

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:

#### 98-10-08 Construcciones Aeronauticas, S.A. (CASA): Amendment 39-10519. Docket 97-NM-297-AD.

**Applicability:** Model C-212 series airplanes, as listed in CASA Service Bulletin SB-212-27-34, dated November 22, 1993, 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 corrosion from developing in the lower shaft and support structure of the rudder, which could result in the failure of the rudder lower shaft and consequent reduced controllability of the airplane, accomplish the following:

(a) Within 7 months after the effective date of this AD, accomplish paragraphs (a)(1) and (a)(2) of this AD, in accordance with CASA Service Bulletin SB-212-27-34, dated November 22, 1993.

(1) Inspect the rudder lower shaft and support structure for corrosion; and, prior to further flight, repair any discrepancy found. And

(2) Modify the rudder lower shaft and support structure to prevent the entry and accumulation of water.

(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 CASA Service Bulletin SB-212-27-34, dated November 22, 1993. 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 Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. 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 Spanish airworthiness directive 06/96, dated May 21, 1996.

(e) This amendment becomes effective on June 17, 1998.

Issued in Renton, Washington, on May 5, 1998.

**D. L. Riggins,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-12519 Filed 5-12-98; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-24-AD; Amendment 39-10517; AD 98-10-06]

RIN 2120-AA64

#### Airworthiness Directives; Burkhart Grob Luft-und Raumfahrt Models G115C, G115C2, G115D, and G115D2 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes Airworthiness Directive (AD) 96-19-07, which currently requires the following on Burkhart Grob Luft-und Raumfahrt (Grob) Models G115C, G115C2, G115D, and G115D2 airplanes: installing a placard that restricts the never exceed speed (Vne) of the affected airplane models from 184 knots to 160 knots; installing on the airspeed indicator glass a red line at 296 km/h (160 knots); installing a placard that prohibits aerobatic maneuvers; and placing a copy of the AD in the Limitations Section of the airplane flight manual. This AD will temporarily retain the flight restrictions that are currently required by AD 96-19-07; and will eventually require accomplishing certain inspections and modifications, as terminating action for these flight restrictions. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers.

**DATES:** Effective June 28, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 28, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from Burkhart Grob Luft-und Raumfahrt, D-8939 Mattsies, Germany. 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-24-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) 426-6934; 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 Grob Models G115C, G115C2, G115D, and G115D2 airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM), on March 6, 1998 (63 FR 11171). The NPRM proposed to supersede AD 96-19-07, Amendment 39-9765 (61 FR 49250, September 19, 1996), which currently requires installing a placard that restricts the never exceed speed (Vne) of the affected airplane models from 184 knots to 160 knots; installing on the airspeed indicator glass a red line at 296 km/h (160 knots); installing a placard that prohibits aerobatic maneuvers; and placing a copy of the AD in the Limitations Section of the airplane flight manual. The NPRM proposed to temporarily retain the flight restrictions that are currently required by AD 96-19-07, and eventually require the inspections and modifications specified in the service information previously referenced, as terminating action for the flight restrictions. Accomplishment of the proposed actions as specified in the NPRM would be in accordance with the following service documents: Grob Service Bulletin No. 1078-59/3, dated October 24, 1996; Grob Installation Instructions 1078-64, dated December 11, 1996, as referenced in both Grob Service Bulletin No. 1078-64/2, dated April 8, 1997; and Grob Service Bulletin No. 1078-64, dated December 11, 1996; and Grob Service Bulletin No. 1078-66, dated February 10, 1997.

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

#### Cost Impact

The FAA estimates that 23 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 40 workhours (modification: 36 workhours; inspection: 4 workhours) per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Grob will provide parts free of charge as part of its warranty program. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$55,200, or \$2,400 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 removing Airworthiness Directive (AD) 96-19-07, Amendment 39-9765, and by adding a new AD to read as follows:

#### 98-10-06 Burkhardt Grob Luft-und

**Raumfahrt:** Amendment 39-10517; Docket No. 98-CE-24-AD; Supersedes AD 96-19-07, Amendment 39-9765.

**Applicability:** Models G115C, G115C2, G115D, and G115D2 airplanes, all serial numbers, 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 (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 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 loss of control of the airplane caused by excessive speed or aerobatic maneuvers, accomplish the following:

(a) For all serial numbered airplanes, prior to further flight after September 26, 1996 (the effective date of AD 96-19-07), accomplish the following:

(1) Install, on the limitation placard at the left-hand cabin wall, the airspeed placard that is included with Grob Service Bulletin No. 1078-59/2, dated September 2, 1996. This placard reduces the maximum airspeed to 296 kilometers per hour (km/h); equal to 160 knots per hour.

(2) Modify the airspeed indicator glass by accomplishing the following:

(i) Place a red radial line on the indicator glass at 296 km/h (160 knots). The minimum dimensions for this radial line are 0.05-inch in width and 0.30-inch in length.

(ii) Place a white 0.05-inch minimum width slippage index mark that connects both the instrument glass and bezel. This slippage index mark shall not obscure any airspeed markings.

(3) Install, near the airspeed indicator, the red placard included with Grob Service Bulletin No. 1078-59/2 that has the words: "Aerobatic maneuvers are prohibited."

(4) Insert a copy of this AD into the Limitations Section of the airplane flight manual.

**Note 2:** The actions of paragraph (a), including all subparagraphs, are the same as that required by AD 96-19-07, which is superseded by this action. These requirements are being temporarily retained in this AD to provide a grace period for accomplishing the other actions required by this AD.

(b) Within the next 200 hours time-in-service (TIS) after the effective date of this AD, accomplish the following:

(1) For all serial numbered airplanes, inspect the nose wheel steering, the sliding canopy and canopy locking mechanism, the attachment of the horizontal stabilizer, the elevator installation, the vertical stabilizer, the rudder installation, and the weights and residual moments of the control surfaces in accordance with the instructions in Grob Service Bulletin No. 1078-59/3, dated October 24, 1996. Prior to further flight, repair any discrepancies in accordance with the above-referenced service bulletin.

(2) For airplanes incorporating a serial number in the range of 82001 through 82077, replace the elevator hinges with parts of improved design in accordance with Grob Installation Instructions 1078-64, dated December 11, 1996, as specified in both Grob Service Bulletin No. 1078-64/2, dated April 8, 1997; and Grob Service Bulletin No. 1078-64, dated December 11, 1996.

(3) For airplanes incorporating a serial number in the range of 82001 through 82077, after accomplishing the replacement required by paragraph (b)(2) of this AD, adjust the mass and residual moments in accordance with Grob Service Bulletin No. 1078-66, dated February 10, 1997.

(c) Accomplishing the actions required by paragraphs (b)(1), (b)(2), and (b)(3) of this AD eliminates the placard and flight restriction requirements of paragraph (a), including all subparagraphs, of this AD.

(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.

(e) 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, 1201 Walnut, suite 900, Kansas City, Missouri 64106.

(1) 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.

(2) Alternative methods of compliance approved in accordance with AD 96-19-07 are not considered approved as alternative methods of compliance for this AD.

**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.

(f) Questions or technical information related to service information previously referenced should be directed to Burkhart Grob Luft-und Raumfahrt, D-8939 Mattsies, Germany. 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.

(g) The inspection required by this AD shall be done in accordance with Grob Service Bulletin No. 1078-59/3, dated October 24, 1996. The replacement required by this AD shall be done in accordance with Grob Installation Instructions 1078-64, dated December 11, 1996, as specified in both Grob Service Bulletin No. 1078-64/2, dated April 8, 1997; and Grob Service Bulletin No. 1078-64, dated December 11, 1996. The adjustment

required by this AD shall be done in accordance with Grob Service Bulletin No. 1078-66, dated February 10, 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 Burkhart Grob Luft-und Raumfahrt, D-8939 Mattsies, 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.

**Note 4:** The subject of this AD is addressed in German AD 96-270/2, dated December 5, 1996; German AD 96-270/3, dated December 4, 1997; and German AD 97-143, dated May 22, 1997.

(h) This amendment supersedes AD 96-19-07, Amendment 39-9765.

(i) This amendment becomes effective on June 28, 1998.

Issued in Kansas City, Missouri, on May 1, 1998.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-12355 Filed 5-12-98; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-32-AD; Amendment 39-10520; AD 97-18-11]

RIN 2120-AA64

#### Airworthiness Directives; Bell Helicopter Textron (Bell) Model 204B, 205A, and 205A-1 Helicopters

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 97-18-11, issued on August 29, 1997, which was sent previously to all known U.S. owners and operators of Bell Model 204B, 205A, and 205A-1 helicopters by individual letters. This AD requires modification and inspections of the vertical fin spar. If any crack is discovered, replacement of the vertical fin spar with an airworthy vertical fin spar is required before further flight. This amendment is prompted by several failures of the vertical fin spar, including those with steel doublers, caused by fatigue cracks that result from a large number of high-power events. The actions specified by this AD are intended to prevent in-flight failure of

the vertical fin spar and subsequent loss of control of the helicopter.

**DATES:** Effective May 28, 1998, to all persons except those persons to whom it was made immediately effective by priority letter AD 97-18-11, issued on August 29, 1997, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before July 13, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-32-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Mr. Charles Harrison, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5447, fax (817) 222-5783.

**SUPPLEMENTARY INFORMATION:** On August 29, 1997, the FAA issued priority letter AD 97-18-11, applicable to Bell Model 204B, 205A, and 205A-1 helicopters, which requires modification and inspections of the vertical fin spar. If any crack is discovered, replacement of the vertical fin spar with an airworthy vertical fin spar is required before further flight. Priority letter AD 97-18-11 superseded priority letter AD 97-18-01, issued on August 19, 1997. AD 97-18-01 contained the same basic requirements as is contained in AD 97-18-11. However, AD 97-18-11 was needed to clarify the method of compliance for the Model 204B helicopters, and to correct an error in a vertical fin spar part number (P/N). AD 97-18-01 incorrectly stated the P/N as P/N 205-030-851 instead of P/N 205-032-851. This AD is prompted by an accident involving the in-flight failure of the vertical fin spar on a Model 205A-1 helicopter. Two other accidents on restricted category (military surplus) aircraft of similar type design have occurred. One of the accidents resulted in a fatality. In 1971, the FAA issued AD 71-21-02, which addressed this problem by requiring the addition of a steel doubler to the inside edge of the vertical fin spar. There have been several additional failures since that AD was issued. A large number of high-power events can cause fatigue cracks which will cause the vertical fin spar to fail. This condition, if not corrected, could result in in-flight failure of the vertical fin spar and subsequent loss of control of the helicopter.

Since the unsafe condition described is likely to exist or develop on other Bell