

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:

98-10-01 McDonnell Douglas: Amendment 39-10512. Docket 98-NM-131-AD.

Applicability: Model MD-11 series airplanes, manufacturer's fuselage numbers 0447 through 0552 inclusive, and 0554 through 0621 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 (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 loss of airspeed and altitude indications on both primary flight displays in the cockpit and/or loss or degradation of the autopilot functionality, due to installation of incorrect multiplexers in the flight management computer system (FMCS), accomplish the following:

(a) Within 5 days after the effective date of this AD, revise Section 1, page 5-1 of the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD into the AFM.

"Prior to dispatch of the airplane, both Flight Management Computer 1 (FMC-1) and FMC-2 must be installed and operational."

(b) Within 45 days after the effective date of this AD, perform a visual inspection to determine the serial number of the flight management computers (FMC), in accordance with McDonnell Douglas Alert Service Bulletin MD11-34A083, dated April 6, 1998. After this inspection is accomplished, the AFM revision required by paragraph (a) of this AD may be removed from the AFM.

(1) If no affected serial number is found, no further action is required by this paragraph.

(2) If any affected serial number is found, prior to further flight, perform a visual inspection to determine the part number (P/N) of the multiplexer, in accordance with the alert service bulletin. If any affected P/N is found, prior to further flight, modify the multiplexer in accordance with the alert service bulletin.

Note 2: McDonnell Douglas Alert Service Bulletin MD11-34A083, dated April 6, 1998, references Honeywell Service Bulletin 4059050-34-0011, dated March 12, 1998, as an additional source of service information.

(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, Los Angeles 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, Los Angeles ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles 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) Except as provided for in paragraph (a) of this AD, the actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD11-34A083, dated April 6, 1998. 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 The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on May 20, 1998.

Issued in Renton, Washington, on April 28, 1998.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98-11808 Filed 5-4-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AWP-9]

Modification of Class D Airspace; Mountain View, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the Class D surface area at Mountain View, CA by revising the vertical limit within its geographic boundary up to, but not including 2,500 feet MSL, excluding the San Jose (SJC) Class C surface area. A review of airspace classification made this action necessary in order to achieve compliance with criteria stated in FAA Order 7400.2D. This action will ensure that the Class D surface area at Mountain View, CA will be of sufficient size to allow for and contain the safe and efficient handling of operations at Moffett Federal Airfield (NUQ).

EFFECTIVE DATE: 0901 UTC August 13, 1998.

FOR FURTHER INFORMATION CONTACT:

Jeri Carson, Airspace Specialist, Airspace Branch, AWP-520, Air Traffic Division, Western-Pacific Region,

Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6611.

SUPPLEMENTARY INFORMATION:

History

On March 12, 1998, the FAA proposed to amend 14 CFR part 71 by modifying the Class D surface area at Mountain View, CA (63 FR 12043). This action will revise the vertical limit within the current geographic boundary of the Mountain View Class D surface area up to, but not including 2,500 feet MSL, excluding the San Jose (SJC) Class C surface area. This action will achieve compliance with criteria stated in FAA Order 7400.2D by ensuring that the Mountain View Class D surface area is of sufficient size to allow for and contain the safe and efficient handling of operations at Moffett Federal Airfield (NUQ).

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. Class D airspace designations for airspace areas designated as surface areas for airports are published in paragraph 5000 of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 modifies the Class D surface area at Mountain View, CA. A review of airspace classification made it necessary to revise the vertical limit of the Mountain View, CA Class D surface area within its current geographic boundary up to, but not including 2,500 feet MSL, excluding the San Jose (SJC) Class C surface area. The effect of this action will be provision of adequate airspace to allow for and contain the safe and efficient handling of operations at Moffett Federal Airfield (NUQ).

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this—(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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; ROUTES; AND REPORTING POINTS

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

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

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 5000—Subpart D—Class D Airspace

* * * * *

AWP CA D Mountain View, CA [Revised]

Moffett Federal Airfield, CA
(lat. 37°24'55"N, long. 122°02'54"W)
San Jose International Airport, CA
(lat. 37°21'42"N, long. 121°55'43"W)
Palo Alto of Santa Clara County Airport, CA
(lat. 37°27'40"N, long. 122°06'54"W)

That airspace extending upward from the surface to but not including 2,500 feet MSL within a 4.3-mile radius of Moffett Federal Airfield, excluding that airspace within the San Jose, CA, Class C airspace area, and excluding the portion within the Palo Alto of Santa Clara County Airport, CA, Class D airspace area during the specific dates and times it is effective. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Los Angeles, California, on April 22, 1998.

John G. Clancy,

*Acting Manager, Air Traffic Division,
Western-Pacific Region.*

[FR Doc. 98-11856 Filed 5-4-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96-AWP-4]

Establishment of Class E Airspace; Borrego Springs, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a Class E airspace area at Borrego Springs, CA. The establishment of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 25 at Borrego Valley Airport has made this action necessary. Additional controlled airspace extending upward from 700 feet or more above the surface of the earth is needed to contain aircraft executing the GPS RWY 25 SIAP at Borrego Valley Airport. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations Borrego Valley Airport, Borrego Springs, CA.

EFFECTIVE DATES: 0901 UTC August 13, 1998.

FOR FURTHER INFORMATION CONTACT:

Larry Tonish, Airspace Specialist, Airspace Branch, AWP-520, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6539.

SUPPLEMENTARY INFORMATION:

History

On March 9, 1998, the FAA proposed to amend 14 CFR part 71 by establishing a Class E airspace area at Berrego Springs, CA (63 FR 11382). The establishment of a GPS RWY 25 SIAP to Borrego Valley Airport has made this action necessary. Additional controlled airspace extending upward from 700 feet above the surface is needed to contain aircraft executing instrument operations at Borrego Valley Airport. This action will provide adequate controlled airspace for aircraft executing the GPS RWY 25 SIAP at Borrego Valley Airport, Borrego Springs, Ca.

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. Class E airspace designations for airspace extending from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9E dated September 10,