

repeat the visual inspection thereafter at intervals not to exceed 1,000 flight hours.

(2) If any damage is detected or any battery ground termination is found to be configured improperly, prior to further flight, remove, replace, and repair the battery ground termination, as applicable, in accordance with Boeing Standard Wiring Practices Manual D6-54446 and applicable Boeing drawings. Repeat the detailed visual inspection thereafter at intervals not to exceed 1,000 flight hours.

(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 (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.

(c) 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.

(d) This amendment becomes effective on August 1, 1997.

Issued in Renton, Washington, on July 11, 1997.

**Darrell M. Pederson,**

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

[FR Doc. 97-18933 Filed 7-16-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-136-AD; Amendment 39-10082; AD 97-14-11]

RIN 2120-AA64

#### **Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 and 200) Series Airplanes**

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

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

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting airworthiness directive (AD) 97-14-11 that was sent previously to all known U.S. owners and operators of certain Bombardier Model CL-600-2B19 (Regional Jet Series 100 and 200) series airplanes by individual notices. This AD requires repetitive inspections to detect cracks of a certain bulkhead web of the fuselage at certain locations,

and repair, if necessary. This action is prompted by a report of a pressurization problem during flight, which was caused by fatigue cracking in the underfloor pressure bulkhead of the fuselage. The actions specified by this AD are intended to detect and correct such fatigue cracking, which could result in uncontrolled depressurization of the airplane and/or reduced structural integrity of the fuselage.

**DATED:** Effective July 22, 1997. To all persons except those persons to whom it was made immediately effective by emergency AD 97-14-11, issued on June 27, 1997, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of Federal Register as of July 22, 1997.

Comments for inclusion in the Rules Document must be received on or before September 15, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-136-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The applicable service information may be obtained from Bombardier, Inc., Canadair Aerospace Group, P.O. Box 6087, Station Centre-ville, 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 (ACO), 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capital Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** George Duckett, Aerospace Engineer, or Franco Peiri, Aerospace Engineer, Airframe and Propulsion Branch ANE-171, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; telephone (516) 256-7525 or -7526; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** On June 27, 1997, the FAA issued emergency AD 97-14-11, which is applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100 and 200) series airplanes. That action was prompted by a report of a pressurization problem during flight on a Model CL-600-2B19 series airplane. Investigation revealed a crack approximately 14 inches long in the center pressure bulkhead. In addition, such cracking was found on

seven other Model CL-600-2B19 series airplanes. The cause of this cracking has been attributed to structural fatigue.

Fatigue cracking in the underfloor pressure bulkhead of the fuselage, if not detected and corrected in a timely manner, could result in uncontrolled depressurization of the airplane and/or reduced structural integrity of the fuselage.

#### **Explanation of Relevant Service Information**

The manufacturer has issued Canadair Regional Jet Alert Service Bulletin A601R-53-045, dated June 25, 1997, which describes procedures for repetitive detailed visual inspections to detect cracks at FS 409+128 of a certain bulkhead web of the fuselage at certain locations, and repair, if necessary. Transport Canada Aviation classified this alert service bulletin as mandatory and issued Canadian airworthiness directive CF-97-11, dated June 25, 1997, in order to assure the continued airworthiness of these airplanes in Canada.

#### **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, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, 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 the Requirements of the Rule**

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA issued emergency AD 97-14-11 to require repetitive detailed visual inspections to detect cracks at FS 409+128 of a certain bulkhead web of the fuselage at certain locations, and repair, if necessary. This AD also requires that operators report the results of the detailed visual inspection to the FAA. The inspections are required to be accomplished in accordance with the alert service bulletin previously described. The repair is required to be accomplished in accordance with a method approved by the FAA.

Operators should note that, while it is not the FAA's normal policy to allow flight with known cracks, this AD does permit further flight with cracking within certain limits. The results of a review, conducted by the manufacturer, revealed that cracking in the underfloor pressure bulkhead of the fuselage will not result in rapid decompression of the airplane. Therefore, according to the review, if the crack size limits are strictly observed and if repetitive inspections are performed at the required intervals, cracks that grow beyond the limits will be detected, and corrective action taken, before they can grow to a size that would create an unacceptable risk of structural failure. Transport Canada Aviation concurs with the findings of this review. In consideration of these findings and based on the FAA's criteria for flight with known cracking, the FAA has determined that further flight with cracking within certain limits in the center pressure bulkhead is permissible for an interim period.

This is considered to be interim action. The manufacturer has advised that it currently is developing a modification that will positively address the unsafe condition addressed by this AD. Once this modification is developed, approved, and available, the FAA may consider additional rulemaking.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual notices issued on June 27, 1997, to all known U.S. owners and operators of certain Bombardier Model CL-600-2B19 (Regional Jet Series 100 and 200) series airplanes. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

#### 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 97-NM-136-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:

**97-14-11 Bombardier, Inc. (Formerly Canadair):** Amendment 39-10082. Docket 97-NM-136-AD.

**Applicability:** Model CL-600-2B19 (Regional Jet Series 100 and 200) series airplanes, serial numbers 7003 and subsequent; 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 detect and correct fatigue cracking in the underfloor pressure bulkhead of the fuselage, which could result in uncontrolled depressurization of the airplane and/or reduced structural integrity of the fuselage, accomplish the following:

(a) Within 20 flight hours after the effective date of this AD, perform a detailed visual inspection to detect cracks at frame station (FS) 409+128 of the bulkhead web [part number (P/N) 601R32208-123] of the fuselage, in accordance with Canadair Regional Jet Alert Service Bulletin A601R-53-045, dated June 25, 1997.

(1) If no crack is detected or if all three of the conditions specified in paragraphs (a)(1)(i), (a)(1)(ii), and (a)(1)(iii) of this AD are met, continued flight is allowed. Repeat the detailed visual inspection thereafter at intervals not to exceed 100 flight hours.

(i) No more than one crack exists at each corner; and

(ii) No crack extends under the angles having P/N 601R32208-79 and P/N 601R32208-81 on the aft side of the bulkhead web; and

(iii) No crack exists in angles having P/N 601R32208-79 and P/N 601R32208-81 on the aft side of the bulkhead web.

(2) If any cracking other than that identified in paragraphs (a)(1)(i), (a)(1)(ii), and (a)(1)(iii) of this AD is detected, prior to further flight, repair it in accordance with the method approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate.

(b) Within 10 days after accomplishing the initial and repetitive detailed visual inspections required by paragraph (a) of this AD, submit a report of any finding(s) of cracking to the Manager, New York ACO, telephone (516) 256-7525; fax (516) 568-2716. 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.

(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 ACO. 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 2:** 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.

(e) The inspections shall be done in accordance with Canadair Regional Jet Alert Service Bulletin A601R-53-045, dated June 25, 1997. 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 Transport Canada Aviation. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on July 22, 1997. All persons except those persons to whom it was made immediately effective by emergency AD 97-14-11, issued on June 27, 1997, which contained the requirements of this amendment.

Issued in Renton, Washington, on July 11, 1997.

**James V. Devany,**

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

[FR Doc. 97-18934 Filed 7-16-97; 8:45 am]

BILLING CODE 4910-13-P-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-ASW-11]

#### Establishment of Class E Airspace; Manila, AR

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace extending upward from 700 feet above ground level (AGL) at Manila Municipal Airport, Manila, AR. The development of a Nondirectional Radio Beacon (NDB) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 18 has made this action necessary. This action is intended to provide adequate controlled airspace for aircraft executing the NDB SIAP to RWY 18 at Manila Municipal Airport, Manila, AR.

**EFFECTIVE DATE:** 0901 UTC, September 11, 1997.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

#### SUPPLEMENTARY INFORMATION:

##### History

On June 18, 1996, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Manila, AR, was published in the **Federal Register** (61 FR 30843). The development of a NDB SIAP to RWY 18 made the proposal necessary. The proposal was to establish adequate controlled airspace for aircraft executing the NDB SIAP to RWY 18 at Manila Municipal Airport, Manila, AR.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. However, the proposed Manila, AR, Class E airspace did not exclude Blytheville, AR, Class E airspace. The description of the Manila, AR, Class E airspace has been revised to reflect this change. The FAA has determined that this change is relieving in nature and will not increase the scope of this rule. Except for the non-substantive change just discussed, the rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designations

for airspace areas are published in Paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Manila Municipal Airport, Manila, AR, to provide controlled airspace for aircraft executing the NDB SIAP to RWY 18.

The FAA has determined that this regulation only involves an established body of technical regulations that need frequent and routine amendments to keep them operationally current. It, therefore—(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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, *Airspace Designations and Reporting Points*, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

*Paragraph 6005: Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*