

Issued in Kansas City, Missouri, on November 10, 1998.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-35-AD; Amendment 39-10898; AD 98-24-12]

RIN 2120-AA64

#### Airworthiness Directives; Ursula Hanle Model H101 "Salto" Sailplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Ursula Hanle (Hanle) Model H101 "Salto" sailplanes. This AD requires replacing the airbrake lever with one of improved design. 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 prevent the airbrake from deploying during high g maneuvers, which could result in an overstressing effect on the airframe with consequent reduced sailplane control.

**DATES:** Effective December 24, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 24, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from Ursula Hanle, Haus Schwalbenwerder, D-14728 Strodehne, Federal Republic of Germany; telephone and facsimile: +49 (0) 33875-30389. 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-35-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) 426-6934; 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 Hanle Model H101 "Salto" sailplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on September 25, 1998 (63 FR 49307). The NPRM proposed to require replacing the airbrake lever made of sheet metal with one made of steel. Accomplishment of the proposed action as specified in the NPRM would be required in accordance with Ursula Hanle Technical Bulletin 101-25/2, dated January 21, 1998.

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.

#### Compliance Time of This AD

Although the airbrake lever will only come out during flight in high g maneuvers, the unsafe condition specified in this AD is not a result of the number of times the sailplane is operated. The chance of this situation occurring is the same for a sailplane with 10 hours time-in-service (TIS) as it would be for a sailplane 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 sailplanes in a reasonable time period.

#### Cost Impact

The FAA estimates that 8 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 6 workhours per sailplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$295 per sailplane. Based on these figures, the total cost impact of this AD on U.S.

operators is estimated to be \$5,240, or \$655 per sailplane.

#### 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:

**98-24-12 Ursula Hanle:** Amendment 39-10898; Docket No. 98-CE-35-AD.

**Applicability:** Model H101 "Salto" sailplanes, all serial numbers, certificated in any category.

**Note 1:** This AD applies to each sailplane 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 sailplanes 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 within the next 3 calendar months after the effective date of this AD, unless already accomplished.

To prevent the airbrake from inadvertently deploying during high g maneuvers, which could result in an overstressing effect on the airframe with consequent reduced sailplane control, accomplish the following:

(a) Replace the airbrake lever in accordance with Ursula Technical Bulletin 101-25/2, dated January 21, 1998, and drawing No. 101-44-3(2), as referenced in the technical bulletin.

(b) 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 sailplane 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, 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.

(d) Questions or technical information related to Ursula Hanle Technical Bulletin 101-25/2, dated January 21, 1998, should be directed to Ursula Hanle, Haus Schwalbenwerder, D-14728 Strodehne, Federal Republic of Germany; telephone and facsimile: +49 (0) 33875-30389. 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.

(e) The replacement required by this AD shall be done in accordance with Ursula Technical Bulletin 101-25/2, dated January 21, 1998, and drawing No. 101-44-3(2), as referenced in the technical bulletin. 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 Ursula Hanle, Haus Schwalbenwerder, D-14728 Strodehne, Federal Republic of 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 1998-108, dated February 26, 1998.

(f) This amendment becomes effective on December 24, 1998.

Issued in Kansas City, Missouri, on November 12, 1998.

**Marvin R. Nuss,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-31012 Filed 11-20-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-20-AD; Amendment 39-10897; AD 98-24-11]

**RIN 2120-AA64**

#### **Airworthiness Directives; Mooney Aircraft Corporation Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Mooney Aircraft Corporation (Mooney) Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R airplanes. This AD requires inspecting the aileron control links for the installation of a reinforcing gusset; and, if no gusset is installed, repetitively inspecting the aileron control links (left-hand and right-hand) for cracks. If cracks are found, this AD requires replacing the aileron control links with parts of improved design. This AD is the result of service difficulty reports (SDR's) on the aileron control links and reported failures of the aileron control links. The actions specified by this AD are intended to detect and correct cracked aileron control links, which could result in loss of aileron control with consequent loss of control of the airplane.

**DATES:** Effective December 28, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 28, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from the Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas 78028. 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-20-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. Bob D. May, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone: (817) 222-5156; facsimile: (817) 222-5960.

#### **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 Mooney Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on July 22, 1998 (63 FR 39254). The NPRM proposed to require inspecting the aileron control links for the installation of a reinforcing gusset; and, if a gusset is not installed, repetitively inspecting the aileron control links (left-hand and right-hand) for cracks using a magnetic particle method. If a crack is found, the NPRM proposed to require replacing the aileron control links with parts of improved design. Replacing the aileron control links would be considered a terminating action for the repetitive inspections. Accomplishment of the proposed action as specified in the NPRM would be required in accordance with Mooney Engineering Design Service Bulletin No. M20-264, dated February 1, 1998.

The NPRM was the result of service difficulty reports (SDR's) on the aileron control links and reported failures of the aileron control links.

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

#### **Comment Disposition**

The commenter requests that the FAA reference Lake Aero Styling & Repair aileron control links. Lake Aero Styling & Repair holds a parts manufacturer approval (PMA) for parts that are equivalent to the improved design Mooney aileron control links.

The FAA does not concur. FAA policy is to not reference PMA parts in AD's, unless the FAA determines that the unsafe condition applies to the PMA parts. However, the FAA generally includes a statement of "or FAA-approved equivalent part number(s)"