

Compliance: Required as indicated, unless accomplished previously.

To detect and correct desynchronization of the rudder servo actuators, which could result in reduced structural integrity of the rudder attachments and reduced controllability of the airplane, accomplish the following:

(a) Prior to accumulation of 1,300 total flight hours, or within 500 flight hours after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 1,300 flight hours: Perform a test to detect desynchronization of the rudder servo actuators in accordance with Airbus Service Bulletin A300-27-0188, Revision 2, dated October 1, 1997 (for Model A300 series airplanes); A300-27-6036, Revision 2, dated October 1, 1997 (for Model A300-600 series airplanes); or A310-27-2082, Revision 2, dated October 1, 1997, (for Model A310 series airplanes); as applicable. If any desynchronization (rudder movement) is detected, prior to further flight, either adjust or replace, as applicable, the spring rod of the affected rudder servo actuator in accordance with the applicable service bulletin.

Note 2: A test to detect desynchronization of the rudder servo actuators, if accomplished prior to the effective date of this AD in accordance with Airbus Service Bulletin A300-27-0188, dated October 24, 1996, or Revision 1, dated November 5, 1996 (for Model A300 series airplanes); A300-27-6036, dated October 24, 1996, or Revision 1, dated November 5, 1996 (for Model A300-600 series airplanes); or A310-27-2082, dated October 24, 1996, or Revision 1, dated November 5, 1996 (for Model A310 series airplanes); is considered acceptable for compliance with the initial test required by paragraph (a) of this AD.

(b) Except as provided by paragraph (c) of this AD, if any desynchronization (rudder movement) greater than the limit specified in Paragraph B of the Accomplishment Instructions of the applicable service bulletin is detected during any test required by paragraph (a), prior to further flight, accomplish either paragraph (b)(1) or (b)(2) of this AD, in accordance with Airbus Service Bulletin A300-55-0044, dated October 22, 1996 (for Model A300 series airplanes); A300-55-6023, dated October 22, 1996 (for Model A300-600 series airplanes); or A310-55-2026, dated October 22, 1996 (for Model A310 series airplanes); as applicable.

(1) Conduct a visual inspection, high frequency eddy current inspection, or ultrasonic inspection, as applicable, to detect cracking of the rudder attachments; and repeat the inspection thereafter, as applicable, at the intervals specified in the applicable service bulletin. Or

(2) Modify the rudder attachments to cold expand the rivet holes.

(c) If any crack is found during any inspection or modification required by paragraph (b) of this AD, and the applicable service bulletin specifies to contact Airbus for an appropriate action: Prior to further flight, repair the affected structure in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, or in accordance with a method approved by the

Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France.

(d) 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. 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(e) 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.

Note 4: The subject of this AD is addressed in French airworthiness directive 96-242-208(B) R2, dated November 19, 1997.

Issued in Renton, Washington, on February 26, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-5606 Filed 3-5-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-24-AD]

RIN 2120-AA64

Airworthiness Directives; Burkhart Grob Luft-und Raumfahrt Models G115C, G115C2, G115D, and G115D2 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede Airworthiness Directive (AD) 96-19-07, which currently requires the following on Burkhart Grob Luft-und Raumfahrt (Grob) Models G115C, G115C2, G115D, and G115D2 airplanes: installing a placard that restricts the never exceed speed (Vne) of the affected airplane models from 184 knots to 160 knots; installing on the airspeed indicator glass a red line at 296 km/h (160 knots); installing a placard that prohibits aerobatic maneuvers; and placing a copy of the AD in the Limitations Section of the airplane flight manual. The proposed AD would temporarily retain the flight restrictions

that are currently required by AD 96-19-07; and would eventually require accomplishing certain inspections and modifications, as terminating action for these flight restrictions. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by the proposed AD are intended to prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers.

DATES: Comments must be received on or before April 10, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-24-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Burkhart Grob Luft-und Raumfahrt, D-8939 Mattsies, Germany. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Karl M. Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

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 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, 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 that summarizes 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 No. 98-CE-24-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, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-24-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

AD 96-19-07, Amendment 39-9765 (61 FR 49250, September 19, 1996), currently requires the following on Models G115C, G115C2, G115D, and G115D2 airplanes: installing a placard that restricts the never exceed speed (Vne) of the affected airplane models from 184 knots to 160 knots; installing on the airspeed indicator glass a red line at 296 km/h (160 knots); installing a placard that prohibits aerobatic maneuvers; and placing a copy of the AD in the Limitations Section of the airplane flight manual.

AD 96-19-07 was the result of an in-flight breakup of a Grob Model G115D airplane. Investigation of this accident was continuing at the time the FAA issued AD 96-19-07.

Events Since AD 96-19-07 and Relevant Service Information

Since AD 96-19-07 became effective, the Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, has kept the FAA informed of the investigation results and all other information regarding the above-referenced in-flight breakup. This information resulted in Grob issuing the following service information to address the conditions found through the investigation:

- Grob Service Bulletin No. 1078-59/3, dated October 24, 1996, which specifies procedures for inspecting the nose wheel steering, the sliding canopy and canopy locking mechanism, the attachment of the horizontal stabilizer, the elevator installation, the vertical stabilizer, the rudder installation, and the weights and residual moments of the control surfaces; and repairing any discrepancies;
- Grob Installation Instructions 1078-64, dated December 11, 1996, which specifies procedures for replacing the elevator hinges with parts of

improved design, as specified in both Grob Service Bulletin No. 1078-64/2, dated April 8, 1997; and Grob Service Bulletin No. 1078-64, dated December 11, 1996; and

- Grob Service Bulletin No. 1078-66, dated February 10, 1997, which specifies procedures and figures for adjusting the mass and residual moments of the control surfaces.

The LBA classified these service bulletins as mandatory and issued German AD 96-270/2 Grob, dated December 5, 1996; German AD 96-270/3, dated December 4, 1997; and German AD 97-143, dated May 22, 1997, in order to assure the continued airworthiness of these airplanes in Germany.

The FAA's Determination

This airplane model is manufactured in Germany 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, the LBA has kept the FAA informed of the situation described above.

The FAA has examined the findings of the LBA; reviewed all available information, including the service bulletins referenced above; 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 Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Grob Models G115C, G115C2, G115D, and G115D2 airplanes of the same type design registered for operation in the United States, the FAA is proposing an AD to supersede AD 96-19-07. The proposed AD would temporarily retain the flight restrictions that are currently required by AD 96-19-07, and would eventually require the inspections and modifications specified in the service information previously referenced, as terminating action for the flight restrictions.

Cost Impact

The FAA estimates that 23 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 40 workhours (modification: 36 workhours; inspection: 4 workhours) per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Grob will provide parts free of charge as part of its

warranty program. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$55,200, or \$2,400 per airplane.

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 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) 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 has been placed 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 removing Airworthiness Directive (AD) 96-19-07, Amendment 39-9765 (61 FR 49250, September 19, 1996), and adding a new AD to read as follows:

Burkhart Grob Luft-und Raumfahrt: Docket No. 98-CE-24-AD; Supersedes AD 96-19-07, Amendment 39-9765.

Applicability: Model G115C, G115C2, G115D, and G115D2 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 as indicated in the body of this AD, unless already accomplished.

To prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers, accomplish the following:

(a) For all serial numbered airplanes, prior to further flight after September 26, 1996 (the effective date of AD 96-19-07), accomplish the following:

(1) Install, on the limitation placard at the left-hand cabin wall, the airspeed placard that is included with Grob Service Bulletin No. 1078-59/2, dated September 2, 1996. This placard reduces the maximum airspeed to 296 kilometers per hour (km/h); equal to 160 knots per hour.

(2) Modify the airspeed indicator glass by accomplishing the following:

(i) Place a red radial line on the indicator glass at 296 km/h (160 knots). The minimum dimensions for this radial line are 0.05-inch in width and 0.30-inch in length.

(ii) Place a white 0.05-inch minimum width slippage index mark that connects both the instrument glass and bezel. This slippage index mark shall not obscure any airspeed markings.

(3) Install, near the airspeed indicator, the red placard included with Grob Service Bulletin No. 1078-59/2 that has the words: "Aerobatic maneuvers are prohibited."

(4) Insert a copy of this AD into the Limitations Section of the airplane flight manual.

Note 2: The actions of paragraph (a), including all subparagraphs, is the same as that required by AD 96-19-07, which is superseded by this action. These requirements are being temporarily retained in this AD to provide a grace period for accomplishing the other actions required by this AD.

(b) Within the next 200 hours time-in-service (TIS) after the effective date of this AD, accomplish the following:

(1) For all serial numbered airplanes, inspect the nose wheel steering, the sliding canopy and canopy locking mechanism, the attachment of the horizontal stabilizer, the elevator installation, the vertical stabilizer, the rudder installation, and the weights and residual moments of the control surfaces in accordance with the instructions in Grob Service Bulletin No. 1078-59/3, dated October 24, 1996. Prior to further flight, repair any discrepancies in accordance with the above-referenced service bulletin.

(2) For airplanes incorporating a serial number in the range of 82001 through 82077, replace the elevator hinges with parts of improved design in accordance with Grob Installation Instructions 1078-64, dated December 11, 1996, as specified in both Grob Service Bulletin No. 1078-64/2, dated April 8, 1997; and Grob Service Bulletin No. 1078-64, dated December 11, 1996.

(3) For airplanes incorporating a serial number in the range of 82001 through 82077, after accomplishing the replacement required by paragraph (b)(2) of this AD, adjust the mass and residual moments in accordance with Grob Service Bulletin No. 1078-66, dated February 10, 1997.

(c) Accomplishing the actions required by paragraphs (b)(1), (b)(2), and (b)(3) of this AD eliminates the placard and flight restriction requirements of paragraph (a), including all subparagraphs, of this AD.

(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 times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

(2) Alternative methods of compliance approved in accordance with AD 96-19-07 are not considered approved as alternative methods of compliance for this AD.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(f) Questions or technical information related to service information previously referenced should be directed to Burkhardt Grob Luft-und Raumfahrt, D-8939 Mattsies, Germany. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment supersedes AD 96-19-07, mendment 39-9765.

Note 4: The subject of this AD is addressed in German AD 96-270/2, dated December 5, 1996; German AD 96-270/3, dated December 4, 1997; and German AD 97-143, dated May 22, 1997.

Issued in Kansas City, Missouri, on March 2, 1998.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-5796 Filed 3-5-98; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 200, 240, 249

[Release No. 34-39704; File Nos. S7-30-97; S7-31-97; S7-32-97]

RIN 3235-AH16, 3235-AG18, 3235-AH29

OTC Derivatives Dealers, Net Capital Rule

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rule; concept release; extension of comment period.

SUMMARY: The Securities and Exchange Commission ("Commission") is extending the comment periods for two releases proposing rules and rule amendments under the Securities Exchange Act of 1934 (Release Nos. 34-39454 and 34-39455) and one concept release (Release No. 34-39456), which were published in the **Federal Register** on December 30, 1997. The comment period for Release No. 34-39454, concerning OTC derivatives dealers, is being extended to April 6, 1998. The comment period for Release No. 34-39455, concerning the treatment under the Commission's net capital rule of certain interest rate instruments, is being extended to May 4, 1998. The comment period for Release No. 34-39456, addressing the use of statistical models in setting the capital requirements for a broker-dealer's proprietary positions, is being extended to May 4, 1998.

DATES: Comments should be received on or before April 6, 1998 with respect to Release No. 34-39454 (62 FR 67940) (OTC Derivatives Dealers). Comments should be received on or before May 4, 1998 with respect to Release Nos. 34-39455 (62 FR 67996) (Net Capital Rule—Interest Rate Instruments) and 34-39456 (62 FR 68011) (Net Capital Rule—Concept Release).

ADDRESSES: Comments should be submitted in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Comments may also be submitted electronically at the following E-mail address: rule-comments@sec.gov. Comment letters should refer to File No. S7-30-97 for Release No. 34-39454 (OTC Derivatives Dealers); File No. S7-31-97 for Release No. 34-39455 (Net Capital Rule—Interest Rate Instruments); and File No. S7-32-97 for Release No. 34-39456 (Net Capital Rule—Concept Release). The file numbers should be included on the subject line if E-mail is used. Comment letters received will be available for