

(d) Group 2, Condition 2. For airplanes identified as Group 2 in McDonnell Douglas Service Bulletin DC9-53-288, dated February 10, 1997: If the visual inspection required by paragraph (a) of this AD reveals that the corners of the forward service door doorjamb have been modified previously in accordance with McDonnell Douglas DC-9 Structural Repair Manual, using an aluminum doubler, prior to the accumulation of 28,000 landings after accomplishment of that modification, or within 3,225 landings after the effective date of this AD, whichever occurs later, perform an HFEC inspection to detect cracks on the skin adjacent to the modification, in accordance with McDonnell Douglas Service Bulletin DC9-53-288, dated February 10, 1997.

(1) If no crack is detected on the skin adjacent to the modification during the HFEC required by this paragraph, repeat the HFEC inspection thereafter at intervals not to exceed 20,000 landings.

(2) If any crack is detected on the skin adjacent to the modification during any HFEC inspection required by this paragraph, prior to further flight, repair it in accordance with a method approved by the Manager, Los Angeles ACO.

(e) Group 2, Condition 3. For airplanes identified as Group 2 in McDonnell Douglas Service Bulletin DC9-53-288, dated February 10, 1997: If the visual inspection required by paragraph (a) of this AD reveals that the corners of the forward service door doorjamb have been modified previously, but not in accordance with McDonnell Douglas Structural Repair Manual, prior to further flight, repair the corners in accordance with a method approved by the Manager, Los Angeles ACO.

(f) Accomplishment of the actions required by this AD constitutes terminating action for inspections of Principal Structural Element (PSE) 53.09.033 (reference McDonnell Douglas Model DC-9 Supplemental Inspection Document) required by AD 96-13-03, amendment 39-9671.

(g) 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, Los Angeles ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(h) 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.

(i) Except as provided by paragraphs (b)(1)(ii)(B), (b)(2)(ii), (b)(3), (c)(1)(ii), (c)(2)(ii), (d)(2), and (e) of this AD, the actions shall be done in accordance with McDonnell Douglas Service Bulletin DC9-53-288, dated February 10, 1997. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(j) This amendment becomes effective on December 17, 1998.

Issued in Renton, Washington, on November 3, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-30049 Filed 11-10-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-72-AD; Amendment 39-10876; AD 98-23-10]

RIN 2120-AA64

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

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

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

DATES: Effective December 17, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 17, 1998.

ADDRESSES: Service information that applies to this AD may be obtained from

Grob-Werke GmbH & Co. KG, Unternehmensbereich, Burkhart Grob Flugzeugbau, Flugplatz Mattsies, 86874 Tussenhausen, Germany. 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-72-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. Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

SUPPLEMENTARY INFORMATION:

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 all Grob Model G 109B gliders was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on September 2, 1998 (63 FR 46714). The NPRM proposed to require inspecting the engine mounting frame for paint scratches and damage (abrasions, notches, or chafing); and repairing any paint scratches, and repairing or replacing any engine mounting frame that is found damaged. Accomplishment of the proposed action as specified in the NPRM would be in accordance with Grob Service Bulletin TM 817-45, dated July 27, 1995.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany.

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 29 gliders in the U.S. registry will be affected by the

inspection, that it will take approximately 2 workhours per glider 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 \$3,480, or \$120 per glider.

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

Compliance Time of This AD

Although damage to the engine mounting frame occurs during flight, this unsafe condition is not a result of the number of times the glider is operated. The chance of this situation occurring is the same for a glider with 10 hours time-in-service (TIS) as it will be for a glider with 500 hours TIS. For this reason, the FAA has determined that a compliance based on calendar time should be utilized in this AD in order to assure that the unsafe condition is addressed on all gliders in a reasonable time period.

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

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 a new airworthiness directive (AD) to read as follows:

98-23-10 Burkhardt Grob Luft-und

Raumfahrt GmbH: Amendment 39-10876; Docket No. 98-CE-72-AD.

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

Note 1: This AD applies to each glider identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For gliders that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (g) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To detect and correct damage to the engine mounting frame, which could result in failure of the engine mount structure with consequent loss of the engine, accomplish the following:

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

(b) If a paint scratch(es), but no damage, is found during the inspection required by paragraph (a) of this AD, prior to further flight, remove all flakes and dust from the area, degrease the tube and apply a protective anti-corrosion coat, and shorten the warm air duct or replace it if damaged. Accomplish the warm air duct modification or replacement in accordance with the maintenance manual.

(c) If a paint scratch(es) and damage are both found during the inspection required by paragraph (a) of this AD, accomplish the following:

(1) Prior to further flight, remove all flakes and dust from the area; and

(2) Perform the actions specified in paragraph (d) or (e) of this AD, as applicable. Accomplish these actions at the compliance times specified in the applicable paragraphs.

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

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

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

(e) If damage (abrasions, notches, or chafing) is found during the inspection required by paragraph (a) of this AD, and the damage is more than 0.7 mm in depth as specified in paragraph 3(c) of the Action section of Grob Service Bulletin TM 817-45, dated July 27, 1995, prior to further flight, accomplish one of the following:

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

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

(f) 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 glider to a location where the requirements of this AD can be accomplished.

(g) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be

forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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

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

(i) The inspection required by this AD shall be done in accordance with Grob Service Bulletin TM 817-45, dated July 27, 1995. 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 Grob-Werke GmbH & Co. KG, Unternehmensbereich, Burkhart Grob Flugzeugbau, Flugplatz Mattsies, 86874 Tussenhausen, Germany. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, 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 German AD 95-362 Grob, dated September 27, 1995.

(j) This amendment becomes effective on December 17, 1998.

Issued in Kansas City, Missouri, on November 2, 1998.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-30048 Filed 11-10-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ACE-28]

Amendment to Class E Airspace; Fairbury, NE

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which revises Class E airspace at Fairbury, NE.

DATES: The direct final rule published at 63 FR 49282 is effective on 0901 UTC, January 28, 1999.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on September 15, 1998 (63 FR 49282). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on January 28, 1999. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on the date.

Issued in Kansas City, MO on October 26, 1998.

Christopher R. Blum,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 98-30244 Filed 11-10-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ACE-25]

Amendment to Class E Airspace; Muscatine, IA

AGENCY: Federal Aviation Administration [FAA], DOT

ACTION: Final rule.

SUMMARY: This amendment revises the Class E airspace area at Muscatine, IA, to accommodate the Global Positioning System (GPS) Runway (RWY) 6 and VHF Omnidirectional Range (VOR) RWY 24 Standard Instrument Approach Procedures (SIAPs) at Muscatine Municipal Airport. This action will provide for additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) for Instrument Flight Rules (IFR) operations at Muscatine Municipal Airport, Muscatine, IA. A minor correction is also being made in the geographic position coordinates of Port City VOR/DME.

EFFECTIVE DATE: 0901 UTC January 28, 1999.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION:

History

On September 3, 1998, the FAA proposed to amend part 71 of the Federal Regulations (14 CFR part 71) by revising the Class E airspace area at Muscatine, IA (63 FR 46936). The proposed action would provide additional controlled airspace to accommodate the GPS RWY 6 and VOR RWY 24 SIAPs at the Muscatine Municipal Airport. A minor correction is also being made in the geographic position coordinates of the Port City VOR/DME.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace areas extending from 700 feet or more above the surface of the earth are published in paragraphs 6005 of FAA Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Regulations (14 CFR part 71) amends the Class E airspace area at Muscatine, IA, by providing additional controlled airspace for aircraft executing the GPS RWY 6 and VOR RWY 24 SIAPs to the Muscatine Municipal Airport. This action also corrects the geographic position coordinates of the Port City VOR/DME.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation (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 will not have a significant economic impact on a substantial number of small entities.