

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:

Boeing: Docket 99–NM–132–AD.

Applicability: Model 767 series airplanes, as listed in Boeing Service Bulletin 767–57–0063, dated May 7, 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 (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 corrosion in the side load underwing fitting, which could result in

cracking and consequent reduced structural integrity of the wing strut, accomplish the following:

Initial Inspection

(a) Accomplish a detailed visual inspection of the side load underwing fitting to detect broken sealant or bushing migration, in accordance with Boeing Service Bulletin 767–57–0063, dated May 7, 1998, at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Within 10 years since the date of manufacture, or

(2) Within 3000 cycles or 18 months after the effective date of this AD, whichever occurs first.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

Repetitive Inspections

(b) If no broken sealant or evidence of bushing migration is detected, repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 6 years.

Corrective Action

(c) If evidence of broken sealant or bushing migration is detected, prior to further flight, accomplish the corrective action specified in paragraph (c)(1) or (c)(2) of this AD, except as provided by paragraph (d) of this AD.

(1) Remove the bushing and inspect the side load fitting lug bore for corrosion as shown in Figure 3 of Boeing Service Bulletin 767–57–0063, dated May 7, 1998, and rework as specified in Figure 3 of the service bulletin.

(2) Reseal the bushing and service the side load fitting in accordance with Boeing Service Bulletin 767–57–0063, dated May 7, 1998. Within 3,000 flight cycles or 18 months, whichever occurs first, remove the bushing and inspect the side load fitting lug bore for corrosion as shown in Figure 3 of the service bulletin, and rework as specified in Figure 3 of the service bulletin.

(d) For airplanes on which broken sealant or evidence of bushing migration is detected: During the accomplishment of the actions specified in paragraphs (c)(1) or (c)(2) of this AD, if damage to the lug bore or fitting is found that is outside the limits specified in Boeing Service Bulletin 767–57–0063, dated May 7, 1998; prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the FAA to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by

this AD, the Manager's approval letter must specifically reference this AD.

Optional Terminating Action

(e) Accomplishment of rework of the side load fitting in accordance with Figure 1 or Figure 3 of Boeing Service Bulletin 767–57–0063, dated May 7, 1998, constitutes terminating action for the requirements 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 3: 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.

Issued in Renton, Washington, on November 18, 1999.

D.L. Riffin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–30631 Filed 11–23–99; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–309–AD]

RIN 2120–AA64

Airworthiness Directives; British Aerospace (Jetstream) Model 4101 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 all British Aerospace (Jetstream) Model 4101 airplanes. This proposal would require manufacture and installation of a placard on the left-hand instrument panel in the cockpit to prohibit push-backs of the airplane while the engines are running. In lieu of accomplishing

the placard installation, this proposal would require repetitive installation of a new tow bracket sub-assembly that has the serial number and date of installation vibro etched on it. 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 fatigue failure of the towing bracket. Failure of the towing bracket could cause a towing vehicle to collide into the propeller while the airplane engines are running, and consequently, cause damage to the airplane, and injure ground personnel, flight crew, or passengers.

DATES: Comments must be received by December 27, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-309-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. 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 99-NM-309-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. 99-NM-309-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, notified the FAA that an unsafe condition may exist on all British Aerospace (Jetstream) Model 4101 airplanes. The CAA advises that the shock strut of the nose landing gear (NLG) on the subject airplanes is approaching the 12,000 landing life limitations for NLG parts. The life limitations for some shock struts of the NLG are constrained by the towing bracket on the nose leg of the NLG. Fatigue failure of the towing bracket could cause a towing vehicle to collide into the propeller while the airplane engines are running, and consequently, cause damage to the airplane, and injure ground personnel, flight crew, or passengers.

Explanation of Relevant Service Information

British Aerospace has issued Jetstream Service Bulletin J41-11-024, dated May 11, 1999, which describes procedures for the manufacture and installation of a placard on the left-hand instrument panel in the cockpit to prohibit push-backs of the airplane while the engines are running. The CAA classified this service bulletin as mandatory and issued British airworthiness directive 004-05-99, dated May 19, 1999, in order to assure the continued airworthiness of these airplanes in the United Kingdom.

British Aerospace also has issued Jetstream Service Bulletin J41-32-070, dated September 14, 1999, which describes procedures for repetitive vibro etching the serial number and date of

installation on the new tow bracket sub-assembly, and installing a new sub-assembly. The procedures may be accomplished in lieu of the placard installation described in Jetstream Service Bulletin J41-11-024. The CAA issued British airworthiness directive 004-05-99 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

Accomplishment of the actions specified in either of the service bulletins is intended to adequately address the identified unsafe condition.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of § 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.

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 Jetstream Service Bulletin J41-11-024 described previously. In lieu of the actions specified in that service bulletin, this proposed AD would require accomplishment of the actions specified in Jetstream Service Bulletin J41-32-070.

Cost Impact

The FAA estimates that 59 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 1 work hour per airplane to accomplish the proposed placard installation, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the placard installation proposed by this AD on U.S. operators is estimated to be \$3,540, or \$60 per airplane.

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.

Should an operator elect to accomplish the optional action that would be provided by this AD action, it would take approximately 2 work hours per airplane to accomplish it, at an average labor rate of \$60 per work hour. The cost of required parts would be approximately \$733 per airplane. Based on these figures, the cost impact of the optional action would be \$853 per airplane, per replacement cycle.

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:

British Aerospace Regional Aircraft [Formerly Jetstream Aircraft Limited; British Aerospace (Commercial Aircraft) Limited]: Docket 99-NM-309-AD.

Applicability: All Model Jetstream 4101 airplanes, 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 fatigue failure of the towing bracket, which could cause a towing vehicle to collide into the propeller while the airplane engines are running, and consequently, could cause damage to the airplane, and injure ground personnel, flight crew, or passengers, accomplish the following:

Placard Installation

(a) Prior to the accumulation of 12,000 total landings on the shock strut of the nose landing gear (NLG), or within 5 days after the effective date of this AD, whichever occurs later: Except as provided by paragraph (b) of this AD, manufacture and install a placard on the left-hand instrument panel in the cockpit to prohibit push-backs with engines running, in accordance with Jetstream Alert Service Bulletin J41-11-024, dated May 11, 1999.

Repetitive Action

(b) In lieu of accomplishing the actions specified in paragraph (a) of this AD, at the time specified in paragraph (a) of this AD, vibro etch the serial number and date of installation on a new tow bracket sub-assembly; and install the new tow bracket sub-assembly, in accordance with Jetstream Service Bulletin J41-32-070, dated September 14, 1999. Repeat the vibro etch process and installation of a new sub-assembly thereafter at intervals not to exceed 12,000 landings on the shock strut of the NLG.

Alternative Methods of Compliance

(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, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

Special Flight Permits

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

Note 3: The subject of this AD is addressed in British airworthiness directive 004-05-99.

Issued in Renton, Washington, on November 18, 1999.

D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-30632 Filed 11-23-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-ASO-17]

Proposed Amendment of Class E Airspace; Puerto Rico, PR

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action proposes to amend Class E airspace at Puerto Rico, PR. This proposal would increase the size of the Puerto Rico, PR, Class E airspace area to include the airspace within Warning Areas W-370A, W-373A and W-373C, in order to facilitate the handling, reduce the coordination and increase the safety of United States military aircraft returning to Roosevelt Roads Naval Station below 5,500 feet mean sea level (MSL), which is the floor of the overlying San Juan Low Class E airspace area, in instrument meteorological conditions (IMC) from the Warning Areas.

DATES: Comments must be received on or before December 27, 1999.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 99-ASO-17, Manager, Airspace Branch, ASO-520, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Regional Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.