

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, 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:

98-14-16 Airbus: Amendment 39-10649. Docket 98-NM-31-AD.

Applicability: Model A300 series airplanes, certificated in any category, as listed below:

B2-1C, all serial numbers;
B2K-3C, all serial numbers;
B2-203, all serial numbers;
B4-203 having manufacturer's serial number 255; and
B4-2C having manufacturer's serial number 256.

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 (e) 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 detect and correct cracking in the forward canted frames, which could result in failure of the forward canted frame, and consequent reduced structural integrity of the airplane, accomplish the following:

(a) Perform an eddy current inspection to detect cracking in the forward canted frame between fuselage frames 47a and 48 from

stringer 41 to stringer 43, in accordance with Airbus Service Bulletin A300-53-0314, dated January 14, 1997; at the time specified in paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this AD, as applicable. If no crack is detected, repeat the inspection thereafter at intervals not to exceed 2,100 flight cycles.

(1) For airplanes that have accumulated less than 11,000 flight cycles as of the effective date of this AD: Perform the inspection prior to the accumulation of 11,000 total flight cycles, or within 2,000 flight cycles after the effective date of this AD, whichever occurs later.

(2) For airplanes that have accumulated 11,000 or more total flight cycles, but less than 14,000 total flight cycles, as of the effective date of this AD: Perform the inspection within 2,000 flight cycles after the effective date of this AD.

(3) For airplanes that have accumulated 14,000 or more total flight cycles as of the effective date of this AD: Perform the inspection within 1,000 flight cycles after the effective date of this AD.

(4) For airplanes on which the forward canted frame has been replaced with a basic frame (A53833393-200, -201, -202, -203, -206, or -207): Perform the inspection prior to the accumulation of 11,000 total flight cycles since the frame replacement date, or within 2,100 flight cycles after the effective date of this AD, whichever occurs later.

(b) Except as provided by paragraph (d) of this AD, if any crack is detected during any inspection required by paragraph (a) of this AD, prior to further flight, accomplish the requirements of either paragraph (b)(1) or (b)(2) of this AD, in accordance with Airbus Service Bulletin A300-53-0314, dated January 14, 1997. Thereafter, inspect in accordance with the requirements of paragraph (c) of this AD.

(1) Replace the forward canted frame with a new forward canted frame. Or

(2) Perform the temporary repair and, within 1,600 flight cycles after accomplishment of the temporary repair, replace the forward canted frame with a new forward canted frame.

(c) Prior to accumulation of 24,600 flight cycles after replacement of the forward canted frame with a new forward canted frame, and thereafter at intervals not to exceed 3,200 flight cycles: Perform an eddy current inspection to detect cracking of the new forward canted frame in accordance with the requirements of paragraph (a) of this AD.

(d) For airplane having manufacturer's serial number 32: If any crack is detected during any inspection required by paragraph (a) of this AD, prior to further flight, repair the crack in accordance with a method approved by either the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, or the Direction Generale de l'Aviation Civile (DGAC) (or its delegated agent).

(e) 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.

(f) 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.

(g) The actions shall be done in accordance with Airbus Service Bulletin A300-53-0314, dated January 14, 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 97-063-214(B), dated February 26, 1997.

(h) This amendment becomes effective on July 24, 1998.

Issued in Renton, Washington, on June 30, 1998.

Vi L. Lipski,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-17954 Filed 7-8-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-03-AD; Amendment 39-10487]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model CL-215-6B11 (CL-415 Variant) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to all Bombardier Model CL-215-6B11 (CL-415 Variant) series airplanes. This amendment requires revising the Airplane Flight Manual (AFM) to provide the flightcrew with procedures to address a temporary loss of battery bus power during engine failure and consequent erroneous indications of hydraulic system

pressure, brake pressure, rudder pressure, and rudder and elevator reversion to manual mode. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to ensure that the flightcrew is advised of the potential hazard associated with a temporary loss of battery bus power during failure of the left engine or the left generator on the left engine and of the procedures necessary to address it.

DATES: Effective October 7, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 7, 1998.

Comments for inclusion in the Rules Docket must be received on or before August 10, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-03-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Rodrigo J. Huete, Flight Test Pilot, Systems and Flight Test Branch, ANE-172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7518; fax (516) 568-2716.

SUPPLEMENTARY INFORMATION: Transport Canada Aviation (TCA), which is the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on all Bombardier Model CL-215-6B11 (CL-415 Variant) series airplanes. TCA advises that the manufacturer discovered a design anomaly in the course of reviewing the differences between the CL-215 and CL-415 variants. This anomaly could result in a temporary loss of battery bus power during failure of the left engine

or the left generator on the left engine and consequent erroneous indications of hydraulic system pressure, brake pressure, rudder pressure, and rudder and elevator reversion to manual mode. If the flightcrew receives such erroneous indications, they would lack appropriate procedures to address them. This condition, if not corrected, could result in the flightcrew taking inappropriate actions which may adversely affect the rudder and elevator control systems.

Explanation of Relevant Service Information

Bombardier (formerly Canadair) has issued Canadair CL-415 Airplane Flight Manual (AFM) Temporary Revision No. 491/9, dated November 30, 1995, which describes procedures to advise the flightcrew of the potential hazard associated with a temporary loss of battery bus power during failure of the left engine or the left generator on the left engine and of the procedures necessary to address it. TCA classified this temporary revision to the AFM as mandatory and issued Canadian airworthiness directive CF-96-02, dated January 25, 1996, in order to assure the continued airworthiness of these airplanes in Canada.

FAA's Conclusions

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, TCA has kept the FAA informed of the situation described above. The FAA has examined the findings of TCA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to ensure that the flightcrew is advised of the potential hazard associated with a temporary loss of battery bus power during failure of the left engine or the left generator on the left engine and of the procedures necessary to address it. This AD requires revising the Limitations and Emergency Procedures Sections of the AFM by incorporating the previously described temporary AFM revision to provide the flightcrew

with procedures to address erroneous indications of hydraulic system pressure, brake pressure, rudder pressure, and rudder and elevator reversion to manual mode during engine failure.

Cost Impact

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 1 work hour to accomplish the required AFM revision, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$60 per airplane.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. The requirements of this direct final rule address an unsafe condition identified by a foreign civil airworthiness authority and do not impose a significant burden on any operator. In accordance with 14 CFR 11.17, unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment, is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received; at that time, the AD number will be specified, and the date on which the final rule will become effective will be confirmed. If the FAA does receive, within the comment period, a written adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and 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-03-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 noncontroversial and unlikely to result in adverse or negative comments. For reasons discussed in the preamble, I certify that this regulation (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) if promulgated, 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 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, 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:

Bombardier Inc. (Formerly Canadair):

Amendment 39-10487. Docket 98-NM-03-AD.

Applicability: All Bombardier Model CL-215-6B11 (CL-415 Variant) 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 ensure that the flightcrew is advised of the potential hazard associated with a temporary loss of battery bus power during failure of the left engine or the left generator on the left engine and of the procedures necessary to address it, accomplish the following:

(a) Within 10 days after the effective date of this AD, revise the Limitations and Emergency Procedures Sections of the Canadair CL-415 Airplane Flight Manual (AFM) by inserting a copy of Canadair Temporary Revision No. 491/9, dated November 30, 1995, into the AFM to provide the flightcrew with procedures to address erroneous indications of hydraulic system pressure, brake pressure, rudder pressure, and rudder and elevator reversion to manual mode during engine failure.

Note 2: When the temporary revision has been incorporated into general revisions of the AFM, the general revisions may be inserted into the AFM, provided the information contained in the general revision is identical to that specified in Canadair Temporary Revision No. 491/9.

(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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Manager, New York ACO.

(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 AFM revision shall be done in accordance with Canadair CL-415 Airplane Flight Manual Temporary Revision No. 491/9, dated November 30, 1995. 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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centreville, Montreal, Quebec H3C 3G9, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; 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 Canadian airworthiness directive CF-96-02, dated January 25, 1996.

(e) This amendment becomes effective on October 7, 1998.

Issued in Renton, Washington, on May 14, 1998.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-13404 Filed 7-8-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AWP-2]

Modification of Class E Airspace; Porterville, CA; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.