

Wing tanks 2L and 2R: Less than 1,200 lbs (545 kg) total in the two compartments (inboard and outboard) of each tank. These quantities should be considered unusable fuel for the purposes of fuel management.

When operating with a fuel boost pump assembly inoperative per Master Minimum Equipment List (MMEL) item number 28-24-01, add the following maintenance procedure:

Pull and collar the affected circuit breaker. When operating with an inoperative flight station fuel quantity indicating system per MMEL item 28-41-00, do not operate the fuel boost pumps of the affected wing tank in the air or on the ground when fuel quantities are less than the following:

Wing tanks 1 and 3: Less than 7,000 lbs (3,175 kg) in the affected tank.
Wing tanks 2L and 2R: Less than 1,200 lbs (545 kg) total in the two compartments (inboard and outboard) of the affected tank."

Add to Procedures Section:

"FUEL SYSTEM

Fuel Pumps

If the circuit breaker for any wing tank fuel boost pump (circuit breakers U3, U4, U7, U8, U9, U10, U13, U14) trips, do not reset. If the pump trips while in flight, continue flight in accordance with the procedures in the "Tank Pumps LOW Lights On" portion of the Procedures section of the AFM. If the breaker trips while on the ground, do not reset

without first identifying the source of the electrical fault.

ELECTRICAL SYSTEM

Fuel Pumps

If the circuit breaker for any wing tank fuel boost pump (circuit breakers U3, U4, U7, U8, U9, U10, U13, U14) trips, do not reset. If the pump trips while in flight, continue flight in accordance with the procedures in the "Tank Pumps LOW Lights On" portion of the Procedures section of the AFM. If the breaker trips while on the ground, do not reset without first identifying the source of the electrical fault."

Placard Installation

(b) Within 50 flight hours or 10 days after April 28, 1998, whichever occurs first, install a placard on the engineer's fuel panel that states:

"If FQIS is operative, do not operate the fuel boost pumps when less than 1,200 pounds of fuel are in the corresponding wing tanks."

New Requirements of this AD

Modification

(c) Within 18 months after the effective date of this AD: Modify each fuel boost pump assembly in accordance with Parts 2.A. through 2.I. inclusive of the Accomplishment Instructions of Lockheed Service Bulletin 093-28-093, Revision 1, dated February 8, 1999. Accomplishment of this modification terminates the requirements of this AD. Following accomplishment of the modification, the AFM revision may be

removed from the AFM, and the placard may be removed.

Alternative Methods of Compliance

(d)(1) 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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

(d)(2) Alternative methods of compliance, approved previously in accordance with AD 98-08-09, amendment 39-10492, are approved as alternative methods of compliance with this AD.

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

Special Flight Permits

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

Incorporation by Reference

(f) The modification shall be done in accordance with Lockheed Service Bulletin 093-28-093, Revision 1, dated February 8, 1999, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1-4, 6	Original	January 15, 1999.
5	1	February 8, 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 Lockheed Martin Aircraft & Logistics Center, 120 Orion Street, Greenville, South Carolina 29605. Copies may be inspected 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.

(g) This amendment becomes effective on January 4, 2000.

Issued in Renton, Washington, on November 18, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 99-30627 Filed 11-29-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-197-AD; Amendment 39-11442; AD 99-24-17]

RIN 2120-AA64

Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Saab Model SAAB 2000 series airplanes, that requires modification of the airplane by coldworking fastener holes at the front and rear wing spars and by installing modified support angles for the lower trailing edge panel of the wing. 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 fatigue cracking in the lower spar cap of the wing rear spar and in the lower skin at the wing front spar, just outside the nacelle, on the left-hand and right-hand side of the airplane, which could result in fuel leakage and consequent fire in or around the wing.

DATES: Effective January 4, 2000.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 4, 2000.

ADDRESSES: The service information referenced in this AD may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linkoping, Sweden. 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, 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 Saab Model SAAB 2000 series airplanes was published in the **Federal Register** on September 23, 1999 (64 FR 51486). That action proposed to require modification of the airplane by coldworking fastener holes at the front and rear wing spars and by installing modified support angles for the lower trailing edge panel of the wing.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 3 airplanes of U.S. registry will be affected by this AD, that it will take approximately 180 work hours per airplane to accomplish the actions, at an average labor rate of \$60 per work hour. The manufacturer states that necessary parts will be provided at no cost to operators. Based on these figures, the cost impact of the this AD on U.S. operators is estimated to be \$32,400, or \$10,800 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:

99-24-17 SAAB Aircraft AB: Amendment 39-11442. Docket 99-NM-197-AD.

Applicability: Model SAAB 2000 series airplanes, as listed in Saab Service Bulletin 2000-57-029, dated June 4, 1999; 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 fatigue cracking in the lower spar cap of the wing rear spar and in the lower skin at the wing

front spar, just outside the nacelle, on the left-hand and right-hand side of the airplane, which could result in fuel leakage and consequent fire in or around the wing, accomplish the following:

(a) Prior to the accumulation of 13,000 total flight cycles, or within 500 flight cycles after the effective date of this AD, whichever occurs later, modify the airplane by coldworking the fastener holes at the front and rear wing spar (including all applicable nondestructive test and detailed visual inspections and repairs of holes) and installing modified support angles for the lower trailing edge panel of the wing, in accordance with the instructions of Saab Service Bulletin 2000-57-029, dated June 4, 1999.

(b) Where Saab Service Bulletin 2000-57-029, dated June 4, 1999, specifies that Saab be contacted for repair instructions for certain damage conditions, this AD requires that such damage conditions must be repaired in accordance with a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Luftfartsverket (LFV) (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM-116, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

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. 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) Except as provided by in paragraph (b) of this AD, the actions shall be done in accordance with Saab Service Bulletin 2000-57-029, dated June 4, 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 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 1-142, dated June 4, 1999.

(f) This amendment becomes effective on January 4, 2000.

Issued in Renton, Washington, on November 18, 1999.

D. L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-30626 Filed 11-29-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-340-AD; Amendment 39-11437; AD 99-24-13]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and 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 all EMBRAER Model EMB-135 and EMB-145 series airplanes. This action requires a revision to the Airplane Flight Manual (AFM) to prohibit in-flight operations of the autopilot coupled to flight director #2 during certain conditions; and installation of an associated warning placard. 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 the autopilot to automatically disconnect from flight director #2, as intended, at a low altitude during windshear conditions. Such failure could result in reduced controllability of the airplane.

DATES: Effective December 15, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 15, 1999.

Comments for inclusion in the Rules Docket must be received on or before December 30, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-

340-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:

Angela Compton, 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) 703-6070; fax (770) 703-6097.

SUPPLEMENTARY INFORMATION: The Departamento de Aviacao Civil (DAC), which is the airworthiness authority for Brazil, recently notified the FAA that an unsafe condition may exist on all EMBRAER Model EMB-135 and EMB-145 series airplanes. The DAC advised that tests indicated that, when the autopilot system is coupled to the co-pilot's flight director (flight director #2), the autopilot system does not automatically disengage when a windshear is detected by the ground proximity warning system at a height below 1,500 feet above ground level (AGL). The cause of this malfunction has been attributed to a software discrepancy in the autoflight IC-600 integrated avionics computer, which causes the autopilot to remain engaged in windshear mode. This condition, if not corrected, could result in failure of the autopilot to automatically disconnect from flight director #2, as designed, at a low altitude during windshear conditions, and consequent reduced controllability of the airplane.

Explanation of Relevant Service Information

Embraer has issued Service Bulletin No. 145-31-0017, Change No. 01, dated October 22, 1999, which describes procedures for installation of a warning placard on the glareshield panel of the cockpit that states, "DO NOT OPERATE FLIGHT DIRECTOR #2 COUPLED TO AUTOPILOT BELOW 1,500 FT. AGL." The DAC classified this service bulletin as mandatory and issued Brazilian airworthiness directive 1999-10-01, dated October 20, 1999, in order to

assure the continued airworthiness of these airplanes in Brazil.

FAA's Conclusions

These airplane models are manufactured in Brazil and are 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 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 the autopilot to automatically disconnect from flight director #2, as intended, at a low altitude during windshear conditions. Such failure could result in reduced controllability of the airplane. This AD requires a revision to the Limitations section of the FAA-approved Airplane Flight Manual (AFM) to provide the flightcrew with revised procedures to prohibit in-flight operations of the autopilot coupled to flight director #2 below 1,500 feet AGL; and installation of an associated warning placard.

Difference Between This AD, the Service Bulletin, and the Brazilian Airworthiness Directive

Operators should note that, although the service bulletin and the Brazilian airworthiness directive specify effectivity based on manufacturer serial numbers, the applicability of this AD is expanded to include all Model EMB-135 and EMB-145 series airplanes. The FAA has determined that the autoflight IC-600 integrated avionics computer, which is the probable cause of the unsafe condition, is installed on all Model EMB-135 and EMB-145 series airplanes.

Interim Action

This is considered to be interim action. The manufacturer has advised that it currently is developing a modification that will positively address the unsafe condition addressed by this AD. Once this modification is developed, approved, and available, the