

selector, which could result in loss of engine power, accomplish the following:

(a) Install a placard, part number 36-920059-1, on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. Accomplish this installation in accordance with Raytheon Mandatory Service Bulletin No. 2670, Revision No. 1, dated May, 1998.

(b) Installing the placard, as specified in paragraph (a) of this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by § 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with § 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(c) 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.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 5, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-27195 Filed 10-8-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-64-AD]

RIN 2120-AA64

Airworthiness Directives; Mooney Aircraft Corporation Models M20B, M20C, M20D, M20E, M20F, M20G, and M20J Airplanes

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 Mooney Aircraft Corporation (Mooney) Models M20B, M20C, M20D, M20E, M20F, M20G, and M20J airplanes that are equipped with an O & N Bladder Fuel Cell that was installed prior to February 1, 1998, in accordance with Supplemental Type Certificate (STC) SA2277CE or STC SA2350CE. The STC's apply to all of the affected airplane models except for the Model M20B airplanes; the Model M20B airplanes could have one of the STC's incorporated by field approval. The proposed AD would require inspecting the drain valve to assure that it was inserted fully into the drain nipple and modifying any drain valve found not to be inserted fully into the drain nipple. The proposed AD would also require certain modifications and replacements on the affected fuel cells to reduce the chances of water/ice contamination. The proposed AD is the result of reports of rain water entering the fuel bladders and the information from the subsequent evaluation of the fuel systems. The actions specified by the proposed AD are intended to assist in preventing water from entering the fuel bladders, which could result in rough engine operation or complete loss of engine power.

DATES: Comments must be received on or before December 4, 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-64-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 O & N Aircraft Modifications Inc., 210 Windsock Lane, Seamans Airport, Factoryville, PA 18419; telephone: (717) 945-3769; facsimile: (717) 945-7282. This information also may be examined at the Rules Docket at the address above. **FOR FURTHER INFORMATION CONTACT:** Mr. Paul O. Pendleton, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4143; facsimile: (316) 946-4407.

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-64-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-64-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received a report of water being trapped in the fuel bladders on Mooney Models M20C, M20D, M20E, M20F, M20G, and M20J airplanes that are equipped with an O & N Bladder Fuel Cell that was installed prior to February 1, 1998, in accordance with Supplemental Type Certificate (STC) SA2277CE or STC SA2350CE. The STC's apply to all of the above-referenced airplane models except for the Mooney Model M20B airplanes; the Model M20B airplanes could have one of the STC's incorporated by field approval.

Evaluation of this problem shows that improper installation of the fuel bladder drains and fuel caps could allow rain water to enter the fuel bladders if the fuel cap was defective.

The evaluation also revealed additional installation problems and design deficiencies, including:

—Inadequate installation of the foam filler that supports the fuel bladders;

- Inadequate engine crankcase breather vent and primary fuel vent ice protection; and
- Fuel caps that have the sealing surface below the fuel tank opening.

These conditions, if not corrected in a timely manner, could result in rough engine operation or complete loss of engine power.

Relevant Service Information

O & N Aircraft Modifications Inc. has issued Mandatory Service Bulletin No. ON-100, dated February 1, 1998, which specifies procedures for the following:

- Inspecting the drain valve to assure that it was inserted fully into the drain nipple and modifying any drain valve found not to be inserted fully into the drain nipple;
- Installing a foam wedge to reduce the amount of trapped fluids in the center fuel cell;
- Installing an anti-ice mast forward of the vent tubes to prevent icing of the fuel tank vents;
- Drilling a vent hole to prevent icing of the engine's crankcase breathers; and
- Replacing the flush style caps and adapters with raised style caps and adapters to prevent water from entering through the flush filler cap.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, including the referenced service information, the FAA has determined that AD action should be taken to assist in preventing water from entering the fuel bladders, which could result in rough engine operation or complete loss of engine power.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Mooney Models M20B, M20C, M20D, M20E, M20F, M20G, and M20J airplanes of the same type design that are equipped with an O & N Bladder Fuel Cell that was installed prior to February 1, 1998, in accordance with STC SA2277CE or STC SA2350CE, the FAA is proposing AD action. The STC's apply to all of the affected airplane models except for the Model M20B airplanes; the Model M20B airplanes could have one of the STC's incorporated by field approval. The proposed AD would require inspecting the drain valve to assure that it was inserted fully into the drain nipple and modifying any drain valve found not to be inserted fully into the drain nipple. The proposed AD also would require

the design changes specified in O & N Aircraft Modifications Inc. Mandatory Service Bulletin No. ON-100, dated February 1, 1998.

Cost Impact

The FAA estimates that 300 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 8 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$200 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$204,000, or \$680 per airplane.

The FAA is not aware of any owners/operators of the affected airplanes that have already accomplished the actions specified in this proposed AD.

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:

Mooney Aircraft Corporation: Docket No. 98-CE-64-AD.

Applicability: All serial number airplanes of the following:

1. Models M20C, M20D, M20E, M20F, M20G, and M20J airplanes, certificated in any category, that are equipped with an O & N Bladder Fuel Cell that was installed prior to February 1, 1998, in accordance with Supplemental Type Certificate (STC) SA2277CE or STC SA2350CE; and
2. Model M20B airplanes, certificated in any category, that have any of the above-referenced STC's incorporated by field approval.

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 in the body of this AD, unless already accomplished.

To assist in preventing water from entering the fuel bladders, which could result in rough engine operation or complete loss of engine power, accomplish the following:

(a) Within the next 12 months after the effective date of this AD, accomplish the following in accordance with O & N Aircraft Modifications Inc. Mandatory Service Bulletin No. ON-100, dated February 1, 1998:

- (1) On both the left and right wing, inspect the drain valve to assure that it was inserted fully into the drain nipple, and, prior to further flight, modify any drain valve found not to be inserted fully into the drain nipple;
 - (2) On both the left and right wing, install a foam wedge to reduce the amount of trapped fluids in the center fuel cell;
 - (3) On both the left and right wing, install an anti-ice mast forward of the vent tubes to prevent icing of the fuel tank vents;
 - (4) Drill a vent hole to prevent icing of the engine's crankcase breathers; and
 - (5) On both the left and right wing, replace the flush style caps and adapters with raised style caps and adapters.
- (b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to O & N Aircraft Modifications Inc., 210 Windsock Lane, Seamans Airport, Factoryville, PA 18419; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 5, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-27196 Filed 10-8-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ASO-12]

Proposed Establishment of Class D and E Airspace, Amendment to Class D and E Airspace; Montgomery, AL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Class D and E surface areas airspace for Montgomery Regional Airport—Dannelly Field, Montgomery, AL, and establish Class D and E surface areas airspace for Maxwell AFB, AL. Presently, Maxwell AFB is contained within the Montgomery, AL Class D and E airspace areas. As a result of this proposed action, the Montgomery, AL, Class D and E airspace to the surface would be reduced concurrent with the establishment of the Class D and E airspace areas for Maxwell, AFB.

DATES: Comments must be received on or before November 9, 1998.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 98-ASO-12, Manager, Airspace Branch,

ASO-520, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Regional Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

FOR FURTHER INFORMATION CONTACT:

Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 98-ASO-12." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination in the Office of the Regional Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Manager, Airspace Branch, ASO-520, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. Communications must identify the notice number of this

NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR Part 71) to amend the Class D and E surface areas airspace for Montgomery Regional Airport—Dannelly Field, Montgomery, AL, and establish Class D and E surface areas airspace at Maxwell AFB, AL. Maxwell AFB currently is included in the Montgomery, AL, Class D and E airspace areas. Class D and E airspace to the surface is required to accommodate current Standard Instrument Approach Procedures (SIAP's) and contain Instrument Flight Rules (IFR) operations at Maxwell AFB. As a result of this proposed action, the Montgomery, AL, Class D and E airspace to the surface would be reduced concurrent with the establishment of the Class D and E airspace areas for Maxwell AFB. Class D airspace designations and Class E airspace areas designated as surface areas for an airport are published in Paragraphs 5000 and 6002 respectively of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration