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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 98-040-2]

Witchweed; Regulated Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting a final rule, without change, an interim rule that amended the list of suppressive areas under the witchweed quarantine and regulations by removing areas from 12 counties in North Carolina and 3 counties in South Carolina. The interim rule was necessary to relieve unnecessary restrictions on the interstate movement of regulated articles from these areas.

EFFECTIVE DATE: The interim rule was effective on June 4, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Ronald P. Milberg, Operations Officer, Operational Support, PPQ, APHIS, 4700 River Road, Unit 134, Riverdale, MD 20737-1236, (301) 734-5255.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective June 4, 1998, and published in the **Federal Register** on June 10, 1998 (63 FR 31601-31604, Docket No. 98-040-1), we amended § 301.80-2a of the witchweed quarantine and regulations by removing areas in Blanden, Columbus, Craven, Cumberland, Duplin, Greene, Lenoir, Pender, Pitt, Robeson, Sampson, and Wayne Counties, NC, and areas in Dillon, Horry, and Marion Counties, SC, from the list of suppressive areas.

Comments on the interim rule were required to be received on or before August 10, 1998. We did not receive any

comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Incorporation by reference, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR 301 and that was published at 63 FR 31601-31604 on June 10, 1998.

Authority: 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 25th day of September, 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-26272 Filed 9-30-98; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-109-AD; Amendment 39-10803; AD 98-20-36]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Airbus Model A300 B2 and B4 series airplanes, that currently requires inspections for cracks of the fuselage, wings, and vertical

stabilizer structures; and repairs or modifications, if necessary. That AD was prompted by reports of cracking in several areas of the fuselage, wings, and vertical stabilizer structure due to fatigue-related stress. The actions specified by this AD are intended to prevent such fatigue-related cracking, which could result in reduced structural integrity of the fuselage, wing, and vertical stabilizer. This action provides for a new optional terminating action, for certain airplanes, and expands the applicability of the existing AD to include additional airplanes.

DATES: Effective November 5, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 5, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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:

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: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 86-19-02, amendment 39-5396 (51 FR 29910, August 21, 1986), applicable to certain Airbus Model A300 B2 and B4 series airplanes, was published in the **Federal Register** on April 29, 1996 (61 FR 18700). The action proposed to continue to require inspections for cracks of the fuselage, wings, and vertical stabilizer structures; and repairs or modifications, if necessary. For certain airplanes, the action also proposed to provide for a new optional replacement action, which would constitute terminating action for certain repetitive inspection requirements. The actions also proposed to expand the applicability of the existing AD to include additional airplanes.

Comments

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

Both commenters support the proposed rule.

Changes to the Referenced Service Information

Paragraph (b)(4) of the proposed AD incorrectly lists the date of issuance of Airbus Service Bulletin A300-53-170, Revision 1, as January 25, 1985; however, the correct date of issuance is April 26, 1982. The final rule has been revised to correct the date of issuance for Revision 1, and to include Revision 2 of the service bulletin, dated February 2, 1988, as an additional source of service information.

Paragraph (e)(3) of the proposed AD incorrectly lists the date of issuance of Airbus Service Bulletin A300-53-027, Revision 4, as January 4, 1984. However, the correct date of issuance is January 30, 1981. The final rule has been revised accordingly.

Additionally, since the issuance of the proposed AD, the following service bulletin revisions have been issued by the manufacturer:

Airbus Service Bulletin A300-53-100, Revision 2, dated July 11, 1995;

Airbus Service Bulletin A300-55-026, Revision 4, dated February 16, 1988; and

Airbus Service Bulletin A300-57-026, Revision 4, dated December 12, 1985.

The FAA has reviewed these later revisions and has determined that no substantive differences exist from the service bulletin revisions that were referenced in the proposed AD as appropriate sources of service information. The FAA has revised paragraphs (f), (g), (h)(3), and (h)(4) of the final rule to include these later revisions as additional sources of service information.

The FAA also has removed NOTE 2 of the proposal from this final rule, and has added the information specified in that note to the applicability of this final rule. The effect of this change is that the applicability of this AD indicates that the AD does not apply to Model A300-600 series airplanes.

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

Approximately 7 Airbus Model A300 B2 and B4 series airplanes of U.S. registry will be affected by this AD.

The actions that are currently required by AD 86-19-02 take approximately 919 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. The cost of required parts will be nominal. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$385,980, or \$55,140 per airplane, per inspection cycle.

The new actions that are required in this AD will take approximately 3 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact on U.S. operators of the new requirements of this AD is estimated to be \$1,260, or \$180 per airplane.

The cost impact figures discussed above are 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 removing amendment 39-5396 (51 FR 29910, August 21, 1986), and by adding a new airworthiness directive (AD), amendment 39-10803 to read as follows:

98-20-36 Airbus Industrie: Amendment 39-10803. Docket 95-NM-109-AD. Supersedes AD 86-19-02, Amendment 39-5396.

Applicability: All Model A300 B2 and B4 series airplanes, certificated in any category, excluding Model A300-600 series airplanes.

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 (j) 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 fatigue-related cracking, which could result in reduced structural integrity of the fuselage, wing, and vertical stabilizer, accomplish the following:

(a) For airplanes with serial numbers listed in Airbus Service Bulletin A300-53-127, Revision 4, dated May 10, 1984: Perform a visual inspection to detect cracks in the upper fuselage skin at frame 58 between stringer 5 left and stringer 5 right, in accordance with the Accomplishment Instructions of the service bulletin, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (a)(1)(i) or (a)(1)(ii) of this AD.

(i) Prior to the accumulation of 18,000 total landings or 18,000 total flight hours, whichever occurs earlier; or

(ii) Within one year after September 26, 1986 (the effective date of AD 86-19-02, amendment 39-5396).

(2) If no crack is detected, repeat this inspection thereafter at intervals not to exceed 3,000 flight hours.

(3) If any crack is detected, prior to further flight, repair it in accordance with Figure 2, "Inspection and Repair Alternative Chart," of the service bulletin.

(4) Installation of Airbus Modification 2147 (reference Airbus Service Bulletin A300-53-110, Revision 10, dated April 7, 1986) or Airbus Modification 2526/1693 (reference Airbus Service Bulletin A300-53-128, Revision 5, dated May 10, 1984) constitutes terminating action for the repetitive inspection requirements of paragraph (a)(2) of this AD.

(b) For airplanes with serial numbers listed in Airbus Service Bulletin A300-53-101, Revision 7, dated May 10, 1984: Perform a radiographic and ultrasonic inspection to detect cracks in the circumferential fuselage splice plates and stringer couplings, in accordance with the Accomplishment Instructions of the service bulletin, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspections at the applicable time specified in paragraph (b)(1)(i) or (b)(1)(ii) of this AD:

(i) For airplanes on which the actions specified in Airbus Service Bulletin A300-53-053, Revision 2, dated July 30, 1981, have been accomplished previously: Inspect prior to the accumulation of 20,000 landings since accomplishment of those actions, or within one year after September 26, 1986, whichever occurs later.

(ii) For airplanes on which the actions specified in Airbus Service Bulletin A300-53-053, Revision 2, dated July 30, 1981, have not been accomplished: Inspect prior to the accumulation of 18,000 total landings, or within one year after September 26, 1986, whichever occurs later.

(2) If no crack is detected, repeat the inspections thereafter at intervals not to exceed 3,000 landings.

(3) If any crack is detected, prior to further flight, repair it in accordance with Figures 1 and 2 of the service bulletin.

(4) Installation of Airbus Modification 3760 (reference Airbus Service Bulletin A300-53-170, Revision 1, dated April 26, 1982, or Revision 2, dated February 2, 1988) constitutes terminating action for the repetitive inspection requirements of paragraph (b)(2) of this AD.

(c) For airplanes with serial numbers listed in Airbus Service Bulletin A300-53-143, Revision 3, dated May 10, 1984: Perform a visual inspection to detect cracks in frame 57A between stringers 15 and 16 (left- and right-hand), and the stringer 5 connection angle at frame 65 (left- and right-hand), in accordance with the Accomplishment Instructions of the service bulletin, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (c)(1)(i) or (c)(1)(ii) of this AD:

(i) Prior to the accumulation of 20,000 total landings; or

(ii) Within one year after September 26, 1986.

(2) If no crack is detected, repeat this inspection thereafter at intervals not to exceed 3,000 landings.

(3) If any crack is detected, prior to further flight, repair it in accordance with the service bulletin.

(4) Installation of Airbus Modification 2643 (reference Airbus Service Bulletin A300-53-132, Revision 4, dated May 10, 1984) constitutes terminating action for the repetitive inspection requirement of paragraph (c)(2) of this AD.

(d) For airplanes having serial number 002 through 156 inclusive, on which Airbus Modification 2611 has not been installed: Perform a visual inspection, and liquid penetrant test if applicable, to detect cracks in the web plate and support fitting between frames 30A and 32 at stringer 18, and between stringers 22 and 23 (left- and right-hand), in accordance with Airbus Service Bulletin A300-53-182, Revision 3, dated March 16, 1994, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (d)(1)(i) or (d)(1)(ii) of this AD:

(i) Prior to the accumulation of 30,000 total landings; or

(ii) Within 1,500 landings after the effective date of this AD.

(2) If no crack is detected, repeat the inspection at the applicable intervals specified in paragraph (d)(2)(i) or (d)(2)(ii) of this AD.

(i) If, at the time of the most recent inspection, the airplane has accumulated fewer than 36,000 total landings, repeat the inspection thereafter at intervals not to exceed 3,000 landings.

(ii) If, at the time of the most recent inspection, the airplane has accumulated 36,000 or more total landings, repeat the inspection thereafter at intervals not to exceed 2,000 landings.

(3) If any crack is detected in the web plate between frames 30A and 32 at stringer 18, prior to further flight, replace the web plate and support fitting at stringer 18 (left- and right-hand) with a new web plate and support fitting, in accordance with the service bulletin. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirements for stringer 18 as required by paragraph (d)(2) of this AD.

(4) If any crack is detected in the web plate between frame 30A and 32 between stringers 22 and 23, prior to further flight, replace the web plate and support fitting between stringers 22 and 23 (left- and right-hand) with a new web plate and support fitting, in accordance with Airbus Service Bulletin A300-53-182, Revision 3, dated March 16, 1994. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirements for the subject area between stringers 22 and 23 as required by paragraph (d)(2) of this AD.

(5) Terminating action for the repetitive inspection requirements of paragraph (d)(2) of this AD is as follows:

(i) Installation of Airbus Modification 1691 (reference Airbus Service Bulletin A300-53-

063, Revision 4, dated October 22, 1991) between stringers 22 and 23 constitutes terminating action for the repetitive inspection requirements of paragraph (d)(2) of this AD for that area only.

(ii) Replacement of the web plates and support fittings at the level of stringer 18 (left- and right-hand) with a new web plate and support fitting, in accordance with Airbus Service Bulletin A300-53-182, Revision 3, dated March 16, 1994, constitutes terminating action for the repetitive inspection requirements of paragraph (d)(2) of this AD for that stringer only.

(iii) Accomplishment of the actions specified in both paragraph (d)(5)(i) and paragraph (d)(5)(ii) of this AD constitutes terminating action for all repetitive inspection requirements required by paragraph (d)(2) of this AD.

(e) For airplanes with serial numbers listed in Airbus Service Bulletin A300-53-112, Revision 2, dated July 20, 1981: Perform a visual inspection to detect cracks of the skin from frame 28 to frame 31 between stringers 29 and 31 (left- and right-hand), in accordance with the Accomplishment Instructions of the service bulletin, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (e)(1)(i) or (e)(1)(ii) of this AD:

(i) Prior to the accumulation of 24,000 total landings; or

(ii) Within one year after September 26, 1986.

(2) If no crack is detected, repeat the inspection at the applicable intervals specified in paragraph (e)(2)(i) or (e)(2)(ii) of this AD:

(i) If, at the time of the most recent inspection, the airplane has accumulated fewer than 36,000 total landings, repeat the inspection thereafter at intervals not to exceed 6,000 landings.

(ii) If, at the time of the most recent inspection, the airplane has accumulated 36,000 or more total landings, repeat the inspection thereafter at intervals not to exceed 3,000 landings.

(3) If any crack is found, prior to further flight, install Airbus Modification 1358 in accordance with Airbus Service Bulletin A300-53-027, Revision 4, dated January 30, 1981. Accomplishment of this modification constitutes terminating action for the repetitive inspection requirements of paragraph (e)(2) of this AD.

(4) Installation of Airbus Modification 1358 (reference Airbus Service Bulletin A300-53-027, Revision 4, dated January 30, 1981) constitutes terminating action for the repetitive inspection requirements of paragraph (e)(2) of this AD.

(f) For airplanes with serial numbers listed in Airbus Service Bulletin A300-53-100, Revision 1, dated May 10, 1984: Perform an internal and external visual inspection to detect cracks of the longitudinal joint at stringer 51 (left- and right-hand) between frames 72 and 80, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300-53-100, Revision 1, dated May 10, 1984, or Revision 2, dated July 11, 1995, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (f)(1)(i) or (f)(1)(ii) of this AD:

(i) Prior to the accumulation of 12,000 total landings or 15,000 total flight hours, whichever occurs earlier; or

(ii) Within one year after September 26, 1986.

(2) If no crack is found, repeat the internal inspection thereafter at intervals not to exceed 1,500 flight hours, and repeat the external inspection thereafter at intervals not to exceed 12,000 flight hours.

(3) If any crack is detected, prior to further flight, repair it in accordance with the service bulletin.

(4) Installation of Airbus Modification 1421 (reference Airbus Service Bulletin A300-53-033, Revision 3, dated May 10, 1984) constitutes terminating action for the repetitive inspection requirements of paragraph (f)(2) of this AD.

(g) For airplanes with serial numbers listed in Airbus Service Bulletin A300-55-026, Revision 3, dated May 10, 1984: Perform a visual inspection of the 6 vertical stabilizer attachment fittings for cracks, which initiate from the rivet holes, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300-55-026, Revision 3, dated May 10, 1984, or Revision 4, dated February 16, 1988, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (g)(1)(i) or (g)(1)(ii) of this AD:

(i) Prior to the accumulation of 20,000 total landings or 20,000 total flight hours, whichever occurs earlier; or

(ii) Within one year after September 26, 1986, whichever occurs earlier.

(2) If no crack is detected, repeat the inspection thereafter at intervals not to exceed 1,500 landings.

(3) If any crack is detected, prior to further flight, repair it in accordance with the service bulletin.

(4) Installation of Airbus Modification 3172 (reference Airbus Service Bulletin A300-55-024, Revision 4, dated May 25, 1984) constitutes terminating action for the repetitive inspection requirements of paragraph (g)(2) of this AD.

(h) For airplanes with serial numbers listed in Airbus Service Bulletin A300-57-109, Revision 1, dated July 10, 1982: Perform a visual inspection to detect cracks in the landing angle attached to the outboard side of the wing leading edge at nose rib 8 (left- and right-hand), in accordance with the Accomplishment Instructions of the service bulletin, and in accordance with the times specified in this paragraph.

(1) Perform the initial inspection at the later of the times specified in paragraph (h)(1)(i) or (h)(1)(ii):

(i) Prior to the accumulation of 15,000 total landings; or

(ii) Within one year after September 26, 1986.

(2) If no crack is detected, repeat the inspection thereafter at intervals not to exceed 3,000 landings.

(3) If any crack is detected, within the next 1,000 landings following crack detection, install Airbus Modification 1307 in accordance with Airbus Service Bulletin

A300-57-026, Revision 3, dated October 21, 1982, or Revision 4, dated December 12, 1985.

(4) Installation of Airbus Modification 1307 (reference Airbus Service Bulletin A300-57-026, Revision 3, dated October 21, 1982, or Revision 4, dated December 12, 1985) constitutes terminating action for the repetitive inspection requirements of paragraph (h)(2) of this AD.

(i) 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.

(j) 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.

(k) The actions shall be done in accordance with the following Airbus service bulletins, as applicable, which contain the specified list of effective pages:

Service bulletin referenced and date	Page No.	Revision level shown on page	Date shown on page
A300-53-127, Revision 4, May 10, 1984	1-5, 11, 12	4	May 10, 1984.
A300-53-101, Revision 7, May 10, 1984	6-10, 13	Original	April 17, 1980.
	1, 2	7	May 10, 1984.
	3, 7	5	September 10, 1982.
	4-6, 8, 9	4	June 15, 1981.
A300-53-143, Revision 3, May 10, 1984	1, 2, 5, 8	3	May 10, 1984.
	3, 4, 6, 7, 9	Original	September 28, 1981.
A300-53-182, Revision 3, March 16, 1994	1-20	3	March 16, 1994.
A300-53-112, Revision 2, July 20, 1981	1	2	July 20, 1981.
	2, 3	Original	December 28, 1979.
A300-53-027, Revision 4, January 30, 1981	1, 15	4	January 30, 1981.
	2	3	October 23, 1979.
	3-14	Original	March 14, 1976.
A300-53-100, Revision 1, May 10, 1984	1-4	1	May 10, 1984.
	5-9	Original	September 14, 1979.
A300-53-100, Revision 2, July 11, 1995	1, 4	2	July 11, 1995.
	2, 3	1	May 10, 1984.
	5-9	Original	September 14, 1979.
A300-55-026, Revision 3, May 10, 1984	1, 7	3	May 10, 1984.
	2-6, 8, 9	2	October 10, 1981.
A300-55-026, Revision 4, February 16, 1988	1-5	4	February 16, 1988.
	6, 8, 9	2	October 10, 1981.
	7	3	May 10, 1984.
A300-57-109, Revision 1, July 10, 1982	1-4	1	July 10, 1982.
A300-57-026, Revision 3, October 21, 1982	1, 2	3	October 21, 1982.
	3, 5-17	Original	August 2, 1976.
	4	1	December 2, 1976.
A300-57-026, Revision 4, December 12, 1985	1	4	December 12, 1985.
	2	3	October 21, 1982.
	3, 5-17	Original	August 2, 1976.
	4	1	December 2, 1976.

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 83-102-053(B)R2, dated March 2, 1994.

(l) This amendment becomes effective on November 5, 1998.

Issued in Renton, Washington, on September 22, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-25953 Filed 9-30-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-39-AD; Amendment 39-10807; AD 98-20-39]

RIN 2120-AA64

Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. MU-2B Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Mitsubishi Heavy Industries, Ltd. (Mitsubishi) MU-2B series airplanes. This AD requires inspecting each forward attachment fitting bolt of the wing tip tanks for the correct bolt and replacing any incorrect bolt. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Japan. The actions specified by this AD are intended to prevent the wing tip tank from separating from the airplane because of an incorrect bolt corroding, which could result in loss of control of the airplane.

DATES: Effective November 20, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 20, 1998.

ADDRESSES: Mitsubishi MU-2 Service Bulletin (SB) No. 225, dated September 29, 1995, may be obtained from

Mitsubishi Heavy Industries, Ltd., Nagoya Aerospace Systems Works, 10, OYE-CHO, MINATO-KU, Nagoya, Japan; telephone: NAGOYA (611) 2141; facsimile: 4464561HISI. Mitsubishi MU-2 SB No. 089/57-002A, dated November 5, 1996, may be obtained from the Raytheon Aircraft Company, 9709 East Central, Wichita, Kansas 67201, Attention: Manager, Publications. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-39-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. William Roberts, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone: (562) 627-5228; facsimile: (562) 627-5210.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Mitsubishi MU-2B series airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on July 21, 1998 (63 FR 39051). The NPRM proposed to require inspecting each forward attachment fitting bolt of the wing tip tanks to determine whether any bolt incorporating P/N 017A-12887, P/N 017A-12887-3, P/N 017A-12887A-5, or 017A-12887-7 is installed, and replacing any bolt not incorporating one of these part numbers, with a P/N 017A-12887A-5 or P/N 017A-12887-7 bolt. The bolts that apply to each model and serial number airplanes are specified in the service bulletins referenced below. The P/N 017A-12887A-5 and P/N 017A-12887-7 bolts are of similar design to the P/N 017A-12887 and P/N 017A-12887-3 bolts, and are identified with the black painted letters "SPL". The NPRM also proposed to require identifying any P/N 017A-12887 or P/N 017A-12887-3 bolt with the letters "SPL". Accomplishment of the proposed actions as specified in the NPRM would be in accordance with Mitsubishi MU-2 Service Bulletin (SB) No. 225, dated September 29, 1995, and Mitsubishi MU-2 SB No. 089/57-002A, dated November 5, 1996.

The NPRM was the result of mandatory continuing airworthiness

information (MCAI) issued by the airworthiness authority for Japan.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 252 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per airplane to accomplish the inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the inspection on U.S. operators is estimated to be \$15,120, or \$60 per airplane.

Any replacements that will be required by this AD will take approximately 4 workhours per airplane with each bolt costing \$350 (up to 4 to 5 bolts per airplane depending on the configuration).

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 copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the