

that it will take approximately 62 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$334,800, or \$3,720 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 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 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:

98-19-22 Airbus: Amendment 39-10763. Docket 98-NM-17-AD.

Applicability: Model A310 and A300-600 series airplanes on which Airbus Modification 6788 has not been accomplished during production; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 detect and correct corrosion at the lower rim area of the fuselage rear pressure bulkhead, which could result in reduced structural integrity of the bulkhead, and consequent decompression of the cabin, accomplish the following:

(a) Within 18 months after the effective date of this AD: Except as provided by paragraph (b) of this AD, perform a visual inspection to detect corrosion of the lower rim area of the aft pressure bulkhead, in accordance with Airbus Service Bulletin A310-53-2092 (for Model A310 series airplanes), dated October 16, 1996, or Revision 01, dated March 11, 1998; or Airbus Service Bulletin A300-53-6066 (for Model A300-600 series airplanes), dated October 16, 1996, or Revision 01, dated March 11, 1998; as applicable. If any discrepancy is found, prior to further flight, repair in accordance with the applicable service bulletin. Thereafter, repeat the inspection at the interval specified in paragraph (a)(1) or (a)(2), as applicable.

(1) For airplanes on which Airbus Service Bulletin A310-53-2036 or A300-53-6017 has not been accomplished: Repeat the inspection at intervals not to exceed 3 years.

(2) For airplanes on which Airbus Service Bulletin A310-53-2036 or A300-53-6017 has been accomplished: Repeat the inspection at intervals not to exceed 5 years.

(b) If any discrepancy is found during an inspection required by paragraph (a) of this AD, and the applicable service bulletin specifies to contact Airbus for appropriate action: Prior to further flight, repair in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate.

(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. 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.

(e) Except as provided by paragraph (b) of this AD, the actions shall be done in accordance with Airbus Service Bulletin A310-53-2092, dated October 16, 1996; Airbus Service Bulletin A310-53-2092, Revision 01, dated March 11, 1998; Airbus Service Bulletin A300-53-6066, dated October 16, 1996; or Airbus Service Bulletin A300-53-6066, Revision 01, dated March 11, 1998; as applicable. 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 97-061-212(B), dated February 26, 1997.

(f) This amendment becomes effective on October 22, 1998.

Issued in Renton, Washington, on September 10, 1998.

Dorenda D. Baker,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-24871 Filed 9-16-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-232-AD; Amendment 39-10765; AD 98-19-24]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 757-200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 757-200 series airplanes, that requires modification of certain passenger doors.

This amendment is prompted by reports that certain passenger doors could not be opened due to the escape slide shelf assembly and escape slide falling onto the girt bar lifting mechanism of the door. The actions specified by this AD are intended to prevent the escape slide shelf assembly and escape slide from falling on the girt bar of a passenger door due to failed rivets of the escape slide shelf assembly, and consequent inability to open the passenger door and to use the escape slide at that door during an emergency evacuation of the airplane.

DATES: Effective October 22, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 22, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Keith Ladderud, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227-2780; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 757-200 series airplanes was published in the **Federal Register** on November 13, 1997 (62 FR 60807). That action proposed to require modification of certain passenger doors.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Four commenters support the proposed rule.

Request To Extend Compliance Time

Several commenters request an extension to the proposed compliance time; two of the commenters suggest that the compliance time be extended to 24 months. One commenter notes that it has a large fleet of affected airplanes and states that, as the manufacturer did not recommend any compliance time, a longer compliance time would not

compromise safety. Another commenter states that its equivalent "C" check interval is 24 months, and requests that the compliance time be extended accordingly. This commenter's own investigation confirms that this problem has never been found on any of its affected airplanes. Yet another commenter expresses concern that the proposed 18-month compliance time would not allow sufficient time for procurement of parts from its supplier.

The FAA does not concur with these requests to extend the compliance time. In developing an appropriate compliance time for this AD, the FAA considered not only the safety implications, but the manufacturer's recommendations, the availability of required parts, and the practical aspect of accomplishing the modification within an interval of time that parallels normal scheduled maintenance for affected operators. The FAA also considered the fact that Boeing Service Bulletin 757-25-0175, Revision 1, dated March 6, 1997 (which is referenced in the proposed AD as one of the appropriate sources of service information for accomplishment of the required actions), has been available to all operators of Boeing Model 757 series airplanes since March 1997. Therefore, the FAA considers that affected operators have had ample time to consider initiating those actions which this AD will require. However, under the provisions of paragraph (c) of the final rule, the FAA may consider requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.

Request To Shorten Compliance Time

One commenter requests that the compliance time be shortened to six months. This commenter states that, since the proposed modification appears to be simple and would not require any complex parts, the 18-month compliance time seems to be excessive.

The FAA does not concur with the commenter's request to reduce the compliance time. After consideration of all the available information, the FAA cannot conclude that a reduction of the proposed compliance time is warranted. As stated previously, in developing an appropriate compliance time, the FAA considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the modifications. To reduce the compliance time of the proposal would necessitate (under the provisions of the Administrative Procedure Act) reissuing the notice, reopening the period for

public comment, considering additional comments received, and eventually issuing a final rule; the time required for that procedure could take several months. In light of this, and in consideration of the amount of time that has already elapsed since issuance of the original notice, the FAA has determined that further delay of this final rule action is not appropriate. However, if additional data are presented that would justify a shorter compliance time, the FAA may consider further rulemaking on this issue.

Request for Additional Inspections or Tests

One commenter requests that the proposed rule be changed to add a rigorous rigging inspection or, even more desirable, an operational test of the escape slide following completion of the modification. This commenter notes that there have been numerous cases where a repair action to an emergency evacuation device has resulted in a mis-rigging of the device.

The FAA does not concur. The FAA has determined, based on review of the relevant service information, that the instructions in Boeing Service Bulletin 757-25-0175 are clear and easily followed, thus minimizing any chance of mis-rigging. In addition, making this requested change would necessitate (under the provisions of the Administrative Procedure Act) reissuing the notice, reopening the period for public comment, considering additional comments received, and eventually issuing the final rule. As stated above, any further delay in issuing this final rule would be inappropriate.

Request To Revise Number of Affected Airplanes

One commenter, the manufacturer, states that there are only 614 airplanes in the worldwide fleet that would be affected by this rule, instead of the 673 airplanes that were originally estimated. The commenter notes that Model 757-200 freighters should not have been counted in the estimate, as those airplanes do not have number 1, 2, or 4 passenger doors. The FAA concurs, and has revised the worldwide fleet number of affected airplanes in the cost impact information, below.

Request to Reference Revision to Service Bulletin

The manufacturer states that it is releasing a new revision to the referenced service bulletin. The FAA has reviewed and approved Boeing Service Bulletin 757-25-0175, Revision 2, dated January 29, 1998. This revision to the service bulletin eliminates a

condition that might result in a passenger door becoming inoperable. Accordingly, the FAA has revised this final rule to reference Revision 2 of the service bulletin as an appropriate source of service information.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 614 Boeing Model 757-200 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 381 airplanes of U.S. registry will be affected by this AD, that it will take approximately 6 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$234 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$226,314, or \$594 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 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 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:

98-19-24 Boeing: Amendment 39-10765. Docket 96-NM-232-AD.

Applicability: Model 757-200 series airplanes, as listed in Boeing Service Bulletin 757-25-0175, Revision 1, dated March 6, 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 inability to open the Number 1, 2, or 4 passenger door and to use the escape slide at that door during an emergency evacuation of the airplane, accomplish the following:

(a) Within 18 months after the effective date of this AD, modify the escape slide shelf assemblies of the Numbers 1, 2, and 4 passenger doors in accordance with Boeing Service Bulletin 757-25-0175, dated May 30, 1996; Boeing Service Bulletin 757-25-0175, Revision 1, dated March 6, 1997; or Boeing Service Bulletin 757-25-0175, Revision 2, dated January 29, 1998.

(b) As of the effective date of this AD, no person shall install an escape slide shelf assembly having part number 416N2400-6 or 416N2400-7 on any airplane.

(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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

(e) The actions shall be done in accordance with Boeing Service Bulletin 757-25-0175, dated May 30, 1996; Boeing Service Bulletin 757-25-0175, Revision 1, dated March 6, 1997; or Boeing Service Bulletin 757-25-0175, Revision 2, dated January 29, 1998. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

(f) This amendment becomes effective on October 22, 1998.

Issued in Renton, Washington, on September 10, 1998.

Dorenda D. Baker,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-24868 Filed 9-16-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-95-AD; Amendment 39-10766; AD 98-19-25]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 777-200 Series Airplanes Equipped With Air Cruisers Evacuation Slide/Rafts

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 777-200 series airplanes, that requires modifying the sliding surface of the door 1 left and door 1 right evacuation slide/rafts. This amendment is