(a) Prior to the accumulation of 3,000 total flight hours, or within 300 flight hours after the effective date of this AD, whichever occurs later: Perform tests to detect internal leakage of hydraulic fluid within the hydraulic components of the ground spoiler system and to detect a buildup of pressure in the return line of the bypass valve, in accordance with Dornier Service Bulletin SB–328–29–220, dated May 20, 1997, or Dornier Service Bulletin SB–328–29–220, Revision 1, dated May 4, 1998.

(1) If no discrepancy is detected, repeat the tests thereafter at intervals not to exceed 3,000 flight hours, until accomplishment of the replacement required by paragraph (c) of this AD.

(2) If any discrepancy is detected, prior to further flight, accomplish the replacement required by paragraph (c) of this AD.

(b) Install additional hydraulic lines and an additional hydraulic shutoff valve in the ground spoiler system, in accordance with Dornier Service Bulletin SB–328–29–237, Revision 1, dated December 17, 1997, at the applicable time specified in either paragraph (b)(1) or (b)(2) of this AD.

(1) For airplanes having serial numbers up to and including 3086, equipped with ground spoiler actuator, part number 1059A0000–02: Install within 12 months after the effective date of this AD.

(2) For airplanes having serial numbers up to and including 3086, and equipped with ground spoiler actuator, part number 1059A0000–03: Install within 7 days after the effective date of this AD.

(c) Replace the relief restrictor valves of the ground spoiler system, part number ZRV87–2, with a redesigned valve having part number ZRV87–3, in accordance with Dornier Service Bulletin SB–328–27–243, Revision 1, dated December 18, 1997, at the applicable time specified in either paragraph (c)(1) or (c)(2) of this AD. Accomplishment of this replacement constitutes terminating action for the repetitive tests required by paragraph (a) of this AD.

(1) For airplanes having serial numbers up to and including 3098, equipped with ground spoiler actuator, part number 1059A0000–02: Replace within 12 months after the effective date of this AD.

(2) For airplanes having serial numbers up to and including 3098, equipped with ground spoiler actuator, part number 1059A0000–03: Replace within 7 days after the effective date of this AD.

(d) Replace the valve block of the ground spoiler system with a new part, in accordance with Dornier Service Bulletin SB–328–27–228, Revision 1, dated December 18, 1997, at the applicable time specified in either paragraph (d)(1) or (d)(2) of this AD.

(1) For airplanes having serial numbers up to and including 3095, equipped with ground spoiler actuator, part number 1059A0000–02: Replace within 12 months after the effective date of this AD.

(2) For airplanes having serial numbers up to and including 3095, equipped with ground spoiler actuator, part number 1059A0000–03: Replace within 7 days after the effective date of this AD.

(e) As of the effective date of this AD, no person shall install on the ground spoiler system of any airplane, a valve block, part number 1060A0000–05, or a relief restrictor valve, part number ZRV87–2.

(f) 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.

(g) Special flight permits may be issued in accordance with §§ 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 German airworthiness directives 97–189, dated June 19, 1997; 1998–031, dated January 15, 1998; 1998–046, dated January 29, 1998; and 1997–331/2, dated March 12, 1998.

Issued in Renton, Washington, on July 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–19458 Filed 7–21–98; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–CE–20–AD]

RIN 2120–AA64

Airworthiness Directives; Mooney Aircraft Corporation Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Mooney Aircraft Corporation (Mooney) Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R airplanes. The proposed AD would require repetitively inspecting the aileron control link welded area, and if cracks are found, replacing the control link with a part of improved design. Service difficulty reports (SDR's) on the aileron control link and reported failures of the aileron control link prompted the proposed action. The actions specified by the proposed AD are intended to detect and correct cracked aileron control links, which could result in loss of aileron control and loss of the airplane.

DATES: Comments must be received on or before September 30, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98–CE–20–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas, 78028. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Bob D. May, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150; telephone: (817) 222–5156; facsimile: (817) 222–5960.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 98–CE–20–AD.'' The

postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98–CE–20–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received several SDR's from the field on the failure of the aileron center control link during flight and on the ground for the Mooney M20 series airplanes. These failures are occurring in the heat-affected zones of the weld joints at the 90-degree corners of the assemblies. In 1994, the airplane design was changed to incorporate a reinforcing gusset in the corner joints. This design change was accomplished as field repair or rework and was found not to be a practical alteration of the part. Since then, the manufacturer has designed an improved part.

Relevant Service Information

Mooney Aircraft Corporation has issued Engineering Design Service Bulletin No. M20–264, dated February 1, 1998, which specifies procedures for inspecting for a reinforcing gusset or cracks in the aileron control link at the second 90-degree angled joint from the Heim bearing. If the gusset is found, then no further action is required. If no gusset is found, the service information specifies procedures for repetitively inspecting (using a magnetic particle method) for cracks at the second 90-degree angled joint, and if cracks are found, replacing the aileron control link with one of improved design. The installation of the improved part is considered a terminating action to the repetitive inspections. If no cracks are found, the service information specifies repetitively inspecting the area until cracks are found, and then replacing the aileron control link with a part of improved design.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to detect and correct cracked aileron control links, which could result in loss of aileron control and loss of the airplane.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Mooney Model M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R airplanes of the same type design, the proposed AD would require inspecting the aileron control link for a reinforcing gusset, and if there is no gusset, repetitively inspecting the aileron control links (left-hand and right-hand) for cracks using a magnetic particle method. If a crack is found, the proposed AD would require replacing the aileron control links with parts of improved design. Replacing the aileron control link would be considered a terminating action for the repetitive inspections. Accomplishment of the proposed actions would be required in accordance with the previously referenced service information.

Cost Impact

The FAA estimates that 7,500 airplanes in the U.S. registry would be affected by the proposed initial inspections, that it would take approximately 2 workhours per airplane to accomplish the proposed initial inspection, and that the average labor rate is approximately $60 an hour. Based on these figures, the total cost impact of the proposed initial inspection specified in the proposed AD on U.S. operators is estimated to be $900,000, or $120 per airplane.

The FAA has no way of determining the number of repetitive inspections that would be incurred over the life of the airplane or whether a cracked part would be found as the result of the proposed initial inspection. Therefore, these actions are not figured into the initial total cost impact estimated for the proposed AD.

Regulatory Impact

The regulations proposed herein would 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 proposal would 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) 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 the draft regulatory evaluation prepared for this action has been placed 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, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Mooney Aircraft Corporation: Docket No. 98–CE–20–AD.

Applicability: The following airplane models and serial numbers, certificated in any category.

Models	Serial numbers
M20B	all serial numbers
M20C	all serial numbers
M20D	all serial numbers
M20E	all serial numbers
M20F	all serial numbers
M20G	all serial numbers
M20L	all serial numbers
Model M20J	24–0001 through 24–3359
Model M20K	25–0001 through 25–1999
Model 20M ..	27–0001 through 27–0197
Model M20R	29–0001 through 29–0042

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 (d) 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 in the body of this AD, unless already accomplished.

To detect and correct cracked aileron control links, which could result in loss of

aileron control and loss of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, visually inspect the aileron control links (left-hand and right-hand) at the second 90-degree angle joint from the second Heim bearing for a reinforcement gusset in accordance with the Instructions section of Engineering Design Service Bulletin (SB) No. M20–264, Issue Date:

February 1, 1998.

(1) If a reinforcement gusset is found, no further action is required.

(2) If a reinforcement gusset is not found, prior to further flight, inspect the aileron control links, using a magnetic particle method, for any cracks in accordance with the Instructions section of Engineering Design SB No. M20–264, Issue Date: February 1, 1998.

(i) If cracks are found, prior to further flight, replace the aileron control link with a part of improved design in accordance with the Instructions section of Engineering Design SB No. M20–264, Issue Date: February 1, 1998.

(ii) If no cracks are found, re-inspect for cracks at intervals not to exceed 100 hours TIS in accordance with the Instructions section of Engineering Design SB No. M20–264, Issue Date: February 1, 1998. If cracks are found during any inspection required by paragraphs (a)(2) and (a)(2)(ii) of this AD, prior to further flight, replace the aileron control link with a part of improved design in accordance with the Instructions section of Engineering Design SB No. M20–264, Issue Date: February 1, 1998.

(b) Replacing the aileron control link in accordance with Engineering Design SB No. M20–264, Issue Date: February 1, 1998, is considered a terminating action for the repetitive inspections required in paragraph (a)(2)(ii) of this AD and may be accomplished at any time.

(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) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Fort Worth Airplane Certification Office (ACO), 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas, 78028; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on July 16, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–19486 Filed 7–21–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD 13–98–023]

RIN 2115–AE84

Regulated Navigation Area; Strait of Juan de Fuca and Adjacent Coastal Waters of Washington; Makah Whale Hunting

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard, after consultation with the Department of Justice, Department of Interior and the Department of Commerce, proposes to establish a permanent regulated navigation area along the northwest Washington coast and in a portion of the entrance of the Strait of Juan de Fuca. The regulated navigation area would be used to reduce the danger of life and property in the vicinity of Makah whale hunting activities. Within the regulated navigation area a moving exclusionary zone around the Makah hunting vessel would be created for the duration of each hunt.

DATES: Comments must reach the Coast Guard on or before September 8, 1998.

ADDRESSES: You may mail comments to the Commander(m), Thirteenth Coast Guard District, 915 Second Avenue, Seattle, WA 98174, or deliver them to room 3506 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is 206–220–7210.

The Thirteenth Coast Guard District Marine Safety Division maintains the public docket for this rulemaking. Comments, and documents as indicated in this preamble, will become part of this docket and will be available for inspection or copying at room 3506, Thirteenth Coast Guard District Offices, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Chris Woodley (206) 220–7210.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD98–023) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard is establishing a forty-five day comment period for this proposed rule instead of the usual sixty day comment period. The shortened comment period should be sufficient to allow the public to comment on the proposed rule. The shortened comment period is needed so that an effective rule may be put into place by the beginning of the first Makah whale hunt. The Coast Guard will consider all comments received during the comment period. It may change this proposed rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Thirteenth Coast Guard District at the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The United States Government, on behalf of the Makah Tribe, obtained a quota for the Makah Tribe from the International Whaling Commission to kill up to five gray whales annually in the Makah's usual and accustomed fishing area off the northwest coast of Washington and in the entrance of the Strait of Juan de Fuca. The hunts will be accomplished using harpoons and a .50 caliber hunting rifle, fired from a small boat. The Coast Guard proposes this regulated navigation area and moving exclusionary zone to reduce the dangers to persons and vessels in the vicinity of each hunt. The uncertain reactions of a pursued or wounded whale and the inherent dangers in firing a hunting rifle from a pitching and rolling small boat could potentially endanger life and property if persons and vessels are not excluded from the