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**Note 3:** The subject of this AD is addressed in the British airworthiness directive 007-11-95.

(e) This amendment becomes effective on March 30, 1998.

Issued in Renton, Washington, on March 5, 1998.

**Darrell M. Pederson,**

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

[FR Doc. 98-6331 Filed 3-12-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-269-AD; Amendment 39-10388; AD 98-06-11]

RIN 2120-AA64

#### Airworthiness Directives; de Havilland Model DHC-8-100 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain de Havilland Model DHC-8-100 series airplanes, that requires a one-time visual inspection to determine the presence of block seals on the upper portions of the cabin/baggage compartment bulkheads, and installation of a new or serviceable block seal for any missing block seal. This amendment is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent smoke contamination of the passenger and crew cabins, in the event of fire or smoke in the baggage compartment, due to a direct smoke path between the baggage compartment and the cabins.

**DATES:** Effective April 17, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 17, 1998.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada

M3K 1Y5. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Anthony Gallo, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7510; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain de Havilland Model DHC-8-100 series airplanes was published in the **Federal Register** on January 5, 1998 (63 FR 172). That action proposed to require a one-time visual inspection to determine the presence of block seals on the upper portions of the cabin/baggage compartment bulkheads, and installation of a new or serviceable block seal for any missing block seal.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

#### Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 20 de Havilland Model DHC-8-100 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$1,200, or \$60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

#### 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

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:

**98-06-11 De Havilland Inc.:** Amendment 39-10388. Docket 97-NM-269-AD.

**Applicability:** Model DHC-8-100 series airplanes; serial numbers 191, and 225 through 307 inclusive; 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 smoke contamination in the passenger and crew cabins, in the event of fire or smoke in the baggage compartment, due to a direct smoke path between the baggage compartment and the cabins, accomplish the following:

(a) Within 4 months after the effective date of this AD, perform a one-time visual inspection to determine the presence of block seals on the upper portions of the right-and left-hand cabin/baggage compartment bulkheads; and, prior to further flight, for any missing block seal, install a new or serviceable block seal; in accordance with Bombardier Service Bulletin S.B. 8-25-80, Revision 'A', dated July 5, 1993.

(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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. 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.

(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.

(d) The actions shall be done in accordance with Bombardier Service Bulletin S.B. 8-25-80, Revision 'A', dated July 5, 1993. 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 Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. Copies may be inspected 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, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 3:** The subject of this AD is addressed in Canadian airworthiness directive CF-92-16, dated June 26, 1992.

(e) This amendment becomes effective on April 17, 1998.

Issued in Renton, Washington, on March 5, 1998.

**Darrell M. Pederson,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-33-AD; Amendment 39-10390; AD 98-06-12]

RIN 2120-AA64

#### **Airworthiness Directives; Eurocopter France Model AS-350B, BA, B1, B2, and D Helicopters, and Model AS 355E, F, F1, F2, and N Helicopters**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to Eurocopter France Model AS-350B, BA, B1, B2, and D helicopters, and Model AS 355E, F, F1, F2, and N helicopters. This action requires replacing certain tailboom attachment bolts located above the cargo compartment floor. This amendment is prompted by two reports of attachment bolts' strength properties not meeting design specifications during manufacture. The actions specified in this AD are intended to identify and remove the weaker bolts and to prevent the separation of the tailboom from the helicopter, and subsequent loss of control of the helicopter.

**DATES:** Effective March 30, 1998. Comments for inclusion in the Rules Docket must be received on or before May 12, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-33-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Mathias, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5123, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** The Direction Generale De L'Aviation Civile (DGAC) which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may

exist on Eurocopter France Model AS-350B, BA, B1, B2, and D helicopters, and Model AS 355E, F, F1, F2, and N helicopters. The DGAC advises that due to the discovery of the installation of tailboom attachment bolts in the affected model helicopters which do not meet metallurgical design requirements, replacement of certain attachment bolts is required within 100 flying hours.

Eurocopter France has issued Eurocopter France Service Telex No. 00031/00153/97, dated June 2, 1997 (Eurocopter France AS 350 Service Telex No. 01.00.46 and Eurocopter France AS 355 Service Telex No. 01.00.43), which specifies checking the marking on the heads of the 23 attachment bolts of the tailboom-to-aircraft junction located above the baggage compartment floor, and scrapping all attachment bolts that are marked with the letter "M" above the designation "BC"; and, replacing the unairworthy attachment bolts with airworthy attachment bolts, in accordance with the special instructions given in Maintenance Manual (MET) work card 53.00.00.402, paragraph 4. Replacement bolts must be marked with a symbol other than the letter "M". The DGAC classified this service telex as mandatory and issued DGAC AD 97-147-072(AB), and AD 97-146-054(AB), both dated July 16, 1997, in order to assure the continued airworthiness of these helicopters in France.

This helicopter model is manufactured in France 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter France Model AS-350B, BA, B1, B2, and D helicopters, and Model AS 355E, F, F1, F2, and N helicopters of the same type design registered in the United States, this AD is being issued to require the removal of understrength tailboom attachment bolts to prevent separation of the tailboom, and subsequent loss of control of the helicopter. This AD requires removal and replacement of certain tailboom attachment bolts within 10 hours time-in-service for