

## 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 the following new airworthiness directive:

#### British Aerospace Regional Aircraft

[Formerly Jetstream Aircraft Limited; British Aerospace (Commercial Aircraft) Limited]; Docket 98–NM–168–AD.

**Applicability:** Jetstream Model 4101 airplanes, as listed in Jetstream Service Bulletin J41–11–010, dated August 9, 1997; 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 failure of the internal access door latches of the main baggage compartment in the event of an emergency landing, which could delay or impede passenger evacuation due to baggage spilling into the aisle and blocking the emergency exit door, accomplish the following:

(a) Within 30 days after the effective date of this AD, replace the existing load limitation labels in the main baggage compartment with new reduced load limitation labels, in accordance with Jetstream Service Bulletin J41–11–010, dated August 9, 1997.

(b) Modification of the internal access door of the main baggage compartment in accordance with Jetstream Service Bulletin J41–25–020, dated August 9, 1997, constitutes terminating action for the requirements of paragraph (a) 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, 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.

(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.

**Note 3:** The subject of this AD is addressed in British airworthiness directive 004–08–97.

Issued in Renton, Washington, on August 7, 1998.

**Darrell M. Pederson,**

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

[FR Doc. 98–21717 Filed 8–12–98; 8:45 am]

BILLING CODE CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98–NM–173–AD]

RIN 2120–AA64

#### Airworthiness Directives; Dornier Model 328–100 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to all Dornier Model 328–100 series airplanes, that currently requires repetitive visual inspections for signs of fuel leakage on the outer wing beginning with Rib 21 and continuing outward; and corrective action, if necessary. This action would add a requirement for modification of the lower panels of the outer wing area, which would terminate the repetitive inspection requirements. This action also would limit the applicability of the existing AD. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent fuel leakage on the outboard wing, which could result in a fuel explosion and fire.

**DATES:** Comments must be received by September 14, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport

Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–173–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from FAIRCHILD DORNIER, DORNIER Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 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:

##### 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 shall 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 summarizing 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 Number 98–NM–173–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, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No.

98-NM-173-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

### Discussion

On February 4, 1998, the FAA issued AD 98-04-06, amendment 39-10319 (63 FR 6642, February 10, 1998), applicable to all Dornier Model 328-100 series airplanes, to require repetitive visual inspections for signs of fuel leakage of the outer wing beginning with Rib 21 and continuing outward; and corrective action, if necessary. That action was prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The requirements of that AD are intended to prevent fuel leakage on the outboard wing, which could result in a fuel explosion and fire.

### Actions Since Issuance of Previous Rule

In the preamble to AD 98-04-06, the FAA indicated that the actions required by that AD were considered "interim action" and that further rulemaking action was being considered. The FAA now has determined that further rulemaking action is indeed necessary; this AD follows from that determination.

### Explanation of Relevant Service Information

Dornier has issued Service Bulletin SB-328-57-255, dated January 21, 1998, which describes procedures for modification of the lower panels of the outer wing area by adding a drainhole. In case of fuel tank leakage, the drainhole is intended to indicate a fuel leak and prevent fuel accumulation. Accomplishment of the modification would eliminate the need for the repetitive inspections described in Dornier Alert Service Bulletin ASB-328-57-020, dated October 28, 1997 (referred to in the existing AD as the appropriate source of service information for accomplishment of the inspection). In addition, the effectivity of Dornier Service Bulletin SB-328-57-255 is limited to those airplanes on which the modification was not accomplished during production. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, classified this service bulletin as mandatory and issued German airworthiness directive 1998-218, dated May 7, 1998, in order to assure the continued airworthiness of these airplanes in Germany.

### FAA's Conclusions

This airplane model is manufactured in Germany 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, the LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, 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 Proposed 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, the proposed AD would supersede AD 98-04-06 to continue to require a visual inspection for signs of fuel leakage of the outer wings beginning with Rib 21 and continuing outward. The proposed AD also would require accomplishment of the action specified in Dornier Service Bulletin SB-328-57-255, as described previously. Accomplishment of that action would terminate the currently required repetitive inspections. The proposed AD would limit the applicability to those airplanes on which the modification described previously was not accomplished during production.

### Cost Impact

There are approximately 50 airplanes of U.S. registry that would be affected by this proposed AD.

The repetitive inspection that is currently required by AD 98-04-06, and retained in this AD, takes approximately 2 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required inspection on U.S. operators is estimated to be \$6,000, or \$120 per airplane, per inspection cycle.

The new modification that is proposed in this AD action would take approximately 7 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the modification proposed by this AD on U.S. operators is estimated to be \$21,000, or \$420 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of

the current or proposed 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 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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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 removing amendment 39-10319 (63 FR 6642, February 10, 1998), and by adding a new airworthiness directive (AD), to read as follows:

**Dornier Luftfahrt GMBH:** Docket 98-NM-173-AD. Supersedes AD 98-04-06, amendment 39-10319.

**Applicability:** Model 328-100 series airplanes, serial numbers 3005 through 3098 inclusive, excluding serial number 3089; 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)(1) 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 fuel leakage on the outboard wing, which could result in a fuel explosion and fire, accomplish the following:

#### Restatement of Requirements of AD 98-04-06

(a) Within 30 days after February 25, 1998 (the effective date of AD 98-04-06, amendment 39-10319), perform a visual inspection of the left- and right-hand outer wings, beginning with Rib 21 and continuing outward, for signs of fuel leakage, in accordance with Dornier Alert Service Bulletin ASB-328-57-020, dated October 28, 1997. If any sign of fuel leakage is detected, prior to further flight, re-seal the respective fuel tank in accordance with the alert service bulletin. Repeat the inspection at intervals not to exceed 1,500 flight hours or 6 months, whichever occurs first, until the actions required by paragraph (b) of this AD are accomplished.

#### New Requirements of this AD

(b) Within 6 months after the effective date of this AD, drill a drainhole in the lower panels of the left- and right-hand outer wings, in accordance with Dornier Service Bulletin SB-328-57-255, dated January 21, 1998. Accomplishment of the requirements of this paragraph constitutes terminating action for the repetitive inspections required by paragraph (a) of this AD.

(c)(1) 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.

(c)(2) Alternative methods of compliance, approved previously in accordance with AD 98-04-06, amendment 39-10319, are approved as alternative methods of compliance with this AD.

**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.

(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.

**Note 3:** The subject of this AD is addressed in German airworthiness directive 1998-218, dated May 7, 1998.

Issued in Renton, Washington, on August 7, 1998.

**Darrell M. Pederson,**

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

[FR Doc. 98-21716 Filed 8-12-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-187-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to all Airbus Model A300, A310, and A300-600 series airplanes, that currently requires performing a ram air turbine (RAT) extension test; removing and disassembling the RAT uplock mechanism; performing an inspection to detect corrosion of the RAT uplock mechanism, and replacement with a new assembly, if necessary; and cleaning all the parts of the RAT control shaft and its bearing component parts. This action would require modification of the RAT unlocking control unit, which would constitute terminating action for the repetitive tests and inspections. This action also would limit the applicability of the existing AD. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent corrosion of the RAT uplock pin/shaft and needle, which could result in failure of the RAT to deploy and consequent loss of emergency hydraulic power to the flight controls in the event that power is lost in both engines.

**DATES:** Comments must be received by September 14, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation

Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-187-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 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:

##### 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 shall 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 summarizing 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 Number 98-NM-187-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No.