

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

prompted by a report of injuries to evacuees using the slide/raft to exit the airplane; the evacuees were unable to achieve adequate initial sliding speed and adequate momentum to carry them expeditiously down the slide/raft. The actions specified by this AD are intended to prevent evacuee overload of the slide/rafts, and consequent impeded evacuation and injury to the evacuees.

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 777-200 series airplanes was published in the **Federal Register** on September 2, 1997 (62 FR 46221). That action proposed to require modifying the sliding surface of the door 1 left and door 1 right evacuation slide/rafts.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received. One commenter supports the proposed AD and two commenters oppose it.

Request That the AD Not Be Issued

The Air Transport Association (ATA) of America states that one operator has already accomplished the modification according to the manufacturer's service bulletin. That operator opposes the proposed rule and states that all 16 of its Model 777 series airplanes have been modified in accordance with the referenced service bulletins (Boeing Service Bulletin 777-25A0035 and Air Cruisers Company Service Bulletin S.B

777-107-25-02), that no other Model 777 operators are affected by these service bulletins, and that the proposed AD will not have a positive impact on safety. For these reasons, the operator does not consider that it is necessary for the FAA to issue the proposed AD.

Another commenter, the manufacturer, states that the proposed AD is not warranted. That commenter advises that it is committed to ensuring the safety of Model 777 series airplanes and has worked aggressively with the affected operators to accomplish the door 1 slide/raft modifications at the earliest possible date. In a letter dated October 15, 1997, the commenter states that 107 slide/rafts out of 113 were modified, only 6 remain unmodified, and none of the unmodified slide/rafts are owned by a U.S. operator. However, in a letter dated October 23, 1997, the commenter states that 104 slide/rafts have been modified and only 9 slide/rafts remain unmodified. Upon inquiry about the correct number of slide/rafts, the FAA was informed by the commenter that the correct numbers were cited in the October 15 letter. That commenter also states that it will continue its efforts to modify the remaining slide/rafts as soon as possible.

The FAA does not concur that issuance of the rule is unnecessary or that it would not have a positive impact on safety, even though the FAA has received information indicating that most of the modifications required by the AD have been accomplished. In accordance with various bilateral airworthiness agreements with countries around the world, the FAA is obligated to advise foreign airworthiness authorities of unsafe conditions identified in products manufactured in the United States. The issuance of AD's is the means by which the FAA satisfies this obligation, and therefore, the issuance of this AD is both warranted and necessary.

Further Evaluation of the Slide/Raft Design Recommended

The Air Line Pilots Association supports the proposed AD. However, this commenter questions whether the proposed solution for applying a dry lubricant to the top of the sliding area has been thoroughly evaluated to ensure that it is usable in all possible conditions that would be encountered during the life of the slide. The commenter also questions how the evacuation problem was discovered, since it was not immediately evident in the evacuation demonstration. In addition, the commenter contends that certain evacuation conditions could

result in unsafe slide performance (e.g., when the slide is wet with rain). The commenter recommends further evaluation of the slide/raft evacuation scenario.

After careful consideration of the questions and recommendations presented by the commenter, the FAA does not concur that additional evaluation is required to correct the identified unsafe condition. During evacuation tests of the slide/raft, evacuees wore clothing of several types of fabric. Testing also included various sliding surface treatments, lubricant applications, evacuee jumping styles, sliding angles (sill height), and wet and dry sliding surface conditions. After careful analysis of these test results, the FAA has determined that further evaluation is not necessary. In addition, the FAA has determined that the application of the dry lubricant, as specified in the AD, is adequate to ensure an appropriate level of safety during an evacuation. The FAA has made no change to the final rule.

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 as proposed.

Cost Impact

There are approximately 43 Boeing Model 777-200 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 16 airplanes of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$3,840, or \$240 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:

98-19-25 Boeing: Amendment 39-10766. Docket 97-NM-95-AD.

Applicability: Model 777-200 series airplanes, line positions 2 through 48 inclusive, excluding line positions 10, 41, 43, and 47; equipped with Air Cruisers evacuation slide/rafts, as identified in Air Cruisers Service Bulletin S.B. 777-107-25-02, dated October 29, 1996; 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 prevent evacuee overload of the slide/raft, and consequent impeded evacuation and injury to the evacuees, accomplish the following:

(a) Within 180 days after the effective date of this AD, modify the sliding surfaces of the door 1 left and door 1 right evacuation slide/rafts, in accordance with Boeing Alert Service Bulletin 777-25A0035, dated December 2, 1996.

Note 2: The Boeing alert service bulletin references Air Cruisers Company Service Bulletin S.B. 777-107-25-02, dated October 29, 1996, as an additional source of service information.

(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, 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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 modification shall be done in accordance with Boeing Alert Service Bulletin 777-25A0035, dated December 2, 1996. 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.

(e) 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. 98-24867 Filed 9-16-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-236-AD; Amendment 39-10767; AD 98-20-01]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes. This action requires revising the Airplane Flight Manual (AFM) to provide the flight crew with revised procedures for checking the flap system. This AD also requires revising the maintenance program to provide procedures for checking the flap system, and performing follow-on actions, if necessary. 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 prevent an unannounced failure of the flap system, which could result in a flap asymmetry, and consequent reduced controllability of the airplane.

DATES: Effective October 2, 1998.

Comments for inclusion in the Rules Docket must be received on or before October 19, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-236-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Information pertaining to this amendment 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.

FOR FURTHER INFORMATION CONTACT: Anthony E. Gallo, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; telephone (516) 256-7510; fax (516) 568-2716.