

this AD prior to the effective date of this AD in accordance with Airbus Service Bulletin A300-57-6088 or A300-57-0235, both dated August 5, 1998; as applicable; is acceptable for compliance with the requirements of that paragraph.

#### *Alternative Methods of Compliance*

(e) 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. 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 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

#### **Special Flight Permits**

(f) 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**

(g) Except as provided by paragraph (c) of this AD, the actions shall be done in accordance with Airbus Service Bulletin A300-57-6087, Revision 01, dated March 11, 1998; Airbus Service Bulletin A300-57-0234, Revision 01, dated March 11, 1998; Airbus Service Bulletin A300-57-6088, Revision 01, dated February 1, 1999, including Appendix 01, dated February 1, 1999; and Airbus Service Bulletin A300-57-0235, Revision 01, dated February 1, 1999, including Appendix 01, dated February 1, 1999; as applicable. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 5:** The subject of this AD is addressed in French Airworthiness directive 98-151-247(B), dated April 8, 1998.

(h) This amendment becomes effective on October 20, 1999.

Issued in Renton, Washington, on September 2, 1999.

**Dorenda D. Baker,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 99-23476 Filed 9-14-99; 8:45 am]  
BILLING CODE 4910-13-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 99-NM-11-AD; Amendment 39-11311; AD 99-19-24]

**RIN 2120-AA64**

#### **Airworthiness Directives; Dassault Model Mystere-Falcon 900, Falcon 900EX, and Falcon 2000 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Dassault Model Mystere-Falcon 900, Falcon 900EX, and Falcon 2000 series airplanes, that requires replacement of the elevator auxiliary artificial feel unit (AFU) with a new elevator auxiliary AFU. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent failure of the elevator auxiliary AFU. Failure of an AFU, coupled with a control linkage disconnection upstream of the servo actuator and downstream of the main AFU, could result in reduced controllability of the airplane.

**DATES:** Effective October 20, 1999.

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

**ADDRESSES:** The service information referenced in this AD may be obtained from Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606. 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 certain Dassault Model Mystere-Falcon 900, Falcon

900EX, and Falcon 2000 series airplanes was published in the **Federal Register** on June 28, 1999 (64 FR 34584). That action proposed to require replacement of the elevator auxiliary artificial feel unit (AFU) with a new elevator auxiliary AFU.

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

#### **Request to Revise Statement of Unsafe Condition**

One commenter, the manufacturer, requests that the FAA clarify the unsafe condition by adding the words, "upstream of the servo actuator and downstream of the main AFU" to the language specified in certain sections of the proposed AD. The commenter states that the single loss of elevator auxiliary AFU or the loss of elevator auxiliary AFU coupled with a control linkage disconnection upstream of the main AFU will have no direct consequences on the airworthiness of an airplane. However, the loss of an auxiliary AFU coupled with the control linkage disconnection upstream of the servo actuator and downstream of the main AFU is a failure with consequences considered to be catastrophic.

The FAA concurs with the request. The FAA agrees that further clarification in regard to the unsafe condition is necessary and has added the words suggested by the commenter to this final rule. (The FAA acknowledges that the Discussion section of the proposed AD also needs clarification in regard to the unsafe condition, however, because the Discussion section is not restated in the final rule, no change to this final rule is necessary in this regard.)

#### **Request to Revise Relevant Service Information**

The same commenter requests that the relevant service information of the proposed AD be revised to reference the applicable Airplane Maintenance Manual (AMM) revisions. In support of this request, the commenter notes that after investigations and discussion with the Direction Générale de l'Aviation Civile (DGAC), the bushing of the AFU, part number (P/N) 105045-10, is considered to be a 2,000-landing safe-life part. Furthermore, the commenter notes that the AMM revisions were required by French airworthiness directives 98-429-023(B) and 98-428-007(B), each dated November 4, 1998.

The FAA does not concur with the commenter's request. The FAA acknowledges that the AMM's have

been revised to include safe-life limits for the elevator auxiliary AFU having P/N 105045-10. However, this AD requires that operators install a new AFU, P/N 105045-13, that does not have life limits. Additionally, paragraph (b) of this AD does not allow operators to install the old AFU's referenced by the commenter, as of the effective date of this AD. The FAA has determined that there is no need to refer to the AMM revisions that include the life limits of the old part. Therefore, no change to the final rule in this regard is necessary.

#### **Request to Revise the Compliance Time**

The same commenter, the manufacturer, requests that the compliance time of the proposed AD be revised to read, "The elevator auxiliary AFU P/N 105045-10 which have reached or exceeded 2,000 landings must be replaced within 6 months after the effective date of this AD." The commenter states that the current compliance time would penalize operators whose airplanes are far from 2,000 landings. The commenter also states that spare parts availability has been determined according to the French airworthiness directives 98-429-023(B) and 98-428-007(B), each dated November 4, 1998.

The FAA does not concur. The FAA acknowledges the comment, but points out that the commenter fails to recognize the last phrase in the compliance sentence, "whichever occurs later." Therefore, an airplane that has accumulated very few landings as of the effective date of this AD will have until 2,000 total landings to comply with the requirements of this AD. The compliance time of this AD as written, aligns with the French airworthiness directives. Therefore, no change to the final rule in this regard is necessary.

#### **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 with the change described previously. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

#### **Cost Impact**

The FAA estimates that 186 airplanes of U.S. registry will be affected by this required AD, that it will take approximately 3 work hours per airplane to accomplish the required replacement, and that the average labor rate is \$60 per work hour. Required

parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the required AD on U.S. operators is estimated to be \$33,480, or \$180 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:

**99-19-24 Dassault Aviation:** Amendment 39-11311. Docket 99-NM-11-AD.

*Applicability:* Model Mystere-Falcon 900, Falcon 900EX, and Falcon 2000 series airplanes, equipped with an elevator auxiliary artificial feel unit (AFU), part number 105045-10; 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 as indicated, unless accomplished previously.

To prevent failure of the elevator auxiliary AFU, coupled with a control linkage disconnection upstream of the servo actuator and downstream of the main AFU, which could result in reduced controllability of the airplane, accomplish the following:

#### **Replacement**

(a) Prior to the accumulation of 2,000 total landings, or within 6 months after the effective date of this AD, whichever occurs later, replace the elevator auxiliary AFU, part number 105045-10, with an elevator auxiliary AFU, part number 105045-13, in accordance with Dassault Service Bulletin F900-235, dated October 13, 1998 (for Model Mystere-Falcon 900 series airplanes); F900EX-88, dated October 20, 1998 (for Model Falcon 900EX series airplanes); or F2000-175, dated October 20, 1998 (for Model Falcon 2000 series airplanes); as applicable.

#### **Spares**

(b) As of the effective date of this AD, no person shall install an elevator auxiliary AFU, part number 105045-10, on any airplane.

#### **Alternative Methods of Compliance**

(c) 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.

#### Special Flight Permits

(d) 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

(e) The replacement shall be done in accordance with Dassault Service Bulletin F900-235, dated October 13, 1998; Dassault Service Bulletin F900EX-88, dated October 20, 1998; or Dassault Service Bulletin F2000-175, dated October 20, 1998; as applicable. 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 Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606. 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 French airworthiness directives 98-429-023(B) and 98-428-007(B), both dated November 4, 1998.

(f) This amendment becomes effective on October 20, 1999.

Issued in Renton, Washington, on September 2, 1999.

**Dorenda D. Baker,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 99-23475 Filed 9-14-99; 8:45 am]  
BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-251-AD; Amendment 39-11314; AD 99-19-27]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-100, -200, -300, -400, and -500 series airplanes, that requires a one-time inspection of the main landing gear (MLG) wheel assemblies to determine whether certain parts are installed, and follow-on corrective actions, if necessary. For certain airplanes, this amendment also requires eventual

modification of MLG wheel assemblies, which terminates the requirements of this AD. This amendment is prompted by incidents of multiple tie bolt failures on certain BFGoodrich wheel assemblies. The actions specified by this AD are intended to prevent failure of multiple tie bolts of MLG wheel assemblies, which could result in failure of the wheel rim, rapid release of tire pressure, and possible consequent damage to the airplane and injury to passengers and flightcrew.

**DATES:** Effective October 20, 1999.

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

**ADDRESSES:** The service information referenced in this AD may be obtained from BFGoodrich Aerospace, Aircraft Wheels and Brakes, P.O. Box 340, Troy, Ohio 45373. 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:** Don Kurlle, Senior Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2798; 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 all Boeing Model 737-100, -200, -300, -400, and -500 series airplanes was published in the **Federal Register** on November 18, 1998 (63 FR 64013). That action proposed to require a one-time inspection of the main landing gear (MLG) wheel assemblies to determine whether certain parts are installed, and follow-on corrective actions, if necessary. For certain airplanes, that action also proposed to require eventual modification of MLG wheel assemblies, which would terminate the requirements of this AD.

#### 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.

#### Support for the Proposal

One commenter has no objection to the proposed AD.

#### Explanation of Change Made to Proposal

The FAA has clarified the inspection requirement contained in the proposed AD. Whereas the proposed specified a visual inspection, the FAA has revised paragraphs (b)(2)(i) and (b)(2)(ii) of this final rule to clarify that its intent is to require a detailed visual inspection. Additionally, Note 2 has been added to the final rule to define that inspection.

#### Request to Revise Applicability

One commenter requests that the applicability of the proposed AD be revised to read, "All Model 737-100, -200, -300, -400, and -500 series airplanes certificated in any category, having wheel assemblies manufactured by BFGoodrich installed." In support of its request, the commenter states that the current applicability does not exclude airplanes that do not have BFGoodrich wheel and brake assemblies installed.

The FAA does not concur. The purpose of the AD is to assure that all operators verify part numbers, determine if BFGoodrich wheel assemblies are installed, and if so, take appropriate action. No change to the applicability section of the AD is made in this regard. However, the FAA recognizes that a records review can verify part numbers, and as discussed below, paragraph (a) of the AD has been revised to essentially accomplish the result sought by the commenter.

#### Request to Revise Inspection Procedures

Several commenters request that the proposed inspection procedures of the main landing gear (MLG) wheel assemblies be revised to allow for a records review in lieu of a visual inspection to determine whether certain parts are installed. In support of this request, the commenters noted that other wheel assemblies (AlliedSignal) are not interchangeable with BFGoodrich wheel assemblies, and since it is not necessary to determine the type of wheel assemblies that are installed, a review of records would be less expensive than a visual inspection.

The FAA concurs with the commenters' request to revise the inspection procedures required by paragraph (a) of this AD. The FAA recognizes that a visual inspection is not necessary to determine the type of wheel assemblies that are installed. In light of this, the FAA has revised paragraph (a) of this final rule to