

**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:

**98-13-18 Airbus Industrie:** Amendment 39-10606. Docket 98-NM-75-AD.

**Applicability:** Model A319 series airplanes, manufacturer's serial numbers 578 through 625 inclusive; and Model A321-100 series airplanes, manufacturer's serial numbers 385 through 620 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 non-extension of one or more landing gears, consequent damage to the airplane structure, and possible injury to passengers and crewmembers, accomplish the following:

(a) Within 400 flight hours after the effective date of this AD, accomplish the actions required by paragraphs (a)(1), (a)(2), (a)(3), and (a)(4) of this AD, in accordance with Airbus Industrie A319/A321 All Operator Telex (AOT) 32-15, dated July 1, 1997.

(1) Adjust the landing gear unlocked-stop screw.

(2) Replace the shear pins in the reduction gear box and the landing gear pulley assembly with new or serviceable shear pins.

(3) Inspect the cut-out valve for discrepancies. If any discrepancy to the cut-out valve is detected, accomplish the requirements of paragraphs (a)(3)(i) and (a)(3)(ii) of this AD at the time specified in the AOT.

(i) Replace the cut-out valve with a new or serviceable part within the time specified in the AOT.

(ii) After replacing the cut-out valve, perform a functional test of the normal

extension and retraction of the landing gear and of the free-fall extension system. If any discrepancy is detected during the accomplishment of either of the functional tests, prior to further flight, repair in accordance with the AOT.

(4) Perform an operational test of the gear uplock and door uplock mechanical control system. If any discrepancy is detected during the accomplishment of the operational test, prior to further flight, repair in accordance with the AOT.

(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, 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, 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.

(d) The actions shall be done in accordance with Airbus Industrie A319/A321 All Operator Telex (AOT) 32-15, dated July 1, 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

**Note 3:** The subject of this AD is addressed in French airworthiness directive 97-177-101(B), dated August 13, 1997.

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

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

**Darrell M. Pederson,**

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

[FR Doc. 98-16048 Filed 6-24-98; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 97-CE-86-AD; Amendment 39-10599; AD 98-13-11]

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. This action requires modifying the airplane by incorporating Raytheon Kit No. 129-5200-1, "Ground Fine Switch Installation Kit". This action is the result of design analysis during certification of 5.5 degree approach landings of the Model 1900D airplanes. The actions specified by this AD are intended to prevent a loose or misrigged ground fine switch, which could result in very hard landings causing structural damage to the airplane and possible passenger injury.

**DATES:** Effective August 3, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 3, 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-86-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. Randy Griffith, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, Room 100, 1801 Airport Rd., Wichita, Kansas 67209; telephone: (316) 946-4145; 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 Raytheon Model 1900D

airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on February 2, 1998 (63 FR 3278). The NPRM proposed to require modifying the airplane by incorporating Raytheon Kit No. 129-5200-1, "Ground Fine Switch Installation Kit". Accomplishment of the proposed action as specified in the NPRM would be in accordance with Raytheon Aircraft Mandatory Service Bulletin No. 2714, Issued: June, 1997.

The NPRM was the result of design analysis during certification of 5.5 degree approach landings of the Model 1900D airplanes.

Interested persons have been afforded an opportunity to participate in the making of this amendment. The comments received on the proposed rule have been given due consideration.

The manufacturer, Raytheon Aircraft Company, states that the "Ground Fine Switch Installation Kit" number is wrong. The kit number cited in the NPRM was P129-5200-1. Raytheon states that the "P" in front of the number was used to indicate "prototype" during the approval process. The actual kit number should be 129-5200-1. The FAA concurs and will remove the "P" on all references to Raytheon Kit No. P129-5200-1 in the preamble and body of the AD.

The other comment received was from the Air Line Pilots Association (ALPA). ALPA concurs with the actions in the proposed AD.

#### 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 the corrections mentioned above and minor editorial corrections. The FAA has determined that these 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 271 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 4 workhours per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Raytheon is providing the kit and labor at no cost to the owners/operators under their Warranty Credit program for 12 months after the last day of the month that the manufacturer's service bulletin was issued. If there were no warranty on the parts and labor to accomplish this action, the cost for U.S. operators is

estimated to be \$65,040 or \$240 per airplane. This figure is based on the assumption that no affected operators have accomplished this action.

#### 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:

##### 98-13-11 Raytheon Aircraft Company

(Type Certificate No. A24CE formerly held by the Beech Aircraft Corporation): Amendment 39-10599; Docket No. 97-CE-86-AD.

**Applicability:** Model 1900D airplanes, serial numbers UE-1 through UE-271, 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 within the next 800 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent a loose or misrigged ground fine switch, which could result in very hard landings causing structural damage to the airplane and possible passenger injury, accomplish the following:

(a) Modify the ground idle low pitch stop system on the airplane by incorporating Raytheon "Ground Fine Switch Installation Kit" No. 129-5200-1 in accordance with the Accomplishment Instructions section of Raytheon Aircraft Mandatory Service Bulletin No. 2714, Issued: June, 1997.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), Room 100, 1801 Airport Rd., Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita Aircraft Certification Office.

(d) The modification required by this AD shall be done in accordance with Raytheon Aircraft Mandatory Service Bulletin No. 2714, Issued: June, 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 Raytheon Aircraft Company, P. O. Box 85, Wichita, Kansas 67201-0085. 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.

(e) This amendment becomes effective on August 3, 1998.

Issued in Kansas City, Missouri, on June 10, 1998.

**Michael Gallagher,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-16166 Filed 6-24-98; 8:45 am]

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