

the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

### Cost Impact

The FAA estimates that 4 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per sailplane to accomplish this inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$240 or \$60 per sailplane.

### 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 copy of the final 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, 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 a new airworthiness directive (AD) to read as follows:

**98-09-14 Diamond Aircraft Industries:**  
Amendment 39-10495; Docket No. 97-CE-132-AD.

**Applicability:** Model HK 36 TTS and HK 36 TTC sailplanes, all serial numbers, certificated in any category, that are equipped with Bombardier ROTAX 914 F series engines, serial numbers 4,420.011 through 4,420.058.

**Note 1:** This AD applies to each sailplane 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 sailplanes 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 (d) 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 within the next 10 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent possible loss of engine power, which could result in possible loss of control of the sailplane, accomplish the following:

(a) Inspect the Bombardier ROTAX engine's turbocharger oil-pressure line for a banjo bolt with a valve seat, part number (P/N) 941 782 (or an FAA-approved equivalent part number), in accordance with the Instructions section of Bombardier ROTAX Technical Bulletin No. 914-04, dated August, 1997.

**Note 2:** An incorrect banjo bolt would have a built-in orifice, instead of a valve seat.

(b) If an incorrect banjo bolt is installed, prior to further flight, replace the banjo bolt with one that has P/N 941 782 (or an FAA-approved equivalent part number), and repair or replace the turbocharger in accordance with the Instructions section of Bombardier ROTAX Technical Bulletin No. 914-04, dated August, 1997.

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

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. 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.

**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.

(e) Questions or technical information related to Bombardier ROTAX Technical Bulletin No. 914-04, dated August 1997, should be directed to Diamond Aircraft Industries, G.m.b.H., N.A. Otto-Strabe 5, A-2700, Wiener Neustadt, Austria. 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.

(f) The inspection and replacement required by this AD shall be done in accordance with Bombardier ROTAX Technical Bulletin No. 914-04, dated August, 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 Diamond Aircraft Industries, G.m.b.H., N.A. Otto-Strabe 5, A-2700, Wiener Neustadt, Austria. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**Note 4:** The subject of this AD is addressed in Austrian AD No. 90, undated.

(g) This amendment becomes effective on June 14, 1998.

Issued in Kansas City, Missouri, on April 17, 1998.

**James A. Jackson,**

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

[FR Doc. 98-11008 Filed 4-27-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. 97-CE-104-AD; Amendment 39-10494; AD 98-09-13]

RIN 2120-AA64

### Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASK 21 Sailplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Alexander Schleicher Segelflugzeugbau (Alexander Schleicher) Model ASK 21 sailplanes. This AD requires inspecting the S-shaped rudder pedal tube for displacement, and correcting any displacement of the plastic tube. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to prevent rudder control jamming, which

could result in loss of directional control of the sailplane.

**DATES:** Effective June 14, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 14, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from Alexander Schleicher, Segelflugzeugbau, 6416 Poppenhausen, Wasserkuppe, Federal Republic of Germany; telephone: 49.6658.890 or 49.6658.8920; facsimile: 49.6658.8923 or 49.6658.8940. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-104-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. J. Mike Kiesov, Project Officer, Sailplanes/Gliders, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

#### **SUPPLEMENTARY INFORMATION:**

#### **Events Leading to the Issuance of This AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Alexander Schleicher Model ASK 21 sailplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on February 12, 1998 (63 FR 7082). The NPRM proposed to require inspecting the plastic S-shaped rudder pedal tube for displacement. If the rudder tube is displaced, the proposed action would require correcting the placement of the plastic S-shaped rudder pedal tube. Accomplishment of the proposed inspection would be in accordance with the Action sections 1.1, 1.2, and 1.3 of Alexander Schleicher Technical Note No. 20, dated October 16, 1987.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

#### **The FAA's Determination**

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

#### **Compliance Time of This AD**

This action, the German AD, and Alexander Schleicher Technical Note No. 20, dated October 16, 1987, differ on compliance time. The German AD and the technical note require that the inspection for displacement of the plastic tube be accomplished prior to further flight.

The FAA is requiring a calendar compliance time instead of hours time-in-service (TIS) because the average monthly usage of the affected sailplanes varies throughout the fleet. For example, one owner may operate the sailplane 25 hours TIS in one week, while another operator may operate the sailplane 25 hours TIS in one year. In order to ensure that all of the affected sailplanes have been inspected for displacement of the plastic S-shaped rudder tube and any displacement has been corrected within a reasonable amount of time, the FAA is requiring a compliance time of 6 calendar months.

#### **Cost Impact**

The FAA estimates that 30 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 2 workhours per sailplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$5 (for glue) per sailplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$3,750, or \$125 per sailplane.

#### **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 copy of the final 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, 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 a new airworthiness directive (AD) to read as follows:

#### **98-09-13 Alexander Schleicher**

**Segelflugzeugbau:** Amendment 39-10494; Docket No. 97-CE-104-AD.

**Applicability:** Model ASK 21 sailplanes, serial numbers 21001 through 21345, certificated in any category.

**Note 1:** This AD applies to each sailplane 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 sailplanes 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 (d) 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 within the next 6 calendar months after the effective date of this AD, unless already accomplished.

To prevent rudder control jamming, which could result in loss of directional control of the sailplane, accomplish the following:

(a) Inspect the plastic S-shaped rudder pedal tube for displacement in accordance with the Actions sections 1.1, 1.2, and 1.3 of

Alexander Schleicher Technical Note No. 20, dated October 16, 1987.

(b) If there is any displacement of the plastic S-shaped rudder pedal tube, prior to further flight, correct the placement in accordance with the Actions sections 1.1, 1.2, and 1.3 of Alexander Schleicher Technical Note No. 20, dated October 16, 1987.

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

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106. 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.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) Questions or technical information related to Alexander Schleicher Technical Note No. 20, dated October 16, 1987, should be directed to Alexander Schleicher, Segelflugzeugbau, 6416 Poppenhausen, Wasserkuppe, Federal Republic of Germany; telephone: 49.6658.890 or 49.6658.8920; facsimile: 49.6658.8923 or 49.6658.8940. 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.

(f) The inspection and correction required by this AD shall be done in accordance with Alexander Schleicher Technical Note No. 20, dated October 16, 1987. 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 Alexander Schleicher, Segelflugzeugbau, 6416 Poppenhausen, Wasserkuppe, Federal Republic of Germany. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, 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 German AD No. 88-2 Schleicher, dated January 18, 1988.

(g) This amendment becomes effective on June 14, 1998.

Issued in Kansas City, Missouri, on April 17, 1998.

**James A. Jackson,**

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

[FR Doc. 98-11006 Filed 4-27-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-68-AD; Amendment 39-10493; AD 98-09-12]

RIN 2120-AA64

#### Airworthiness Directives; Raytheon Aircraft Company Model 1900D Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Model 1900D airplanes (formerly known as Beech Aircraft Corporation Model 1900D airplanes). This AD requires inspecting and repairing the radio switching panel relay printed circuit board (PCB) and the nose avionics wire harnesses, and replacing the existing A017 component PCB with a new A017 component PCB that has internal overcurrent protection fuses. Several reported incidents of lost use of the pilot/co-pilot intercom system, VHF communication system, and public address system while in flight prompted this action. The actions specified by this AD are intended to prevent the loss of the pilot and co-pilot intercom, VHF communications, and passenger address system, which could result in loss of all communication during critical phases of flight.

**DATES:** Effective June 12, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 12, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from Raytheon Aircraft Company, P. O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 625-7043. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-68-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Harvey Nero, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, Room 100, 1801 Airport Rd., Wichita, Kansas 67209; telephone: (316) 946-4137; facsimile: (316) 946-4407.

## SUPPLEMENTARY INFORMATION:

### Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Raytheon Model 1900D airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on January 22, 1998 (63 FR 3278). The NPRM proposed to require inspecting and repairing the radio switching panel relay printed circuit board (PCB) and the nose avionics wire harnesses, and replacing the existing A017 component PCB with a new A017 component PCB that has internal overcurrent protection fuses. Accomplishment of the proposed action as specified in the NPRM would be in accordance with Raytheon Service Bulletin No. 2643, dated August, 1996.

The NPRM was the result of several reported incidents of lost pilot/co-pilot intercom ability, VHF communication ability, and public address system ability while in flight.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the following comment.

The commenter agrees with the proposed action, but states the differences in frequency of flying time of the affected airplanes needs to be taken into account when computing the compliance time. Some of the airplanes may fly as much as 60 hours per week, while others may only fly 3 hours per week. A compliance time of 1,000 hours after the effective date of the AD could, in some cases, not require the operator to comply with the AD for over 2 years. The commenter suggests that a calendar compliance be added to the compliance time to assure that all operators have accomplished the proposed action within a reasonable amount of time.

The FAA partially concurs. Since the proposed action is the result of moisture and corrosion, the electrical parts affected could corrode regardless of whether the airplane is in service. The final rule will reflect a change in the compliance time to assure that the affected airplanes that have a low number of hours in service per year will be in compliance within a reasonable amount of time. Based on this comment, the compliance time will change from "within the next 1,000 hours time-in-service (TIS) after the effective date" to "within the next 1,000 hours TIS or within the next 180 days after the effective date of this AD, whichever occurs first."