AD shall be done in accordance with the following BRR SBs: BR700-72-900062, Revision 1, dated October 29, 1998; Revision 2, dated November 3, 1998; Revision 3, dated March 24, 1999; and BR700-72-100900, Revision 1, dated September 10, 1999. 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 BMW Rolls-Royce GmbH, Eschenweg 11, D-15827 Dahlewitz, Germany; telephone 011-49-33-7086-1883; fax 011-49-33-7086-3276. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(h) This amendment becomes effective on December 27, 1999.

Issued in Burlington, Massachusetts, on November 5, 1999.

David A. Downey,

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

[FR Doc. 99-29823 Filed 11-18-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-303-AD; Amendment 39-11426; AD 99-24-02]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 767-200 and -300 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 certain Boeing Model 767-200 and -300 series airplanes. This action requires a one-time visual inspection to determine the part number and serial number of the lower drag strut of the nose landing gear (NLG); and corrective actions, if necessary. This amendment is prompted by reports of a fracture of the lower drag strut of the NLG, which was caused by a thin wall thickness condition that occurred during the manufacturing process. The actions specified in this AD are intended to prevent a fracture of the lower drag strut, which could result in collapse of the NLG.

DATES: Effective December 6, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 6, 1999.

Comments for inclusion in the Rules Docket must be received on or before January 18, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-303-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined 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.

FOR FURTHER INFORMATION CONTACT: James G. Rehr, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2783; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: The FAA has received reports of a fracture of the lower drag strut of the nose landing gear (NLG) on certain Boeing 767-200 and -300 series airplanes. Investigation revealed that the fractured lower drag strut of the NLG was found to have been manufactured with a thin wall thickness condition. This condition, if not detected and corrected, could result in a fracture of the lower drag strut and collapse of the NLG.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 767-32A0185, dated September 2, 1999,

which describes procedures for a one-time visual inspection to determine the part number and serial number of the lower drag strut of the NLG; and corrective actions, if necessary. The corrective actions involve performing a one-time ultrasonic inspection to measure the thickness of the lower drag strut. The corrective actions also involve either overhauling the lower drag strut if the thickness is within certain limits or replacing the lower drag strut with a new or serviceable lower drag strut, if the thickness is outside certain limits. Accomplishment of the actions specified in the alert service bulletin is intended to adequately address the identified unsafe condition.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to prevent a fracture of the lower drag strut, which could result in collapse of the NLG. This AD requires accomplishment of the actions specified in the alert service bulletin described previously.

This AD also requires that operators report all inspection results (positive only) to the FAA.

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 99-NM-303-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, Incorporation by reference, 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:

99-24-02 Boeing: Amendment 39-11426. Docket 99-NM-303-AD.

Applicability: Model 767-200 and -300 series airplanes, as listed in Boeing Alert Service Bulletin 767-32A0185, dated September 2, 1999; 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 (f) 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 fracture of the lower drag strut, which could result in collapse of the nose landing gear (NLG), accomplish the following:

Visual Inspection

(a) Within 90 days after the effective date of this AD, perform a one-time visual inspection to determine the part number and serial number of the lower drag strut of the NLG, in accordance with Boeing Alert Service Bulletin 767-32A0185, dated September 2, 1999. If the prefix of the serial number of the lower drag strut is not HM or FRG, no further action is required by this AD.

Ultrasonic Inspection

(b) For airplanes on which lower drag strut having part number (P/N) 162T2003-5 and serial number (S/N) prefix HM or FRG is installed: Prior to further flight, perform a one-time ultrasonic inspection to measure the wall thickness of the lower drag strut of the NLG, in accordance with Boeing Alert Service Bulletin 767-32A0185, dated September 2, 1999, and accomplish paragraph (b)(1), (b)(2), or (b)(3) of this AD, as applicable, at the time specified.

(1) If the wall thickness is greater than or equal to 0.210 inch: No further action is required by this AD.

(2) If the wall thickness is greater than or equal to 0.180 inch, but less than 0.210 inch: Within 5 years after the effective date of this AD, overhaul the lower drag strut in accordance with Part 2 of the Accomplishment Instructions of the alert service bulletin.

(3) If the wall thickness is less than 0.180 inch: Prior to further flight, replace the lower drag strut with a new or serviceable lower drag strut in accordance with Part 3 of the Accomplishment Instructions of the alert service bulletin.

(c) For airplanes on which lower drag strut having P/N 162T2003-1 or 162T2003-3 and S/N prefix HM or FRG is installed: Perform a one-time ultrasonic inspection to measure the wall thickness of the lower drag strut of the NLG, in accordance with Boeing Alert Service Bulletin 767-32A0185, dated September 2, 1999, and accomplish paragraph (c)(1), (c)(2), or (c)(3) of this AD, as applicable, at the time specified.

(1) If the wall thickness is greater than or equal to 0.160 inch: No further action is required by this AD.

(2) If the wall thickness is greater than or equal to 0.150 inch, but less than 0.160 inch: Within 5 years after the effective date of this AD, overhaul the lower drag strut in accordance with Part 2 of the Accomplishment Instructions of the alert service bulletin.

(3) If the wall thickness is less than 0.150 inch: Prior to further flight, replace the lower drag strut with a new or serviceable lower drag strut in accordance with Part 3 of the Accomplishment Instructions of the alert service bulletin.

(d) As of the effective date of this AD, no person shall install on any airplane, a lower drag strut of the NLG having P/N 162T2003-1, 162T2003-3, or 162T2003-5, and S/N prefix HM or FRG, unless the part has been inspected to verify proper wall thickness in accordance with this AD.

Reporting Requirement

(e) Submit a report of the inspection findings (positive only, defined as a thin wall thickness condition that requires corrective action) to the Seattle Manufacturing Inspection District Office (MIDO), 2500 East Valley Road, Suite C-2, Renton, Washington 98055-4056; fax (425) 227-1159; at the applicable time specified in paragraph (e)(1) or (e)(2) of this AD. The report must include the airplane serial number; the number of total flight hours and flight cycles on the airplane. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(1) For airplanes on which the applicable inspection required by either paragraph (b) or (c) of this AD is accomplished after the effective date of this AD: Submit the report within 30 days after performing the inspection.

(2) For airplanes on which the applicable inspection required by either paragraph (b) or (c) of this AD has been accomplished prior to the effective date of this AD: Submit the report for the inspection within 30 days after the effective date of this AD.

Alternative Methods of Compliance

(f) 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 (ACO), 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

(g) 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

(h) The actions shall be done in accordance with Boeing Alert Service Bulletin 767-32A0185, dated September 2, 1999. 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.

(i) This amendment becomes effective on December 6, 1999.

Issued in Renton, Washington, on November 9, 1999.

D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-29822 Filed 11-18-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 95-ANE-69; Amendment 39-11424; AD 98-21-22 R1]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to Pratt & Whitney JT9D series turbofan engines, that currently requires initial and repetitive eddy current inspections (ECI) of 14th and 15th stage high pressure compressor (HPC) disks for cracks, and removal of cracked disks and replacement with