not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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, 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 39–9523 (61 FR 6935, February 23, 1996), and by adding a new airworthiness directive (AD), amendment 39–10887, to read as follows:

96–04–11 R1 Boeing: Amendment 39–10887. Docket 98–NM–294–AD. Revises AD 96–04–11, amendment 39–9523.

Applicability: Model 757–200 series airplanes, equipped with Rolls Royce Model RB211–535E4/E4B engines; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To reduce the risk of engine rundown during idle descents, accomplish the following:

(a) Within 30 days after March 11, 1996 (the effective date of AD 96–04–11, amendment 39–9523), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

''Limitations Section 1

In order to reduce the risk of engine rundown during idle descents, activate the engine cowl thermal anti-ice system for both engines prior to idle descents above flight level (FL) 200. Below FL 200, use normal engine cowl thermal anti-ice system procedures (as defined in the AFM).

Note: The Master Minimum Equipment List (MMEL) for Model 757 series airplanes currently specifies that an airplane may be dispatched with an engine anti-ice valve locked in the closed position. The requirement of this section to activate the engine cowl thermal anti-ice system prior to descent will prevent the dispatch of airplanes with an engine anti-ice valve locked in the closed or open position. Where differences exist between the current specification of the MMEL and the requirements of this AFM limitation, the AFM limitation prevails.''

Note 1: AD 97–02–12, amendment 39–9897, requires installation of improved fuel flow governors (FFG) on both engines of Boeing Model 757–200 series airplanes. Accomplishment of this installation constitutes terminating action for the requirements of this AD.

(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 Operations 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.

(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) This amendment becomes effective on November 30, 1998.

Issued in Renton, Washington, on November 4, 1998.

Vi L. Lipski,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–30335 Filed 11–12–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–ANE–53–AD; Amendment 39–10873; AD 98–23–08]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Pratt & Whitney (PW) PW4000 series turbofan engines not incorporating modifications described in certain PW service bulletins listed in the applicability section, that requires high pressure compressor (HPC) blade tip grinding of the rotor assembly, installation of aluminum oxide coated HPC blade tips in stages 9 through 12, modification of HPC 8th through 14th stage stators, incorporation of 1st stage high pressure turbine (HPT) vanes with increased airflow area which also requires additional HPT hardware modifications, and incorporation of HPC 13th–15th stage zirconium oxide blade tips. This amendment is prompted by reports of HPC surge caused by excessive HPC rear stage rotor-to-case clearance. The actions specified by this AD are intended to prevent HPC surge, which can result in engine power loss at a critical phase of flight such as takeoff or climb.

DATES: Effective January 12, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 12, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–6600, fax (860) 565–4503. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Chris Gavriel, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA

01803–5299; telephone (781) 238–7147, fax (781) 238–7199.

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 Pratt & Whitney (PW) PW4000 series turbofan engines not incorporating modifications described in certain PW service bulletins listed in the applicability section was published in the **Federal Register** on June 18, 1998 (63 FR 33295). That action proposed to require high pressure compressor (HPC) blade tip grinding of the rotor assembly, installation of aluminum oxide coated HPC blade tips in stages 9 through 12, modification of HPC 8th through 14th stage stators, incorporation of 1st stage high pressure turbine (HPT) vanes with increased airflow area which also requires additional HPT hardware modifications, and incorporation of HPC 13th–15th stage zirconium oxide blade tips.

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 requests a change to the Compliance Section to allow the accomplishment of either PW Service Bulletins (SBs) No. PW4ENG–72–514, or the appropriate nozzle guide vane and TOBI duct section of SB PW4ENG–72–504. The commenter wants to have a choice to incorporate the pertinent sections of SB PW4ENG–72–504 after the effective date of this AD and still comply with the AD. The FAA concurs, provided that all of the requirements of that SB are incorporated, since incorporation of only the pertinent sections will not produce a certified engine configuration. Engines that have incorporated the modifications in SB PW4ENG–72–504 already are exempted from the AD based upon the applicability. If an operator wants to exercise this choice after the effective date of this AD, instead of incorporating the modifications in SB PW4ENG–72–514, that choice will produce an airworthy engine to an equivalent level of the modifications in SB PW4ENG–72–514. There are two other SBs listed in the applicability section: SB PW4ENG–72–490 and PW4ENG–72–572 that accomplish equivalent actions to SB PW4ENG–72–504. Therefore, a paragraph has been added to the compliance section clarifying that if the modifications contained in certain SBs listed in the applicability paragraph are incorporated after the effective date of this AD, no further action is required.

One commenter states that it has already complied with the requirements of this AD and that those requirements are effective in preventing surges from occurring in service.

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 described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 187 engines of the affected design in the worldwide fleet. The FAA estimates that there are currently 61 engines installed on aircraft of U.S. registry that would be affected by this AD. Required parts would cost approximately $20,000 per engine. Based on these figures, the total cost impact of the AD, including labor costs, is estimated to be $1,220,000.

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:

98–23–08 Pratt & Whitney: Amendment 39–10873. Docket 97–ANE–53–AD.

Applicability: Pratt & Whitney (PW) Model PW4152, PW4056, PW4156, PW4256, PW4052, PW4158, PW4060, PW4160, PW4460, PW4050, PW4060A, PW4156A, PW4062, PW4462, PW4060C, and PW4650 turbofan engines, not incorporating at least one of the modifications described in the PW service bulletins (SBs) and listed in items (1) through (6), excluding those engines having a (–3) identifier next to the engine model number on the engine data plate. These engines are installed on but not limited to Boeing 767 and 747 series aircraft, McDonnell Douglas MD–11 series aircraft, and Airbus A310 and A300–600 series aircraft.

(1) PW4ENG 72–484, Revision 3, dated July 1, 1997, or earlier revisions, PW4ENG 72–486, Revision 1, dated November 23, 1994, or original issue.

(2) PW4ENG 72–484, Revision 3, dated July 1, 1997, or earlier revisions, PW4ENG 72–575, Revision 1, dated June 30, 1997, or original issue, PW4ENG 72–486, Revision 1, dated November 23, 1994, or original issue.

(3) PW4ENG 72–514, Revision 1, dated August 2, 1996, or original issue.

(4) PW4ENG 72–490, Revision 1, dated August 2, 1994, or original issue.

(5) PW4ENG 72–504, Revision 1, dated May 9, 1995, or original issue.

(6) PW4ENG 72–572, dated June 16, 1995.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 high pressure compressor (HPC) surge, which can result in engine power loss at a critical phase of flight such as takeoff, accomplish the following:

(a) Within 1,400 cycles in service (CIS) after the effective date of this AD, or prior to June 30, 1999, whichever occurs first, perform the following modifications:

(1) Incorporate stage 9 through 12 aluminum oxide blade tips and grind HPC

blade tips at the rotor assembly in accordance with the Accomplishment Instructions of PW SB No. PW4ENG–72–484, Revision 3, dated July 1, 1997, concurrently with the requirements of paragraph (a)(4) of this AD.

(2) Modify HPC 8th–14th stage stators in accordance with the Accomplishment Instructions of PW SB No. PW4ENG–72–486, Revision 1, dated November 23, 1994.

(3) Modify the 1st stage high pressure turbine (HPT) cooling duct (TOBI Duct), install a metering plug in the Number 2 bearing thrust balance vent tube, and incorporate 1st stage HPT vanes with increased airflow area in accordance with the Accomplishment Instructions of PW SB No. PW4ENG–72–514, Revision 1, dated August 2, 1996.

(4) Incorporate HPC 13th–15th stage zirconium oxide blade tips in accordance with the Accomplishment Instructions of PW SB No. PW4ENG–72–575, Revision 1, dated June 30, 1997.

(5) If at any time prior to the compliance time of this AD incorporation of the requirements of any one of the SBs, identified in items (4), (5), and (6) in the applicability section of this AD is accomplished on any engine, then such an engine will not be subject to the requirements of this AD and no further action is required.

(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, Engine Certification Office. Operators shall submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

(d) The actions required by this AD shall be done in accordance with the following PW SBs:

Document No.	Pages	Revision	Date
PW4ENG–72–484	1–16	3	July 1, 1997.
	17–78	1	November 8, 1994.
	79	2	March 10, 1995.
	80, 81	3	July 1, 1997.
Total Pages: 81.			
PW4ENG–72–486	1–31	1	November 23, 1994.
Total Pages: 31.			
PW4ENG–72–514	1–6	1	August 2, 1996.
	7	Original	June 23, 1994.
	8–35	1	August 2, 1996.
Total Pages: 35.			
PW4ENG–72–575	1–43	1	June 30, 1997.
Total Pages: 43.			

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 Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–6600, fax (860) 565–4503. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(e) This amendment becomes effective on January 12, 1999.

Issued in Burlington, Massachusetts, on November 5, 1998.

Mark C. Fulmer,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 98–30320 Filed 11–12–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–ANE–21–AD; Amendment 39–10872; AD 98–23–07]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Pratt & Whitney (PW) JT9D series turbofan engines, that requires a one-time acid etch inspection of the turbine exhaust case (TEC) wall between and on either side of the ''R'' and ''S'' rails in the engine mount lug area (top quadrant of the case) for the presence of weld material, and if weld material is detected, removal from service and replacement with serviceable parts. This amendment is prompted by reports of weld rework performed in the outer case wall of the TEC, in the mount lug fillet area, during original production to address local under minimum wall thickness conditions which have left the TEC's structural capability compromised. The actions specified by this AD are intended to prevent TEC structural failure under abnormal operating conditions, which could result in reduced main mount load capability, engine separation from the wing and subsequent loss of control of the aircraft.

DATES: Effective January 12, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 12, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–6600, fax (860) 565–4503. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tara Goodman, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7130, fax (781) 238–7199.