

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 removing Airworthiness Directive (AD) 77-25-03, Amendment 39-3090, and by adding a new AD to read as follows:

**99-21-05 Fairchild Aircraft, Inc.:**

Amendment 39-11348; Docket No. 99-CE-15-AD; Supersedes AD 77-25-03, Amendment 39-3090.

**Applicability:** The following airplanes models and serial numbers, certificated in any category; that are equipped with any landing gear actuator rod end other than part number (P/N) VTA00350 (or FAA-approved equivalent part number).

Model	Serial No.
SA226-TC .....	TC201 through TC396, TC398 through TC413, and TC418 through TC419.

**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 (d) 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 prevent failure of the landing gear actuator caused by cracks in the rod ends, which could result in the inability to lower the landing gear during a landing with consequent possible loss of control of the airplane, accomplish the following:

(a) Within the next 500 hours time-in-service (TIS) after the effective date of this AD, replace any landing gear actuator rod end that is not P/N VTA00350 (or FAA-approved equivalent part number) with one that incorporates this part number. Accomplish this replacement in accordance with Fairchild Aircraft Alert Service Bulletin SB A32-014, Revised: January 26, 1999.

(b) As of the effective date of this AD, no person may install, on any affected airplane, any landing gear actuator rod end that is other than P/N VTA00350 (or FAA-approved equivalent part number).

(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 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, FAA, Airplane Certification Office (ACO), 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

(2) Alternative methods of compliance approved in accordance with AD 77-25-03 are not considered approved as alternative methods of compliance for this AD.

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

(e) The replacements required by this AD shall be done in accordance with Fairchild Aircraft Alert Service Bulletin SB A32-014, Revised: January 26, 1999. 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 Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279-0490. 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.

(f) This amendment supersedes AD 77-25-03, Amendment 39-3090.

(g) This amendment becomes effective on November 16, 1999.

Issued in Kansas City, Missouri, on September 27, 1999.

**Michael K. Dahl,**

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

[FR Doc. 99-25745 Filed 10-6-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 98-NM-367-AD; Amendment 39-11353; AD 99-21-10]

RIN 2120-AA64

**Airworthiness Directives; Boeing Model 727-100 and -100C Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 727-100 and -100C series airplanes, that requires replacement of certain skin panels of the lower fuselage with non-bonded skin panels. This amendment is prompted by reports of corrosion of the skin panels of the lower fuselage on airplanes with hot-bonded doublers. The actions specified by this AD are intended to prevent degradation of the structural integrity of certain skin panels of the lower fuselage, which could result in loss of airplane pressurization.

**DATES:** Effective November 12, 1999.

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

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA),

Model	Serial No.
SA226-T .....	T201 through T275 and T277 through T291.
SA226-T(B) .....	T(B) 276 and T(B) 292 through T(B)417.
SA226-AT .....	AT001 through AT074.

Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Walt Sippel, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2774; fax (425) 227-1181.

**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 Boeing Model 727-100 and -100C series airplanes was published in the **Federal Register** on July 21, 1999 (64 FR 39102). That action proposed to require replacement of certain skin panels of the lower fuselage with non-bonded skin panels.

#### Comments

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

Two commenters indicate they are not affected by the proposed rule. One commenter supports the proposed rule.

#### Conclusion

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 as proposed.

#### Cost Impact

There are approximately 67 airplanes of the affected design in the worldwide fleet. Based on a records review, the FAA estimates that only 38 of those airplanes are still in service. The FAA estimates that 23 airplanes of U.S. registry still in service will be affected by this AD, that it will take approximately 1,216 work hours per airplane to accomplish the required replacement, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$12,993 per airplane. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$1,976,919, or \$85,953 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

#### 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 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:

**99-21-10 Boeing:** Amendment 39-11353. Docket 98-NM-367-AD.

**Applicability:** Model 727-100 and -100C series airplanes; line numbers 126, 130, 146, 153, 221, 287, 331, 339, 345, 355, 416, 516, 532, 540, 551, 555, 559, 575, 592, 594, 596, 599, 600, 604, 605, 615, 619, 625, 626, 628, 630, 631, 632, 635, 640, 641, 643, 645, 647, 658, 660, 686, 695, 700, 711, 712, 735, 748, 766, 768, 784, 797, 803, 806, 810, 812, 817, 821, 822, 824, 829, 854, 856, 857, 858, 861, and 869; certificated in any category.

**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 (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 degradation of the structural integrity of certain skin panels of the lower fuselage, which could result in loss of airplane pressurization, accomplish the following:

(a) Within 20 years since original installation, or within 4 years after the effective date of this AD, whichever occurs later, replace the skin panels of the lower fuselage between body station (BS) 950 and BS 1183 with non-bonded skin panels, in accordance with Part VI of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0085, Revision 4, dated July 11, 1991.

**Note 2:** Accomplishment of the modification specified in Boeing Service Bulletin 727-53-0085, Revision 2, dated July 3, 1975, or Revision 3, dated September 28, 1989, is acceptable for compliance with the replacement required by paragraph (a) of this AD.

**Note 3:** Accomplishment of the modification specified in paragraph (a) of this AD constitutes terminating action for the inspection requirements of AD 92-19-10, amendment 39-8368 (57 FR 47404, October 16, 1992) for those panels.

#### Alternative Methods of Compliance

(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 Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

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

#### Special Flight Permits

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

#### Incorporation by Reference

(d) The replacement shall be done in accordance with Boeing Service Bulletin 727-53-0085, Revision 4, dated July 11, 1991. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

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

Issued in Renton, Washington, on September 28, 1999.

**D.L. Rigglin,**

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

[FR Doc. 99-25767 Filed 10-6-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-268-AD; Amendment 39-11350; AD 99-21-07]

RIN 2120-AA64

#### **Airworthiness Directives; McDonnell Douglas Model DC-9, DC-9-80, and C-9 (Military) Series Airplanes, and Model MD-88 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes two existing airworthiness directives (AD), applicable to certain McDonnell Douglas Model DC-9, DC-9-80, and C-9 (military) series airplanes, and Model MD-88 airplanes, that currently require installation of hydraulic line restrictors in the main landing gear (MLG), and modification or replacement of the left and right MLG hydraulic damper assemblies. This amendment requires an additional modification of the MLG hydraulic damper assemblies, or replacement of the MLG hydraulic damper assemblies with modified and reidentified hydraulic damper assemblies. This amendment is prompted by reports indicating that MLG hydraulic damper assemblies removed for overhaul had failed or damaged spring retainers, due to insufficient material thickness of the spring retainers. The actions specified by this AD are intended to prevent failure of the hydraulic damper assemblies of the MLG, which could result in vibration damage and collapse of the MLG.

**DATES:** Effective November 12, 1999.

The incorporation by reference of certain publications listed in the

regulations is approved by the Director of the Federal Register as of November 12, 1999.

The incorporation by reference of McDonnell Douglas Service Bulletin DC9-32-289, dated March 7, 1996, listed in the regulations was approved previously by the Director of the Federal Register as of November 14, 1996 (61 FR 53042, October 10, 1996).

The incorporation by reference of certain other publications listed in the regulations was approved previously by the Director of the Federal Register as of February 26, 1996 (61 FR 2407, January 26, 1996).

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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.

**FOR FURTHER INFORMATION CONTACT:** Albert Lam, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5346; fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 96-01-09, amendment 39-9485 (61 FR 2407, January 26, 1996), and AD 96-21-01, amendment 39-9777 (61 FR 53042, October 10, 1996), which are applicable to certain McDonnell Douglas Model DC-9, DC-9-80, and C-9 (military) series airplanes, and Model MD-88 airplanes, was published in the **Federal Register** on July 23, 1999 (64 FR 39944). The action proposed to require an additional modification of the main landing gear (MLG) hydraulic damper assemblies, or replacement of the MLG hydraulic damper assemblies with modified and reidentified hydraulic damper assemblies.

#### **Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due

consideration has been given to the single comment received.

The commenter supports the proposed rule.

#### **Conclusion**

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### **Cost Impact**

There are approximately 2,015 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,145 airplanes of U.S. registry will be affected by this AD.

The installation that is currently required by AD 96-01-09, and retained in this AD, takes approximately 4 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$928 per airplane. Based on these figures, the cost impact of the currently required installation on U.S. operators is estimated to be \$1,168 per airplane.

The modification that is currently required by AD 96-01-09, and retained in this AD, takes approximately 6 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$4,000 per airplane. Based on these figures, the cost impact of the currently required modification on U.S. operators is estimated to be \$4,360 per airplane.

The replacement that is currently required by AD 96-21-01, and retained in this AD, takes approximately 6 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$11,139 per airplane (two assemblies at \$5,569 each). Based on these figures, the cost impact of the currently required replacement on U.S. operators is estimated to be \$11,499 per airplane.

The modification that is currently required by AD 96-21-01, and retained in this AD, takes approximately 11 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$2,907 per airplane. Based on these figures, the cost impact of the currently required modification on U.S. operators is estimated to be \$3,567 per airplane.

The modification or replacement that is required in this AD action will take approximately 18 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$608 per airplane. Based on these figures, the cost impact of the modification required by this AD on