

levers below the flight idle stop while the airplane is in flight.

Comments

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

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Interim Action

This is considered interim action until final action is identified, at which time the FAA may consider further rulemaking.

Cost Impact

The FAA estimates that 10 Mitsubishi Model YS-11 and YS-11A 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 \$600, 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, 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:

98-13-13 Mitsubishi Heavy Industries, Ltd. [Formerly Nihon Aeroplane Manufacturing Company (NMAC)]: Amendment 39-10601. Docket 97-NM-71-AD.

Applicability: All Model YS-11 and YS-11A -200, -300, -500, and -600 series airplanes; 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 loss of airplane controllability or engine overspeed with consequent loss of engine power caused by the power levers being positioned below the flight idle stop while the airplane is in flight, accomplish the following:

(a) Within 30 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statements. This action may be accomplished by inserting a copy of this AD into the AFM.

"Warning: While the airplane is airborne, the LOW STOP lever (flight fine pitch stop) should not be placed in the GROUND position for any reason. Placing the LOW

STOP lever in the GROUND position in flight may lead to loss of airplane control or may result in an engine overspeed condition and consequent loss of engine power."

(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, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Operations Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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) This amendment becomes effective on July 23, 1998.

Issued in Renton, Washington, on June 11, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-16054 Filed 6-17-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-25-AD; Amendment 39-10603; AD 98-13-15]

RIN 2120-AA64

Airworthiness Directives; Dassault Model Mystere-Falcon 200, Fan Jet Falcon, and Mystere-Falcon 20 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Dassault Model Mystere-Falcon 200, Fan Jet Falcon, and Mystere-Falcon 20 series airplanes, that requires repetitive inspections to detect cracks at the attaching holes of the wing-to-fuselage fairings and to ensure tightness of the attaching screws; and repair of any discrepancy. This amendment also requires installation of cupwashers under the vertical seams of the upper fairings. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority.

The actions specified by this AD are intended to prevent loss of the wing-to-fuselage upper fairings during flight, which could result in the fairings impacting the engines or tail sections, and consequent reduced controllability of the airplane.

EFFECTIVE DATE: July 23, 1998.

ADDRESSES: Information pertaining to this amendment may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

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 all Dassault Model Mystere-Falcon 200, Fan Jet Falcon, and Mystere-Falcon 20 series airplanes was published in the **Federal Register** on April 20, 1998 (63 FR 19427). That action proposed to require repetitive inspections to detect cracks at the attaching holes of the wing-to-fuselage fairings and to ensure tightness of the attaching screws; and repair of any discrepancy. That action also proposed to require installation of cupwashers under the vertical seams of the upper fairings.

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 239 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours 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 \$28,680, or \$120 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, 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:

98-13-15 Dassault Aviation: Amendment 39-10603. Docket 98-NM-25-AD.

Applicability: All Model Mystere-Falcon 200, Fan Jet Falcon, and Mystere-Falcon 20 series airplanes; 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 loss of the wing-to-fuselage upper fairings during flight, which could result in the fairings impacting the engines or tail sections, and consequent reduced controllability of the airplane, accomplish the following:

(a) Within 7 months or 330 flight hours after the effective date of this AD, whichever occurs first, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD in accordance with Chapter 53-50-0, dated May 1996, of Fan Jet Falcon Dassault Aviation Maintenance Manual Phase 34, dated June 1997 (for Model Fan Jet Falcon and Mystere-Falcon 20 series airplanes); or Chapter 53, Procedure 731-3 of Mystere-Falcon 200 Dassault Aviation Maintenance Manual, Revision 12, dated April 30, 1996 (for Model Mystere-Falcon 200 series airplanes); as applicable.

(1) Perform an inspection to detect cracks at the attaching holes of the wing-to-fuselage fairings and to ensure tightness of the screws. If any discrepancy is found, prior to further flight, repair. If a repair is not specified in the applicable maintenance manual, prior to further flight, repair in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate. Thereafter, repeat the inspection at intervals not to exceed 6 months or 300 flight hours, whichever occurs first.

(2) Install cupwashers under the vertical seams of the upper fairings.

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

(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.

Note 3: The subject of this AD is addressed in French airworthiness directives 96-092-021(B), dated April 24, 1996; and 96-246-022(B), dated November 6, 1996.

(d) This amendment becomes effective on July 23, 1998.

Issued in Renton, Washington, on June 11, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-16052 Filed 6-17-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-156-AD; Amendment 39-10600; AD 98-13-12]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737, 747, 757, 767, and 777 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 737, 747, 757, 767, and 777 series airplanes. This action requires a one-time inspection to detect discrepancies of the fasteners that connect the pushrods to the rudder pedal assemblies; and corrective actions, if necessary. This amendment is prompted by reports of loose and missing fasteners due to incorrect installation. The actions specified in this AD are intended to prevent loss of rudder control, jamming of the rudder system, uncommanded movement of the rudder system, and consequent reduced controllability of the airplane, due to loose or missing fasteners that connect the pushrods to the rudder pedal assemblies.

DATES: Effective July 6, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of July 6, 1998.

Comments for inclusion in the Rules Docket must be received on or before August 17, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-156-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at

the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: R.C. Jones, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1118; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report from an operator indicating that, on a Boeing Model 737-400 series airplane, during rollout after landing, the captain's right rudder pedal moved to the full travel position when it was pushed. The pedal failed to return to its normal position after it was released even though the rudder remained at the neutral position. Consequently, the first officer used his rudder pedals to control the rudder and the nose wheel steering. Investigation revealed that the forward end of the pushrod on the right rudder pedal was not connected to the rudder pedal assembly. The nut and washer of the pushrod were found in the lower forward compartment. This airplane had accumulated 17,600 total flight hours and 7,900 total flight cycles. A second operator reported that a pilot felt a loose rudder pedal. Investigation revealed that the fastener connecting the pushrod to the rudder pedal assembly was loose.

In addition, on a Boeing Model 737-500 series airplane, a nut that connects the pushrod to the rudder pedal assembly was loose. This airplane had accumulated 3,012 total flight hours and 2,658 total flight cycles. Maintenance inspections of 130 in-service Boeing Model 737 series airplanes revealed four other loose fasteners.

The cause of the loose and missing nuts and bolts has been attributed to incorrect installation of the fasteners that connect the pushrods to the rudder pedal assemblies during manufacture. If the nut is not installed correctly, the bolt can fall out or may be able to move far enough to touch the opposite rudder pedal assembly. These conditions, if not corrected, could result in potential loss of rudder control, jamming of the rudder system, uncommanded movement of the rudder system, and consequent reduced controllability of the airplane.

The rudder pedal assemblies on certain Boeing Model 747, 757, 767, and 777 series airplanes are similar in design to those on the affected Model 737 series airplanes. Therefore, the rudder pedal assemblies on all of these models may have been installed

incorrectly. Consequently, all of these models may be subject to the same unsafe condition.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletins 737-27A1212, 747-27A2368, 757-27A0128, 767-27A0156, and 777-27A0029, all dated March 26, 1998. These alert service bulletins describe procedures for a one-time inspection to detect discrepancies of the fasteners (nuts, bolts, and washers) that connect the forward ends of the pushrods to the rudder pedal assemblies; and corrective actions, if necessary. Corrective actions include tightening nuts and bolts to specified torque limits, installing missing fasteners, and replacing incorrectly installed fasteners with new fasteners.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to prevent loss of rudder control, jamming of the rudder system, uncommanded movement of the rudder system, and consequent reduced controllability of the airplane, due to loose or missing fasteners that connect the pushrods to the rudder pedal assemblies. This AD requires accomplishment of the actions specified in the alert service bulletins described previously. This AD also requires that operators report results of findings of discrepancies to the FAA and to Boeing.

Interim Action

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

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.