

## 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 39-9853 (61 FR 66892, December 19, 1996) and by adding a new airworthiness directive to read as follows:

**Pratt & Whitney:** Docket No. 95-ANE-57. Supersedes AD 96-25-10, Amendment 39-9853.

**Applicability:** Pratt & Whitney (PW) JT9D-3, -7, -20, -59A, -70A, -7Q, and -7R4 series turbofan engines, installed on but not limited to Airbus A300 and A310 series; Boeing 747 and 767 series; and McDonnell Douglas DC-10 series aircraft.

**Note 1:** This airworthiness directive (AD) applies to each engine 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 engines 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 release of uncontained debris from the turbine exhaust case (TEC) following an internal engine failure, which can result in damage to the aircraft, accomplish the following:

(a) At the next removal of the TEC from the low pressure turbine case "P" flange during a shop visit, but not later than 48 months after the effective date of this AD, accomplish the following:

(1) For PW JT9D-3A, -7, -7A, -7AH, -7H, -7F, -7J, -20, and -20J series turbofan engines, accomplish any one of the following actions:

(i) Install a thicker-walled TEC, with part numbers (P/N's) listed in PW service bulletin (SB) No. 6113, dated April 13, 1993, as applicable; or

(ii) Install a modified TEC that incorporates a containment shield, with P/N's listed in PW SB No. 5907, dated March 27, 1990, as applicable; or

(iii) Install a modified TEC that incorporates a replacement "P" flange and case wall, with P/N's listed in PW SB No. 6118, Revision 3, dated January 10, 1996, or

(iv) Install a modified TEC that incorporates a replacement "P" flange and case wall, with Chromalloy Supplemental Type Certificate (STC) SE00047AT-D, dated October 15, 1996; or

(v) Install a modified TEC that incorporates replacement or modified outer case detail in

accordance with PW SB No. 6320, dated February 5, 1998.

(2) For PW JT9D-7Q and -7Q3 series turbofan engines, accomplish any one of the following actions:

(i) Install a thicker-walled TEC, with P/N's listed in PW SB No. 5977, dated December 14, 1990; or

(ii) Install a modified TEC that incorporates a containment shield, with P/N's listed in PW SB No. 5907, dated March 27, 1990, as applicable; or

(iii) Install a modified TEC that incorporates a replacement "P" flange and case wall, with P/N's listed in PW SB No. 6157, Revision 2, dated January 28, 1998; or

(iv) Install a modified TEC that incorporates a replacement "P" flange and case wall, with Chromalloy STC SE00047AT-D, dated October 15, 1996; or

(v) Install a modified TEC that incorporates replacement or modified outer case detail in accordance with PW SB No. 6320, dated February 5, 1998.

(3) For PW JT9D-59A and -70A series turbofan engines, accomplish one of the following actions:

(i) Install a thicker-walled TEC, with P/N's listed in PW SB No. 6243, dated February 1, 1996; or

(ii) Install a modified TEC that incorporates a containment shield, with P/N's listed in PW SB No. 5907, dated March 27, 1990, as applicable;

(iii) Install a modified TEC that incorporates a replacement "P" flange and case wall, with P/N's listed in PW SB No. 6157, Revision 2, dated January 28, 1998; or

(iv) Install a modified TEC that incorporates a replacement "P" flange and case wall, with Chromalloy STC SE00047AT-D, dated October 15, 1996; or

(v) Install a modified TEC that incorporates replacement or modified outer case detail in accordance with PW SB No. 6320, dated February 5, 1998.

(4) For PW JT9D-7R4D (BG-700 series) turbofan engines, accomplish one of the following actions:

(i) Install a thicker-walled TEC, with P/N's listed in PW SB No. JT9D-7R4-72-479, Revision 1, dated November 12, 1993; or

(ii) Install a modified TEC that incorporates a containment shield, with P/N's listed in PW SB No. JT9D-7R4-72-407, Revision 1, dated August 16, 1990, as applicable; or

(iii) Install a modified TEC that incorporates a replacement "P" flange and case wall, with Chromalloy STC SE00047AT-D, dated October 15, 1996.

(5) For PW JT9D-7R4D (BG-800 series), -7R4D (BG-900 series), -7R4D1 (AI-500 series), -7R4E (BG-800 series), -7R4E (BG-900 series), -7R4E1 (AI-500 series), -7R4E1 (AI-600 series), -7R4E4 (BG-900 series), -7R4G2 (BG-300 series), and -7R4H1 (AI-600 series) turbofan engines, accomplish any one of the following actions:

(i) Install a thicker-walled TEC, with P/N's listed in PW SB No. JT9D-7R4-72-534, dated October 18, 1996; or

(ii) Install a modified TEC that incorporates a containment shield, with P/N's listed in PW SB No. JT9D-7R4-72-466, Revision 2, dated May 10, 1996; or

(iii) Install a modified TEC that incorporates a replacement "P" flange and

case wall, with P/N's listed in PW SB No. JT9D-7R4-72-534, dated October 18, 1996; or

(iv) Install a modified TEC that incorporates a replacement "P" flange and case wall, with Chromalloy STC SE00054AT-D, dated October 19, 1994.

(6) For PW JT9D-7R4D (BG-800 series), -7R4D (BG-900 series), -7R4D1 (AI-500 series), -7R4E (BG-800 series), -7R4E (BG-900 series), -7R4E1 (AI-500 series), -7R4E1 (AI-600 series), -7R4E4 (BG-900 series), -7R4G2 (BG-300 series), and -7R4H1 (AI-600 series) turbofan engines, with TECs that have been modified to incorporate a replacement "P" flange and case wall, in accordance with PW SB No. JT9D-7R4-72-513, Revision 3, dated November 18, 1996, or previous revisions, perform heat treatment of the TECs in accordance with the Accomplishment Instructions of PW SB No. JT9D-7R4-72-534, dated October 18, 1996.

(b) For the purpose of this AD, a shop visit is defined as induction of an engine into the shop for scheduled maintenance.

(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, Engine Certification Office. Operators shall forward their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

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

(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 aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on August 26, 1998.

**Jay J. Pardee,**

*Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 98-23617 Filed 9-1-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-72-AD]

RIN 2120-AA64

#### Airworthiness Directives; Burkhart GROB Luft-und Raumfahrt GmbH Model G 109B Gliders

**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 all Burkhart GROB Luft-und Raumfahrt GmbH (Grob) Model G 109B gliders. The proposed AD would require inspecting the engine mounting frame for paint scratches and damage (abrasions, notches, or chafing); and repairing any paint scratches, and repairing or replacing any engine mounting frame that is found damaged. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by the proposed AD are intended to detect and correct damage to the engine mounting frame, which could result in failure of the engine mount structure with consequent loss of the engine.

**DATES:** Comments must be received on or before October 6, 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-72-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 Grob-Werke GmbH & Co. KG, Unternehmensbereich, Burkhart Grob Flugzeugbau, Flugplatz Mattsies, 86874 Tussenhausen, Germany. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

#### **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-72-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-72-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

##### **Discussion**

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, notified the FAA that an unsafe condition may exist on all Grob G 109B gliders. The LBA reports several incidents of paint scratches and damage (abrasions, notches, or chafing) on the above-referenced gliders. This damage is parallel to tube #3 of the engine mounting frame. The steel spiral of the warm air duct that is running from the heat exchanger to the left-hand carburetor is rubbing on the engine mounting frame and causing this damage.

This condition, if not detected and corrected, could result in failure of the engine mount structure with consequent loss of the engine.

##### **Relevant Service Information**

Grob has issued Service Bulletin TM 817-45, dated July 27, 1995, which specifies procedures for inspecting the engine mounting frame for paint scratches and damage (abrasions, notches, or chafing). This service bulletin also specifies repairing paint scratches; and sending any engine mounting frame that is damaged to the manufacturer for repair.

The LBA classified this service bulletin as mandatory and issued German AD 95-362 Grob, dated September 27, 1995, in order to assure the continued airworthiness of these gliders in Germany.

##### **The FAA's Determination**

This glider 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, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

##### **Explanation of the Provisions of the Proposed AD**

Since an unsafe condition has been identified that is likely to exist or develop in other Grob G 109B gliders of the same type design registered in the United States, the FAA is proposing AD action. The proposed AD would require inspecting the engine mounting frame for paint scratches and damage (abrasions, notches, or chafing); and repairing any paint scratches, and repairing or replacing any engine mounting frame that is found damaged. Accomplishment of the proposed actions would be required in accordance with Grob Service Bulletin TM 817-45, dated July 27, 1995.

##### **Cost Impact**

The FAA estimates that 29 gliders in the U.S. registry would be affected by the proposed inspection, that it would take approximately 2 workhours per airplane to accomplish the proposed inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the proposed inspection on U.S. operators is estimated to be \$3,480, or \$120 per glider.

If damage is found on the engine mounting frame that is beyond certain limits specified in the service information, the FAA estimates that it would take approximately 13 workhours per glider to accomplish the proposed repair or replacement, at an average labor rate of approximately \$60 an hour. Parts cost \$200 for repair and \$750 for replacement. Based on these figures, the total cost impact of the proposed repair, if necessary, is estimated to be \$980 per glider. The total cost impact of the proposed replacement, if necessary, is estimated to be \$1,530 per glider.

##### **Compliance Time of This AD**

Although damage to the engine mounting frame occurs during flight, this unsafe condition is not a result of the number of times the glider is operated. The chance of this situation

occurring is the same for a glider with 10 hours time-in-service (TIS) as it would be for a glider with 500 hours TIS. For this reason, the FAA has determined that a compliance based on calendar time should be utilized in this proposed AD in order to assure that the unsafe condition is addressed on all gliders in a reasonable time period.

### 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:

**Burkhardt GROB Luft-und Raumfahrt GMBH:**  
Docket No. 98-CE-72-AD.

**Applicability:** Model G 109B gliders, all serial numbers, certificated in any category.

**Note 1:** This AD applies to each glider 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 gliders 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 damage to the engine mounting frame, which could result in failure of the engine mount structure with consequent loss of the engine, accomplish the following:

(a) Within the next 3 calendar months after the effective date of this AD, inspect the engine mounting frame for paint scratches and damage (abrasions, notches, or chafing) in accordance with the Action section of Grob Service Bulletin TM 817-45, dated July 27, 1995.

(b) If a paint scratch(es) is found during the inspection required by paragraph (a) of this AD, prior to further flight, remove all flakes and dust from the area, degrease the tube and apply a protective anti-corrosion coat, and shorten the warm air duct or replace it if damaged. Accomplish the warm air duct modification or replacement in accordance with the maintenance manual.

(c) If damage (abrasions, notches, or chafing) is found during the inspection required by paragraph (a) of this AD, and the damage is 0.7 millimeters (mm) or less in depth as specified in paragraph 3(b) of the Action section of Grob Service Bulletin TM 817-45, dated July 27, 1995, prior to further flight, degrease the tube and apply a protective anti-corrosion coat, and shorten the warm air duct or replace it if damaged. Accomplish the warm air duct modification or replacement in accordance with the maintenance manual. Within 6 calendar months after the inspection required by paragraph (a) of this AD, accomplish one of the following:

(1) Send the engine mounting frame to the manufacturer for repair at the address specified in paragraph (g) of this AD and accomplish the warm air duct modification or replacement specified in paragraph (b) of this AD. Do not operate the glider until the part is repaired, sent back, and re-installed on the glider; or

(2) Replace the engine mounting frame with a new part of the same design, or an FAA-approved part that has been inspected in accordance with the requirements of paragraph (a) of this AD and is found free of damage.

(d) If damage (abrasions, notches, or chafing) is found during the inspection required by paragraph (a) of this AD, and the damage is more than 0.7 mm in depth as specified in paragraph 3(c) of the Action

section of Grob Service Bulletin TM 817-45, dated July 27, 1995, prior to further flight, accomplish one of the following:

(1) Send the engine mounting frame to the manufacturer for repair at the address specified in paragraph (g) of this AD and accomplish the warm air duct modification or replacement specified in paragraph (b) of this AD. Do not operate the glider until the part is repaired, sent back, and re-installed on the glider; or

(2) Replace the engine mounting frame with a new part of the same design, or an FAA-approved part that has been inspected in accordance with the requirements of paragraph (a) of this AD and is found free of damage. Accomplish the warm air duct modification or replacement specified in paragraph (b) of this AD

(e) 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.

(f) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(g) Questions or technical information related to Grob Service Bulletin TM 817-45, dated July 27, 1995, should be directed to Grob-Werke GmbH & Co. KG, Unternehmensbereich, Burkhart Grob Flugzeugbau, Flugplatz Mattsies, 86874 Tussenhausen, Germany. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in German AD 95-362 Grob, dated September 27, 1995.

Issued in Kansas City, Missouri, on August 27, 1998.

**James E. Jackson,**

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

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## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 201

[Release No. 34-40364; File No. S7-23-98]

### Rules of Practice

**AGENCY:** Securities and Exchange Commission.