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:

99–10–02 Avions Pierre Robin: Amendment 39–11156; Docket No. 98–CE–81–AD.

Applicability: Model R2160 airplanes, all serial numbers up to and including serial number 249, 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 (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 detect and correct the installation of improperly designed fuel venting system parts, which could result in an inadequate fuel supply to the engine with loss of engine power, accomplish the following:

(a) Within the next 50 hours time-in-service (TIS) after the effective date of this AD, inspect to assure that the fuel filler cap has a 2.5 millimeter (mm) diameter hole drilled through it or that a vinyl piping is connected to the filler neck inside the cabin. Accomplish this inspection in accordance with Avions Pierre Robin Service Bulletin No. 135, dated May 17, 1994.

(b) If neither of the conditions specified in paragraph (a) of this AD exists, prior to further flight, replace the fuel filler cap with a fuel filler cap that has a 2.5 mm diameter hole drilled through it, part number (P/N) 52.23.07.010 (or FAA-approved equivalent P/N). Accomplish this replacement in accordance with the applicable maintenance manual.

(c) Special flight permits may be issued in accordance with §§ 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 times that provides an equivalent level of safety may be used if 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.

(e) Questions or technical information related to the service information referenced in this AD should be directed to Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 33–3 80 44 20 50; facsimile: 33–3 80 35 60 80. 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.

(f) The inspection required by this AD shall be done in accordance with Avions Pierre Robin Service Bulletin No. 135, dated May 17, 1994. 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 Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France. 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 French AD 94–130(A), dated June 8, 1994.

(g) This amendment becomes effective on June 18, 1999.

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

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–10969 Filed 5–4–99; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–CE–79–AD; Amendment 39–11155; AD 99–10–01]

RIN 2120–AA64

Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Avions Pierre Robin Model R2160 airplanes. This AD requires replacing the wing attachment bolts and associated hardware. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for France. The actions specified by this AD are intended to prevent a wing from separating from the airplane caused by damaged wing attachment bolts, which could result in loss of control of the airplane.

DATES: Effective June 18, 1999.

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

ADDRESSES: Service information that applies to this AD may be obtained from Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 33–3 80 44 20 50; facsimile: 33–3 80 35 60 80. 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–79–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. Karl M. Schletzbaum, 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 certain Avions Pierre Robin Model R2160 airplanes was published

in the **Federal Register** as a notice of proposed rulemaking (NPRM) on March 2, 1999 (64 FR 10116). The NPRM proposed to require replacing the wing attachment bolts and associated hardware.

Accomplishment of the proposed replacement as specified in the NPRM would be required in accordance with Avions Pierre Robin NOTE NAV 96–3, dated May 2, 1996.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for France.

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 manufacturer has informed the FAA that the effectivity of the AD should cover all Model R2160 airplanes up to serial number 299 instead of serial numbers 001 through 264; 266 through 269; and 272 through 288, as published in the NPRM. None of these additional Model R2160 airplanes are registered in the United States. However, the FAA has determined that the AD should still apply to these serial numbered airplanes to assure that the unsafe condition is addressed in the event that any of these airplanes are imported and placed on the U.S. Register. Because the referenced airplanes are not on the U.S. register, adding these serial numbered airplanes to the final rule will not increase the burden upon the public over that already proposed in the NPRM.

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 the addition of certain airplanes not registered in the United States and 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.

Differences Between Service Bulletin, French AD, and This AD

Avions Robin Service Bulletin No. 145, rev. 2, dated January 11, 1999, and NOTE NAV 96–3, dated May 2, 1996, specify checking the torque value of the wing attachment bolts at each 100-hour maintenance visit, and French AD 96–051(A) R1, dated June 5, 1996, requires these checks for those airplanes registered for operation in France.

These checks are part of the maintenance schedule and are considered a general maintenance item. Because the FAA has no justification to mandate AD action for general maintenance, this AD only incorporates the replacement of the wing attachment bolts and associated hardware and does not include the torque value checks.

Cost Impact

The FAA estimates that 10 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 40 workhours per airplane to accomplish the replacements, and that the average labor rate is approximately $60 per work hour. Parts cost approximately $200 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $26,000, or $2,600 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:

99–10–01 Avions Pierre Robin: Amendment 39–11155; Docket No. 98–CE–79–AD.

Applicability: Model R2160 airplanes, serial numbers 001 through 298, 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 (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 a wing from separating from the airplane caused by damaged wing attachment bolts, which could result in loss of control of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, replace the wing attachment bolts and associated hardware, in accordance with Avions Pierre Robin NOTE NAV 96–3, dated May 2, 1996.

(b) As of the effective date of this AD, no person may install, on any affected airplane, wing attachment bolts and associated hardware that are not specified in Avions Pierre Robin NOTE NAV 96–3, dated May 2, 1996, unless the parts are an FAA-approved equivalent to that referenced in the service information.

(c) Special flight permits may be issued in accordance with §§ 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 used if 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.

(e) Questions or technical information related to the service information referenced in this AD should be directed to Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 33–3 80 44 20 50; facsimile: 33–3 80 35 60 80. 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.

(f) The replacements required by this AD shall be done in accordance with Avions Pierre Robin NOTE NAV 96–3, dated May 2, 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 Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France. 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 French AD 96–051(A) R1, dated June 5, 1996.

(g) This amendment becomes effective on June 18, 1999.

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

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–10968 Filed 5–4–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–93–AD; Amendment 39–11159; AD 99–10–05]

RIN 2120–AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain EMBRAER Model EMB–145 series airplanes. This action requires replacement of certain flexible joints and O-rings of the rear fuselage with improved flexible joints and new O-rings. This action also requires installation of new support assemblies to attach to the engine bleed line tubing in the area of the rear fuselage to improve the engine bleed line tubing alignment. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent failure of certain flexible joints that attach to the engine bleed lines in the area of the rear fuselage. Failure of these flexible joints could cause damage to the fuel lines leading to the auxiliary power unit, which could result in an increased risk of fire to occur in the rear baggage compartment during flight.

DATES: Effective May 20, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 20, 1999.

Comments for inclusion in the Rules Docket must be received on or before June 4, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–93–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert Capezzuto, Aerospace Engineer, Systems and Flight Test Branch, ACE–116A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone (770) 703–6071; fax (770) 703–6097.

SUPPLEMENTARY INFORMATION: The Departmento de Aviacao Civil (DAC), which is the airworthiness authority for Brazil, recently notified the FAA that an unsafe condition may exist on certain EMBRAER Model EMB–145 series airplanes. The DAC advises that failure of certain flexible joints (Gamah joints) in the engine bleed lines has occurred. The cause of the failure has been attributed to the inadequate strength of these flexible joints. These joints could not withstand the hot bleed air pressure produced by both engines and the joints ruptured in an undisclosed area of the airplane and damaged certain airplane systems. This condition, if not detected and corrected, could result in an increased risk of fire to occur in the rear baggage compartment during flight.

Explanation of Relevant Service Information

EMBRAER has issued Service Bulletin 145–36–0007, Change 03, dated December 9, 1998, which describes procedures for replacement of certain flexible joints (Gamah joints) and O-rings of the rear fuselage with improved flexible joints and new O-rings. The service bulletin also describes procedures for installation of new support assemblies to attach to the engine bleed line tubing in the area of the rear fuselage to improve the engine bleed line tubing alignment. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

The DAC classified this service bulletin as mandatory and issued Brazilian airworthiness directive 98–11–01, dated November 13, 1998, in order to assure the continued airworthiness of these airplanes in Brazil.

FAA's Conclusions

This airplane model is manufactured in Brazil 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 DAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DAC, 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 prevent failure of certain flexible joints that attach to the engine bleed lines in the area of the rear fuselage. Failure of these flexible joints could cause damage to the fuel lines leading to the auxiliary power unit, which could result in an increased risk of fire to occur in the baggage compartment during flight. This AD requires accomplishment of the actions specified in the service bulletin described previously.