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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-98-AD; Amendment 39-11142; AD 99-09-09]

RIN 2120-AA64

#### Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASH 26E Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Alexander Schleicher Segelflugzeugbau (Alexander Schleicher) Model ASH 26E sailplanes. This AD requires inspecting the red silicone tube of the rotor interior air cooling system (just in front of the carburetor) for oil leaks and the heat damping layer of the lower exhaust damper fairing for oil contamination, and replacing the applicable parts where oil leakage or contamination is found. 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 any oil-contaminated exhaust damper fairing caused by oil leakage in the red silicone tube of the rotor interior air cooling system, which could result in an exhaust fire and/or an explosion.

**DATES:** Effective June 7, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 7, 1999.

**ADDRESSES:** Service information that applies to this AD may be obtained from Alexander Schleicher GmbH & Co.,

Segelflugzeugbau, Postfach 60, 36163 Poppenhausen, Germany; telephone: ++49 (0) 6658-890; facsimile: ++49 (0) 6658-8923. 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-98-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 Alexander Schleicher Model ASH 26E sailplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on January 5, 1999 (64 FR 445). The NPRM proposed to require inspecting the red silicone tube of the rotor interior air cooling system (just in front of the carburetor) for oil leaks and the heat damping layer of the lower exhaust damper fairing for oil contamination, and replacing the applicable parts where oil leakage or contamination is found.

Accomplishment of the proposed inspection as specified in the NPRM would be required in accordance with Alexander Schleicher Technical Note No. 6, dated August 10, 1998. The possible replacements as specified in the NPRM would be required to be accomplished in accordance with the applicable maintenance manual or other applicable FAA-approved document.

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

This unsafe condition 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 will be utilized in this AD in order to assure that the unsafe condition is addressed on all sailplanes in a reasonable time period.

#### Differences Between the German AD, the Technical Note, and This AD

Both Alexander Schleicher Technical Note No. 6, dated August 10, 1998, and German AD 98-347, dated September 10, 1998, specify the initial inspection prior to further flight.

The FAA does not have justification through its regulatory process to require the inspection prior to further flight. To assure that no affected sailplane is inadvertently grounded, the FAA is utilizing a compliance time of 1 calendar month for the initial inspection.

#### Cost Impact

The FAA estimates that 8 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per sailplane 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 \$480, or \$60 per sailplane.

These figures only take into account the costs of the inspection and do not take into account the costs associated with any parts replacement that will be necessary if oil leakage or contamination is found. The FAA has no way of determining the number of

sailplanes that will need parts replacement because of oil leakage or contamination.

### 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:

#### 99-09-09 Alexander Schleicher

**Segelflugzeugbau:** Amendment 39-11142; Docket No. 98-CE-98-AD.

**Applicability:** Model ASH 26E 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 as indicated in the body of this AD, unless already accomplished.

To detect and correct any oil-contaminated exhaust damper fairing caused by oil leakage in the red silicone tube of the rotor interior air cooling system, which could result in an exhaust fire and/or an explosion, accomplish the following:

(a) Within the next calendar month after the effective date of this AD, inspect the red silicone tube of the rotor interior air cooling system (just in front of the carburetor) for oil leaks and the heat damping layer of the lower exhaust damper fairing for oil contamination, in accordance with the Action section of Alexander Schleicher Technical Note No. 6, dated August 10, 1998. Prior to further flight, replace the applicable parts where oil leakage or contamination is found, in accordance with the applicable maintenance manual or other applicable FAA-approved document.

(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 times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 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 Alexander Schleicher Technical Note No. 6, dated August 10, 1998, should be directed to Alexander Schleicher GmbH & Co., Segelflugzeugbau, Postfach 60, 36163 Poppenhausen, Germany; telephone: ++49 (0) 6658-890; facsimile: ++49 (0) 6658-8923. 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 inspection required by this AD shall be done in accordance with Alexander Schleicher Technical Note No. 6, dated August 10, 1998. 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 Alexander Schleicher GmbH & Co., Segelflugzeugbau, Postfach 60, 36163 Poppenhausen, 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 98-347, dated September 10, 1998.

(f) This amendment becomes effective on June 7, 1999.

Issued in Kansas City, Missouri, on April 15, 1999.

**Michael Gallagher,**

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

[FR Doc. 99-10169 Filed 4-27-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-11-AD; Amendment 39-11148; AD 99-09-15]

RIN 2120-AA64

**Airworthiness Directive; Raytheon Aircraft Company Beech Models A36, B36TC, 58, 58A, C90A, B200, B300, and 1900D Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Beech Models A36, B36TC, 58, 58A, C90A, B200, B300, and 1900D airplanes. This AD requires inspecting for interference or inadequate clearance between the flight control mechanism and any component located forward of the instrument panel. If interference or inadequate clearance is found, this AD requires securing all components so that they are clear of the flight control mechanism. This AD is the result of an incident where the electrical/avionics wires made contact with and restricted the control system of the affected airplanes. The actions specified by this AD are intended to prevent any component or wiring from interfering with the flight control mechanism caused by inadequate clearance, which could result in reduced or loss of aileron and/or elevator control.

**DATES:** Effective May 18, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 18, 1999.