

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:

**98-06-02 Construcciones Aeronauticas, S.A. (CASA):** Amendment 39-10380. Docket 97-NM-277-AD.

**Applicability:** Model C-212 airplanes, as listed in CASA Service Bulletin SB-212-27-48, dated February 28, 1996; 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 loss of the movable joint of the aileron control rod, caused by deterioration of the hinges, which could result in reduced controllability of the airplane, accomplish the following:

(a) Within 100 flight hours after the effective date of this AD, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD in accordance with CASA Service Bulletin SB-212-27-48, dated February 28, 1996.

(1) Perform an inspection of the spherical bearings of the aileron control rod to detect discrepancies. If any discrepancy is found, prior to further flight, replace the whole terminal. And

(2) Install an improved retainer washer in the movable joint of the aileron control rod.

(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, International Branch, ANM-116, 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, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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) The actions shall be done in accordance with CASA Service Bulletin SB-212-27-48, dated February 28, 1996. 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 Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. 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.

**Note 3:** The subject of this AD is addressed in Spanish airworthiness directive 05/96, dated May 13, 1996.

(e) This amendment becomes effective on April 15, 1998.

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

**Darrell M. Pederson,**

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

[FR Doc. 98-6021 Filed 3-10-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-81-AD; Amendment 39-10381; AD 98-06-03]

RIN 2120-AA64

### Airworthiness Directives; EXTRA Flugzeugbau GmbH Model EA-300 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain EXTRA Flugzeugbau GmbH (EXTRA) Model EA-300 airplanes. This AD requires removing the elevator mass balance assemblies and replacing them with reinforced elevator mass balance assemblies 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 damage and possible jamming of the airplane's control system, which, if not corrected, could cause loss of control of the airplane.

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

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

**ADDRESSES:** Service information that applies to this AD may be obtained from Extra Flugzeugbau, GmbH, Schwarze Heide 21, 46569 Hünxe, Germany, telephone: 49-2358-9137-0; facsimile: 49-2858-9137-30. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-81-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:** Karl M. Schletzbaum, Aerospace Engineer, Small Airplane Directorate, Aircraft

Certification Service, 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 EXTRA Model EA-300 airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on December 31, 1997 (62 FR 68239). The NPRM proposed to require removing each elevator mass balance assembly, and replacing each elevator mass balance assembly with a reinforced elevator mass balance assembly of improved design (part number (P/N) PC-33202.1B or an FAA-approved part number). Accomplishment of the proposed action as specified in the NPRM would be in accordance with EXTRA EA-300, Elevator Mass Balance, Service Bulletin No. 300-1-92, Issue A, dated March 27, 1992.

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 20 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 3 workhours per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$100 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$5,600 or \$280 per airplane.

#### 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:

##### 98-06-03 Extra Flugzeugbau GMBH:

Amendment 39-10381; Docket No. 97-CE-81-AD.

**Applicability:** Model EA-300 airplanes (serial numbers V1, and 001 through 034), 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 (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 50 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent possible jamming of the airplane's control system, which, if not corrected, could cause loss of control of the airplane, accomplish the following:

(a) Replace the elevator mass balance assemblies with new reinforced elevator mass balance assemblies (part number (P/N) PC-33202.1B or an FAA-approved equivalent part number), in accordance with the Instructions section of the EXTRA EA-300, Elevator Mass Balance, Service Bulletin No. 300-1-92, Issue A, dated March 27, 1992.

(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 airplane 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, Aircraft Certification Service, 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 EXTRA EA-300, Elevator Mass Balance, Service Bulletin No. 300-1-92, Issue A, dated March 27, 1992, should be directed to Extra Flugzeugbau, GmbH, Schwarze Heide 21, 46569 Hünxe, 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.

(e) The replacement required by this AD shall be done in accordance with EXTRA EA-300, Elevator Mass Balance, Service Bulletin No. 300-1-92, Issue A, dated March 27, 1992. 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 Extra Flugzeugbau, GmbH, Schwarze Heide 21, 46569 Hünxe, 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 92-199 Extra, dated April 13, 1992.

(f) This amendment (39-10381) becomes effective on April 24, 1998.

Issued in Kansas City, Missouri, on March 3, 1998.

**James E. Jackson,**

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

[FR Doc. 98-6019 Filed 3-10-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-18-AD; Amendment 39-10382; AD 98-06-05]

RIN 2120-AA64

#### **Airworthiness Directives; Industrie Aeronautiche e Meccaniche Model Piaggio P-180 Airplanes**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to Industrie Aeronautiche e Meccaniche (I.A.M.) Model Piaggio P-180 airplanes that are equipped with a Rockwell Collins APS-65 autopilot system that incorporates an APC-65A autopilot computer. This AD requires incorporating airplane flight manual (AFM) and pilot's operating handbook (POH) supplements that include revised autopilot emergency disengagement procedures. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Italy. The actions specified by this AD are intended to prevent pilot difficulty in disengaging the autopilot during flight, which could result in the pilot's lack of proper attention to critical flight tasks due to the increased pilot workload with possible consequent loss of airplane controllability.

**DATES:** Effective April 2, 1998.

Comments for inclusion in the Rules Docket must be received on or before May 11, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket 98-CE-18-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that relates to this AD, including the AFM/POH supplements, may be obtained from I.A.M. Rinaldo Piaggio S.p.A., Via Cibrario, 4 16154 Genoa, Italy. 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-18-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Mr. David O. Keenan, Project Officer, FAA, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

The Registro Aeronautico Italiano (R.A.I.), which is the airworthiness authority for Italy, recently notified the FAA that an unsafe condition may exist on I.A.M. Model Piaggio P-180 airplanes that are equipped with a Rockwell Collins APS-65 autopilot system that incorporates an APC-65A autopilot computer. The R.A.I. reports two cases of flight crews having difficulty disengaging the autopilot during flight.

This condition, if not corrected in a timely manner, could result in the pilot's lack of proper attention to critical flight tasks due to the increased pilot workload with possible consequent loss of airplane controllability.

##### **Relevant Service Information**

I.A.M. has issued Piaggio Alert Service Bulletin ASB-80-0100, dated September 25, 1997, which specifies the following AFM and POH supplements that include revised autopilot emergency disengagement procedures:

- Section 9 Supplement 1, Report 6591, 5 of 30, Page 9-7, Reissued: June 19, 1992;
- Section 9 Supplement 1, Report 6591, 6 of 30, Page 9-8, Reissued: June 19, 1992;
- Section 9 Supplement 1, Report 6591, 7 of 30, Page 9-9, Reissued: June 19, 1992;
- Section 9 Supplement 1, Report 6591, 8 of 30, Page 9-10, Reissued: June 19, 1992;
- Section 9 Supplement 1, Report 6591, 9 of 30, Page 9-11, Reissued: June 19, 1992; and
- Section 9 Supplement 1, Report 6591, 10 of 30, Page 9-12, Reissued: June 19, 1992.

The R.A.I. classified this service bulletin as mandatory and issued Italian AD No. 97-290, dated October 21, 1997, in order to assure the continued airworthiness of these airplanes in Italy.

##### **The FAA's Determination**

This airplane model is manufactured in Italy and is type certificated for

operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the R.A.I. has kept the FAA informed of the situation described above.

The FAA has examined the findings of the R.A.I.; reviewed all available information, including the AFM/POH supplements previously referenced; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

##### **Explanation of the Provisions of This AD**

Since an unsafe condition has been identified that is likely to exist or develop in other I.A.M. Model Piaggio P-180 airplanes of the same type design that are registered for operation in the United States and are equipped with a Rockwell Collins APS-65 autopilot system that incorporates an APC-65A autopilot computer, the FAA is issuing an AD. This AD requires incorporating the AFM and POH supplements previously referenced that include revised autopilot emergency disengagement procedures.

##### **Compliance Time of This AD**

Although difficulty for the flight crew to disengage the autopilot is only a safety problem while the airplane is in flight, this unsafe condition is not a result of the number of times the airplane is operated. The chance of this situation occurring is the same for an airplane with 10 hours time-in-service (TIS) as it is for an airplane with 5,000 hours TIS. In addition, the utilization of the affected airplanes varies from operator to operator. Some operators may utilize the affected airplanes in excess of 200 hours TIS in a month, while others may only log 20 hours TIS or less in a month. Based on the above information, the FAA has determined that the compliance time of this AD should be presented in both calendar time and hours TIS (with the prevalent one being that which occurs first) in order to assure that the unsafe condition is addressed on all of the affected airplanes in a reasonable time period.

##### **Determination of the Effective Date of the AD**

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for public prior comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.