Done in Washington, DC, this 31st day of August 2000.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 00–22965 Filed 9–6–00; 8:45 am]

BILLING CODE 3410–34–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–CE–53–AD; Amendment 39–11887; AD 2000–18–02]

RIN 2120–AA64

Airworthiness Directives; Raytheon Aircraft Company Models A65, A65–8200, 65–B80, 70, 95–A55, 95–B55, 95–C55, D55, E55, 56TC, A56TC, 58, 58P, 58TC, and 95–B55B (T42A) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Models A65, A65–8200, 65–B80, 70, 95–A55, 95–B55, 95–C55, D55, E55, 56TC, A56TC, 58, 58P, 58TC, 95–B55B (T42A) airplanes. This AD requires replacement of certain elevator skin assemblies that Raytheon shipped from January 1, 1999, through December 31, 1999, and prevents the future installation of these elevator skin assemblies. This AD authorizes the pilot to check the logbooks to determine whether one of these elevator skin assemblies is installed. This AD is the result of reports that certain elevator skin assemblies did not receive a 250-degree Fahrenheit bake operation after corrosion treatment, thus making the skin susceptible to separation from the elevator assembly. The actions specified by this AD are intended to detect and correct potential elevator skin separation, which would lead to a reduction in static strength capability with continued operation. This could then result in potential airplane flutter with consequent loss of control of the airplane.

DATES: This AD becomes effective on September 22, 2000.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation as of September 22, 2000.

The Federal Aviation Administration (FAA) must receive any comments on this rule on or before October 27, 2000.

ADDRESSES: Submit comments in triplicate to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000–CE–53–AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

You may get the service information referenced in this AD from the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201–0085; telephone: (800) 429–5372 or (316) 676–3140. You may examine this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000–CE–53–AD, 901 Locust, Room 506, 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: Gary D. Park, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (314) 946–4123; facsimile: (314) 946–4407.

SUPPLEMENTARY INFORMATION:

Discussion

What events have caused this AD? The FAA has received a report that certain Raytheon elevator assemblies did not receive a 250-degree Fahrenheit bake operation after corrosion treatment as defined in the manufacturing specification. The elevator assemblies in question were manufactured between January 1, 1999, and December 31, 1999, and could be installed on the following Raytheon Model Beech airplanes:

Model	Serial Nos.
A65	LC–265 through LC–272 and LC–325 through LC–335.
A65–8200	LC–273 through LC–324.
65–B80	LD–349 through LD–511.
70	LB–1 through LB–35.
95–A55	TC–191 through TC–349, TC–351 through TC–370, and TC–372 through TC–501.
95–B55	TC–371 and TC–502 through TC–2406.
95–C55	TC–350, TE–1 through TE–49, and TE–51 through TE–451.
D55	TE–452 through TE–767.
E55	TE–768 through TE–1201.
56TC	TG–2 through TG–83.
A56TC	TG–84 through TG–94.
58	TH–1 through TH–1930.
58P	TJ–3 through TJ–435 and TJ–437. through TJ–443.
58TC	TK–1 through TK–150.
95–B55B (T42–A)	TF–1 through TF–70.

The omission of this bake operation affects the strength of the adhesive bond. This could cause the skin to separate from the elevator assembly.

What are the consequences if the condition is not corrected? Continued airplane operation after elevator skin separation would result in reduced static strength capability. This could then result in potential airplane flutter with consequent loss of control of the airplane.

Relevant Service Information

Is there service information that applies to this subject? Raytheon has issued Mandatory Service Bulletin SB 27–3396, Rev. 1, Revised: June, 2000.

What are the provisions of this service bulletin? This service bulletin includes procedures for:

- Determining whether one of the affected elevator assemblies is installed;
- Accomplishing a tap test to determine the elevator skin bond integrity; and
- Replacing any elevator assembly that Raytheon delivered between January 1, 1999, and December 31, 1999.

The FAA's Determination and an Explanation of the Provisions of the AD

What has FAA decided? After examining the circumstances and reviewing all available information related to the incidents described above, including the relevant service information, FAA has determined that:

• An unsafe condition exists or could develop on certain Raytheon Models A65, A65–8200, 65–B80, 70, 95–A55, 95–B55, 95–C55, D55, E55, 56TC, A56TC, 58, 58P, 58TC, and 95–B55B (T42A) airplanes of the same type design;

• The actions and procedures in the previously referenced service bulletin should be incorporated on these airplanes; and

• AD action should be taken in order to detect and correct potential elevator skin separation, which would lead to a reduction in static strength capability with continued operation. This could then result in potential airplane flutter with consequent loss of control of the airplane.

What does this AD require? This AD requires replacement of certain elevator skin assemblies that Raytheon shipped from January 1, 1999, through December 31, 1999, and prevents the future installation of these elevator skin assemblies. This AD authorizes the pilot to check the logbooks to determine whether one of these elevator skin assemblies is installed.

Will I have the opportunity to comment prior to the issuance of the rule? Because the unsafe condition described in this document could result in airplane flutter with consequent loss of control of the airplane, FAA finds that notice and opportunity for public prior comment are impracticable. Therefore, good cause exists for making this amendment effective in less than 30 days.

Comments Invited

How do I comment on this AD? Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, we invite your comments on the rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments in triplicate to the address specified under the caption **ADDRESSES.** We will consider all comments received on or before the closing date specified above. We may amend this rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether we need to take additional rulemaking action.

Are there any specific portions of the AD I should pay attention to? The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. You may examine all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of this AD.

The FAA is reviewing the writing style we currently use in regulatory documents, in response to the Presidential memorandum of June 1, 1998. That memorandum requires federal agencies to communicate more clearly with the public. We are interested in your comments on whether the style of this document is clearer, and any other suggestions you might have to improve the clarity of FAA communications that affect you. You can get more information about the Presidential memorandum and the plain language initiative at http://www.plainlanguage.gov.

How can I be sure FAA receives my comment? If you want us to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write ''Comments to Docket No. 2000–CE–53–AD.'' We will date stamp and mail the postcard back to you.

Regulatory Impact

Does this AD impact relations between Federal and State governments? These regulations will not have a substantial direct effect 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, FAA has determined that this final rule does not have federalism implications under Executive Order 13132.

Does this AD involve a significant rule or regulatory action? The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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:

2000–18–02 Raytheon Aircraft Company: Amendment 39–11887; Docket No. 2000–CE–53–AD.

(a) *What airplanes are affected by this AD?* The following model airplanes and serial numbers, certificated in any category:

Model	Serial Nos.
A65	LC–265 through LC–272 and LC–325 through LC–335.
A65–8200	LC–273 through LC–324.
65–B80	LD–349 through LD–511.
70	LB–1 through LB–35.
95–A55	TC–191 through TC–349, TC–351 through TC–370, and TC–372 through TC–501.
95–B55	TC–371 and TC–502 through TC–2406.
95–C55	TC–350, TE–1 through TE–49, and TE–51 through TE–451.
D55	TE–452 through TE–767.
E55	TE–768 through TE–1201.
56TC	TG–2 through TG–83.
A56TC	TG–84 through TG–94.

Model	Serial Nos.
58	TH–1 through TH–1930.
58P	TJ–3 through TJ–435 and TJ–437 through TJ–443.
58TC	TK–1 through TK–150.
95–B55B (T42–A)	TF–1 through TF–70.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes on the U.S. Register must comply with this AD.

(c) *What problem does this AD address?* The actions required by this AD are intended to detect and correct potential elevator skin separation, which would lead to a reduction in static strength capability with continued operation. This could then result in potential airplane flutter with consequent loss of control of the airplane.

(d) *What must I do to address this problem?* To address this problem, you must accomplish the following actions:

Action	Compliance time	Procedures
(1) Maintenance Records Check:		
(i) The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may check the maintenance records to determine whether one of the affected elevator skin assemblies (particular part numbers referenced in the applicable service information) was installed after December 31, 1998.	Required within 1 month after September 22, 2000 (the effective date of this AD).	No special procedures required to check the logbook. Raytheon Mandatory Service Bulletin SB 27–3396, Rev. 1, Issued: May, 2000; Revised: June, 2000, references this maintenance records check.
(ii) If, by checking the maintenance records, the pilot can positively show that one of the elevator skin assemblies (particular part numbers referenced in the applicable service information), is not installed or was installed prior to January 1, 1999, then the replacement requirement of paragraph (d)(2) of this AD does not apply. You must make an entry into the aircraft records that shows compliance with this portion of the AD, in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).		
(2) Replacement: Replace any elevator skin assembly (particular part numbers referenced in the applicable service information) that Raytheon shipped anytime from January 1, 1999, through December 31, 1999. Paragraphs (d)(1)(i) and (d)(1)(ii) of this AD provide procedures for checking the maintenance records to determine if one of the affected elevator skin assemblies is installed.	Within 1 month after September 22, 2000 (the effective date of this AD).	Accomplish this replacement in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Raytheon Mandatory Service Bulletin SB 27–3396, Rev. 1, Issued: May, 2000; Revised: June, 2000.
(3) Installation Prohibition: You may not install any elevator skin assembly (particular part numbers, referenced in the applicable service information) that Raytheon shipped anytime from January 1, 1999, through December 31, 1999, in any of the affected airplanes.	As of September 22, 2000 (the effective date of this AD).	Not Applicable.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Wichita (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

Note: This AD applies to each airplane identified in paragraph (a) of this AD, 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Gary D. Park, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (314) 946–4123; facsimile: (314) 946–4407.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD, provided that the following is complied with:

(1) Pass the tap test inspection specified in Raytheon Mandatory Service Bulletin SB 27–3396, Rev. 1, Revised: June, 2000; and

(2) Restrict airspeed to maneuvering speed.

(h) *Are any service bulletins incorporated into this AD by reference?* You must accomplish the replacement required by this AD in accordance with Raytheon Mandatory Service Bulletin SB 27–3396, Rev. 1, Revised: June, 2000. The Director of the Federal Register approved this incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201. You can look at copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(i) *When does this amendment become effective?* This amendment becomes effective on September 22, 2000.

Issued in Kansas City, Missouri, on August 24, 2000.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22427 Filed 9–6–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NE–23–AD; Amendment 39–11888; AD 2000–18–03]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce plc RB211–524D4 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Rolls-Royce plc models RB211–524D4–19, –524D4–B–19, –524D4–B–39, –524D4X–19, and 524D4X–B–19 turbofan engines with a cold stream nozzle assembly Part Number (PN) LJ32826 installed. This action requires inspection for cracks and repair of the cold stream nozzle assembly longitudinal flange. This amendment is prompted by a report of the loss of a large section of cold stream nozzle assembly in flight. The actions specified in this AD are intended to detect cracks that could result in failure of the cold stream nozzle assembly, possible release of cold stream nozzle debris from the engine, and possible damage to airplane control surfaces.

DATES: Effective September 22, 2000. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 22, 2000.

Comments for inclusion in the Rules Docket must be received on or before November 6, 2000.

ADDRESSES: Submit comments to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000–NE–23–AD, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may also be sent via the Internet using the following address: ''9-ane-adcomment@faa.gov''. Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from Rolls-Royce plc, PO Box 31, Derby, England; telephone: International Access Code 011, Country Code 44, 1332–249428, fax: International Access Code 011, Country Code 44, 1332–249223. This information may be examined at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone: (781)–238–7176, fax: (781)–238–7199.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom (UK), recently notified the Federal Aviation Administration (FAA) that an unsafe condition may exist on Rolls-Royce plc (RR) models RB211–524D4–19, –524D4–B–19, –524D4–B–39, –524D4X–19, and –524D4X–B–19 turbofan engines with cold stream nozzle assembly PN LJ32826 installed. The CAA received a report of a cold stream nozzle assembly release from an engine that struck wing fairings prior to falling away from the airplane. A subsequent investigation of the active fleet conducted by RR revealed 15 more instances of cracked cold stream nozzle assemblies at their longitudinal flange. The actions specified in this AD are intended to detect cracks that could result in failure of the cold stream nozzle assembly, possible release of cold stream nozzle debris from the engine, and possible damage to airplane control surfaces.

Service Information

RR has issued Service Bulletin (SB No. RB.211–78–C955 Revision 1, dated June 20, 2000, which specifies procedures for inspection of cold stream nozzle assembly longitudinal flanges. The CAA classified these SB's as mandatory and issued AD 005–01–2000 in response to the original SB to assure the airworthiness of these engines in the UK. Revision 1 adds repeat inspection requirements to the original SB. These SB's also reference a Technical Variance Document that provides for repair of cold stream nozzle assemblies PN LJ32826 as optional terminating action for the inspections.

Bilateral Airworthiness Agreement

This engine model is manufactured in the UK 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 CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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.

Required Actions

Since an unsafe condition has been identified that is likely to exist or develop on other engines of the same type design registered in the United States, this AD is being issued to require initial and repetitive inspections to detect cracks in the cold stream nozzle assembly and to provide instructions to repair those cracks if they are within acceptable limits. The actions would be required to be accomplished in accordance with the SB's described previously.

Immediate Adoption

There are currently no domestic operators of this engine model. Accordingly, a situation exists that allows the immediate adoption of this regulation. Notice and opportunity for prior public comment hereon are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, 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.