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

**Darrell M. Pederson,**

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

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**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.

Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 98–NM–156–AD.'' The postcard will be date stamped and returned to the commenter.

### 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:

**98–13–12 Boeing: Amendment 39–10600. Docket 98–NM–156–AD.**

*Applicability:* Model 737, 747, 757, 767, and 777 series airplanes; as listed in Boeing Alert Service Bulletins 737–27A1212, 747–27A2368, 757–27A0128, 767–27A0156, and 777–27A0029; all dated March 26, 1998; 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 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, accomplish the following:

(a) Within 90 days after the effective date of this AD, perform a one-time inspection to detect discrepancies of the fasteners that connect the forward ends of the pushrods to the rudder pedal assemblies; in accordance with Boeing Alert Service Bulletin 737–27A1212, 747–27A2368, 757–27A0128, 767–27A0156, or 777–27A0029, all dated March 26, 1998, as applicable.

(1) If no discrepancy is detected, no further action is required by this AD.

(2) If any discrepancy is detected, prior to further flight, perform the applicable corrective action in accordance with the applicable alert service bulletin.

(b) Submit a report of inspection findings (discrepant findings only) to the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; fax (425) 227–1181; and to the Boeing Commercial Airplane Group, Attention: Manager, Airline Support, P.O. Box 3707, Seattle, Washington 98124–2207; at the applicable time specified in paragraph (b)(1) or (b)(2) of this AD. The report must include a description of any discrepancy found, the airplane serial number, and the total number of landings and flight hours accumulated on the airplane. Discrepant findings include, but are not limited to, loose or missing fasteners, inadequately torqued fasteners, and fasteners incorrectly installed on the pedal assemblies or pushrod bearing surfaces. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120–0056.

(1) For airplanes on which the inspection is accomplished after the effective date of this AD: Submit the report within 10 days after performing the inspection required by paragraph (a) of this AD.

(2) For airplanes on which the inspection has been accomplished prior to the effective date of this AD: Submit the report within 10 days after the effective date of this AD.

(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, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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) The actions shall be done in accordance with:

- Boeing Alert Service Bulletin 737–27A1212, dated March 26, 1998;
- Boeing Alert Service Bulletin 747–27A2368, dated March 26, 1998;
- Boeing Alert Service Bulletin 757–27A0128, dated March 26, 1998;
- Boeing Alert Service Bulletin 767–27A0156, dated March 26, 1998; or
- Boeing Alert Service Bulletin 777–27A0029, dated March 26, 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–

2207. Copies may be inspected 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.

(f) This amendment becomes effective on July 6, 1998.

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

**Darrell M. Pederson,**

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

[FR Doc. 98–16047 Filed 6–17–98; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

### 32 CFR Parts 204, 318, 352a, and 383

### Administrative Corrections

**AGENCY:** Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This document corrects administrative errors in Department of Defense's published in title 32 of the Code of Federal Regulations.

**EFFECTIVE DATE:** June 18, 1998.

**FOR FURTHER INFORMATION CONTACT:** L.M. Bynum or P. Toppings, 703–697–4111.

**SUPPLEMENTARY INFORMATION:**

**List of Subjects**

*32 CFR Part 204*

Accounting, Armed forces, Government property.

*32 CFR Part 318*

Privacy.

*32 CFR Part 352a and 383*

Organization and functions.

Under the authority of 10 U.S.C. 301, title 32 chapter I, amended as follows:

### PART 204—[AMENDED]

1. The authority citation for 32 CFR part 204 continues to read as follows:

**Authority:** 31 U.S.C. 483a.

**§§ 204.4, 204.6 and 204.8 [Amended]**

2. Footnotes 2–4 in § 204.4(c)(1)(vii) though (ix) and footnotes 5 through 8 in § 204.6(a)(1), (a)(4) and (b)(1)(v) and footnote 9 in § 204.8

### PART 318—[AMENDED]

1. The authority citation for 32 CFR part 318 continues to read as follows:

**Authority:** Pub. L. 93–579, 88 Stat. 1896 (5 U.S.C. 552a).

**§ 218.9 [Amended]**

2. Section 318.9 is amended by redesignating paragraph ''(d)'' as paragraph ''(c)''

### PART 352A—[AMENDED]

1. The authority citation for 32 CFR part 352a continues to read as follows:

**Authority:** 10 U.S.C. 113.

**§ 352a.4 [Amended]**

2. Section 352a.4 is amended by redesignating the second paragraph ''(c)'' as paragraph ''(d)''

### PART 383a—[AMENDED]

1. The authority citation for 32 CFR part 383a continues to read as follows:

**Authority:** 10 U.S.C. 136.

**§ 238a.4 [Amended]**

2. Section 383a.4 is amended by redesignating the second paragraph ''(b)'' as paragraph ''(c)''.

Dated: June 12, 1998.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 98–16174 Filed 6–17–98; 8:45 am]

BILLING CODE 5000–04–M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

### 33 CFR Part 117

**[CGD 08–98–029]**

### Drawbridge Operating Regulation; Ouachita River, Louisiana

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operation of the Union Pacific Railroad vertical lift bridge across the Ouachita River, mile 114.3, near Riverton, Caldwell Parish, Louisiana. This deviation allows the Union Pacific Railroad to close the bridge to navigation from 7 a.m. until 5 p.m. on Monday, June 22, 1998, and Wednesday, June 24, 1998. This temporary deviation is issued to allow for the replacement of rail expansion joints on the vertical lift span.

**DATES:** This deviation is effective from 7 a.m. until 5 p.m. on Monday, June 22, 1998, and Wednesday, June 24, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130–3396, telephone number 504–589–2965.

**SUPPLEMENTARY INFORMATION:** The Union Pacific Railroad vertical lift span bridge across the Ouachita River near Riverton, Caldwell Parish, Louisiana has a vertical clearance of 7 feet above mean high water, elevation 71 feet Mean Sea Level, in the closed-to-navigation position and 57 feet in the open to navigation position. Navigation on the waterway consists primarily of tugs with tows and occasional recreational craft. Presently, the draw opens on signal for the passage of vessels.

The Union Pacific Railroad requested a temporary deviation from the normal operation of the bridge in order to do maintenance work on the bridge. The work consists of replacing the rail expansion joints on the bridge. This work is essential for the continued safe operation of the vertical lift span.

This District Commander has, therefore, issued a deviation from the regulations in 33 CFR 117.5 authorizing the Union Pacific Railroad vertical lift span bridge across the Ouachita River, Louisiana to remain in the closed-to-navigation position from 7 a.m. until 5 p.m. on Monday, June 22, 1998, and Wednesday, June 24, 1998.

Dated: June 10, 1998.

**A.L. Gerfin, Jr.,**

*Captain, U.S. Coast Guard, Commander, 8th Coast Guard Dist. Acting.*

[FR Doc. 98–16237 Filed 6–17–98; 8:45 am]

BILLING CODE 4910–15–M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

### 33 CFR 165

**[COTP Savannah 98–034]**

**RIN Savannah 98–034]**

### Safety Zone; Skull Creek, Hilton Head Island, SC

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on Skull Creek near Hudson's Seafood on Hilton Head Island, South Carolina for a fireworks display on July 4, 1998. The zone is needed to protect personnel and property associated with the storage, preparation, and lauchning of fireworks. Entry into this zone is prohibited unless authorized by the Captain of the Port.

**DATES:** These regulations are effective from 9 p.m. Eastern Daylight Time (EDT) to 10 p.m. on July 4, 1998.