

§ 39.13 [Amended]

2. Section 39.13 is amended by removing AD 97-08-02, Amendment 39-9990 (62 FR 16667, April 8, 1997), and by adding a new airworthiness directive (AD) to read as follows:

97-08-02 R1 Schempp-Hirth K.G.:

Amendment 39-10439; Docket No. 96-CE-19-AD. Revises AD 97-08-02, Amendment 39-9990.

Applicability: The following sailplane models and serial numbers, certificated in any category:

Models	Serial numbers
Nimbus-2B	All serial numbers.
Mini-Nimbus B	All serial numbers.
Discus a and Discus b.	Serial numbers 1 to 446.

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 (f) 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 corrosion in the elevator caused by water entering the elevator control rod, which could result in elevator failure and consequent loss of control of the sailplane, accomplish the following:

(a) Prior to further flight after May 30, 1997 (the effective date of AD 97-08-02), accomplish a load test of the elevator control system in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note.

Note 2: Sections 61.107(d)(1) and 61.127(d)(1) of the Federal Aviation Regulations (14 CFR 61.107(d)(1) and 14 CFR 61.127(d)(1)) give the authorization for glider/sailplane operators to disassemble and reassemble the elevator control system (for storage purposes between flights). The "prior to further flight after the effective date of this AD" compliance time in paragraph (a) of this AD was established to coincide with the next reassembly of the elevator control system.

(b) If any discrepancies are found during the load test required by paragraph (a) of this AD, prior to further flight, replace the elevator vertical actuating tube in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note.

(c) Within the next 6 calendar months after May 30, 1997 (the effective date of AD 97-

08-02) or prior to further flight after May 30, 1997 (the effective date of AD 97-08-02), whichever occurs later, unless already accomplished (performing the actions in paragraph (b) of this AD), replace the elevator vertical actuating tube in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note.

(d) The elevator control system load test as required by paragraph (a) of this AD may be performed by the sailplane owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(e) 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.

(f) 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(g) The load test and replacement required by this AD shall be done in accordance with Schempp-Hirth Technical Note No. 278-33, 286-28, 295-22, 328-10, 349-16, 360-9, 373-5, dated November 19, 1992, and the Appendix to this technical note. This incorporation by reference was approved previously by the Director of the Federal Register as of May 30, 1997 (62 FR 16667, April 8, 1997). Copies may be obtained from Schempp-Hirth Flugzeugbau GmbH, Kребенstrasse 25, Postfach 1443, D-73230 Kirchheim/Teck, 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.

(h) This amendment becomes effective on April 17, 1998.

Issued in Kansas City, Missouri, on March 25, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-8582 Filed 4-6-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 98-NM-49-AD; Amendment 39-10449]

RIN 2120-AA64

Airworthiness Directives; Saab Model SAAB 340B Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Saab Model SAAB 340B series airplanes. This amendment requires adjustment of the cargo baggage net, replacement of baggage net placards, and installation of new baggage net placards. This amendment is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent failure of the cargo bulkhead floor attachments, which could result in damage to the airplane structure and possible injury to passengers and crewmembers.

DATES: Effective July 6, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 6, 1998.

Comments for inclusion in the Rules Docket must be received on or before May 7, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-49-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. This information may be examined 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.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: The Luftfartverket (LFV), which is the airworthiness authority for Sweden, notified the FAA that an unsafe condition may exist on certain Saab Model SAAB 340B series airplanes. The LFV advises that it has received reports indicating that, on certain airplanes having a kinked bulkhead configuration, the cargo baggage net is installed incorrectly. As a result of the incorrect installation, the forward webbing of the net is too close to the aft face of the bulkhead, such that baggage may structurally overload the bulkhead's floor attachments. This condition, if not corrected, could result in failure of the cargo bulkhead floor attachments, damage to the airplane structure, and possible injury to passengers and crewmembers.

Explanation of Relevant Service Information

Saab has issued Service Bulletin 340-25-244, dated June 13, 1997, which describes procedures for adjustment of the cargo baggage net to a minimum distance of 12.00 inches (304.80 millimeters) between the cargo baggage net and the aft face of the kinked bulkhead; replacement of the baggage net placard on the aft face of the kinked bulkhead with a new placard; and installation of new placards on the right-hand cargo bay panel. The LFV classified this service bulletin as mandatory and issued Swedish airworthiness directive (SAD) 1-118, dated October 9, 1997, in order to assure the continued airworthiness of these airplanes in Sweden.

FAA's Conclusions

This airplane model is manufactured in Sweden and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LFV has kept the FAA informed of the situation described above. The FAA has examined the findings of the LFV, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to require accomplishment of the actions specified

in the service bulletin described previously.

Cost Impact

Currently, there are 240 Saab Model SAAB 340B series airplanes on the U.S. Register. However, the FAA has determined that none of these U.S. registered airplanes will be affected by this AD. Therefore, there is no future economic cost impact of this rule on U.S. operators.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 2 work hours to accomplish the required actions, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$120 per airplane.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. The requirements of this direct final rule address an unsafe condition identified by a foreign civil airworthiness authority and do not impose a significant burden on affected operators. In accordance with 14 CFR 11.17, unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment, is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received; at that time, the AD number will be specified, and the date on which the final rule will become effective will be confirmed. If the FAA does receive, within the comment period, a written adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date

for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-49-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For reasons discussed in the preamble, I certify that this regulation (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) if promulgated, 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 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:

Saab Aircraft AB: Amendment 39–10449. Docket 98–NM–49–AD.

Applicability: Model SAAB 340B series airplanes; manufacturers serial numbers –205, –207, –230, –276, –281, –289, –292, –296, –302, –308, –310, –311, –315, –316, –318, –327, –328, –331, –333, –336, –337, –351, –355, –357, –360 through –365 inclusive, –368, –378, and –399; 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 failure of the cargo bulkhead floor attachments, which could result in damage to the airplane structure and possible injury to passengers and crewmembers, accomplish the following:

(a) Within 3 months after the effective date of this AD, adjust the cargo baggage net; replace the baggage net placard on the aft face of the kinked bulkhead with a new placard; and install new placards on the right-hand cargo bay panel; in accordance with SAAB Service Bulletin 340–25–244, dated June 13, 1997.

(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 SAAB Service Bulletin 340–25–244, dated June 13, 1997. 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 Saab Aircraft AB, SAAB Aircraft Product Support, S–581.88, Linköping, Sweden. 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 Swedish airworthiness directive (SAD) 1–118, dated October 9, 1997.

(e) This amendment becomes effective on July 6, 1998.

Issued in Renton, Washington, on March 31, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98–8903 Filed 4–6–98; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–92–AD; Amendment 39–10451; AD 98–08–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300–600 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A300–600 series airplanes, that requires repetitive replacement of the universal joints and steady bearings of the flap transmission system with new parts at regular intervals, or overhaul. This amendment is prompted by a report of a malfunction of a universal joint in the flap transmission system on one wing due to fatigue failure. The actions specified by this AD are intended to ensure replacement or overhaul of certain universal joints and bearings of the transmission system when they have reached their maximum life limit. Failure of universal joints and bearings

could lead to an asymmetric condition of the flaps, which could adversely affect controllability of the airplane.

DATES: Effective May 12, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 12, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

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 all Airbus Model A300–600 series airplanes was published in the **Federal Register** on July 18, 1995 (60 FR 36748). That action proposed to require repetitive replacement of the universal joints and steady bearings of the flap transmission system with new parts at regular intervals.

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

Support for the Proposal

One commenter supports the proposed rule.

Request to Withdraw the Proposal

Three commenters request that the proposed AD be withdrawn because overhauling is already mandatory under the Maintenance Review Board (MRB) requirements. One commenter states that the maintenance program already includes a certification maintenance requirement (CMR) inspection of these gearboxes and bearings. The commenter states that because CMR inspections are mandatory, the proposed rule is redundant.

The FAA does not concur with the commenters' request to withdraw the proposal. The inspections required by this AD are to be accomplished in