

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 (g) 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 ensure that the main landing gear (MLG) separates from the wing when it is subjected to unpredictable overloads during abnormal operations, and to prevent consequent primary structural damage to the airplane, accomplish the following:

(a) For Model DC-10-10 series airplanes, as listed in McDonnell Douglas DC-10 Service Bulletin 57-78, Revision 1, dated August 26, 1986: Within 5 years after the effective date of this AD, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD, in accordance with the service bulletin.

(1) Replace 24 TL taper-loc attachments that attach the left and right MLG attach fitting assemblies on each wing with heat-treat TLH taper-loc attachments in accordance with the service bulletin. And

(2) Replace each forward trunnion bolt on the left and right MLG of each wing with a "zero margin" trunnion bolt in accordance with the service bulletin.

Note 2: Replacement of taper-loc attachments and forward trunnion bolts accomplished prior to the effective date of this AD in accordance with McDonnell Douglas DC-10 Service Bulletin 57-78, dated February 19, 1980, is considered acceptable for compliance with the requirements of paragraphs (a)(1) and (a)(2) of this AD.

(b) For Model DC-10-10 series airplanes, as listed in McDonnell Douglas DC-10 Service Bulletin 57-79, Revision 1, dated September 21, 1979, as revised by McDonnell Douglas DC-10 Service Bulletin Change Notification 57-79, dated January 23, 1980: Within 5 years after the effective date of this AD, replace each 1½-inch-diameter bolt and bushing that attach the left and right MLG attach fitting and rear spar of each wing with a 1¼-inch-diameter bolt, and install bolt retainers, in accordance with the service bulletin and service bulletin change notification.

Note 3: Replacement of 1½-inch-diameter bolts and installation of bolt retainers prior to the effective date of this AD in accordance with McDonnell Douglas DC-10 Service Bulletin 57-79, dated June 5, 1979, are considered acceptable for compliance with the requirements of paragraph (b) of this AD.

(c) For Model DC-10-30 and DC-10-40 series airplanes: Except as provided by paragraph (d) of this AD, within 5 years after the effective date of this AD, accomplish the requirements of paragraph (c)(1) or (c)(2) of this AD, as applicable, in accordance with

McDonnell Douglas DC-10 Service Bulletin 57-82, dated February 19, 1980.

(1) For airplanes identified as Groups I and II in the service bulletin: Replace each forward trunnion bolt on the left and right MLG of each wing with a "zero margin" forward trunnion bolt; replace each 1½-inch-diameter bolt and bushing that attach the left and right MLG attach fitting and rear spar of each wing with a 1¼-inch-diameter bolt, and install bolt retainers, in accordance with the service bulletin.

(2) For airplanes identified as Group III in the service bulletin: Replace each forward trunnion bolt on the left and right MLG of each wing with a "zero margin" trunnion bolt in accordance with the service bulletin.

(d) For Model DC-10-30 and DC-10-40 series airplanes: Installation of a trunnion bolt having part number (P/N) ARG7558-501 or P/N ARG7558-507 on the MLG, in accordance with AD 96-03-05, amendment 39-9502, constitutes terminating action for the requirement to replace the trunnion bolts for that landing gear, as required in paragraphs (c)(1) and (c)(2) of this AD.

(e) For Model DC-10-30 and DC-10-40 series airplanes: Replacement of the trunnion bolts with a serviceable part in accordance with paragraph (c)(1)(ii)(B) of AD 96-03-05, amendment 39-9502, constitutes terminating action for the requirement to replace the trunnion bolts, as required in paragraphs (c)(1) and (c)(2) of this AD.

(f) For Model DC-10-10 series airplanes: Replacement of the trunnion bolts with a serviceable part in accordance with paragraph (a)(1)(ii)(B) of AD 96-16-01, amendment 39-9701, constitutes terminating action for the requirement to replace the trunnion bolts, as required in paragraph (a)(2) of this AD.

(g) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(h) 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.

(i) The actions shall be done in accordance with McDonnell Douglas DC-10 Service Bulletin 57-78, Revision 1, dated August 26, 1986; McDonnell Douglas DC-10 Service Bulletin 57-79, Revision 1, dated September 21, 1979, as revised by McDonnell Douglas DC-10 Service Bulletin Change Notification 57-79, dated January 23, 1980; and McDonnell Douglas DC-10 Service Bulletin 57-82, dated February 19, 1980. 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 the

Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(j) This amendment becomes effective on December 29, 1998.

Issued in Renton, Washington, on November 16, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-31171 Filed 11-23-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-70-AD; Amendment 39-10825; AD 98-21-16]

RIN 2120-AA64

Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; withdrawal.

SUMMARY: This action withdraws direct final rule Airworthiness Directive (AD) 98-21-16, which would have applied to all British Aerospace (BAe) HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 airplanes; and would have superseded AD 98-12-23 (this AD will remain in effect, unless the Federal Aviation Administration (FAA) initiates additional rulemaking action). AD 98-21-16 would have required repetitively replacing the windshield wiper arm, attachment bolts, and assembly; measuring the material thickness of the upper and lower toggle attachment brackets on the nose landing gear of the affected airplanes, and replacing the toggle attachment bracket lugs. Since the issuance of the direct final rule, the FAA has received a written adverse comment. Accordingly, the direct final rule is withdrawn.

FOR FURTHER INFORMATION CONTACT: Mr. S.M. Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri

64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

SUPPLEMENTARY INFORMATION: The FAA published AD 98-21-16 as a direct final rule with request for comments in the **Federal Register** on October 8, 1998 (63 FR 54039). That direct final rule amended part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all BAe HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 airplanes. That AD would have superseded AD 98-12-23 with a new AD to require repetitively replacing the windshield wiper arm, attachment bolts, and assembly; measuring the material thickness of the upper and lower toggle attachment brackets on the nose landing gear of the affected airplanes, and replacing the toggle attachment bracket lugs.

AD 98-21-16 was the result of additional mandatory continuing airworthiness information (MCAI) pertaining to this subject received from the airworthiness authority for the United Kingdom. The actions specified in that AD were intended to prevent the windshield wiper arm from corroding, detaching from the airplane during flight, and penetrating the fuselage, which could result in possible injury to the pilot and passengers; and to prevent collapse of the nose landing gear caused by the current design, which could result in loss of control of the airplane during landing operations.

The Direct Final Rule Procedure

The FAA anticipated that AD 98-21-16 would not result in adverse or negative comment and therefore issued it as a direct final rule. The requirements of AD 98-21-16 addressed an unsafe condition identified by a foreign civil airworthiness authority and do not impose a significant burden on affected operators. In accordance with Section 11.17 of the Federal Aviation Regulations (14 CFR 11.17), unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment was received within the comment period, AD 98-21-16 would have become effective on January 6, 1999. If any written comment(s) was received within the comment period that was adverse or negative comment or written notice was received of the intent to submit such a comment, the FAA would publish in the **Federal Register** a document withdrawing the direct final rule (AD 98-21-16). The FAA could then issue a notice of proposed rulemaking with a new comment period.

Actions Since the Issuance of the Direct Final Rule

During the comment period for the 98-21-16, the FAA received a written adverse comment. The commenter objects to the 90-day repetitive replacement requirement of the windshield wiper arm attachment bolt and windshield arm assembly. The commenter suggests that these replacements occur at 8 year intervals as specified in the service information.

Accordingly, the direct final rule is hereby withdrawn.

Withdrawal of this direct final rule constitutes only such action, and does not preclude the agency from issuing a notice in the future, nor does it commit the agency to any course of action in the future.

Regulatory Impact

Since this action only withdraws a direct final rule, it has no adverse economic impact and imposes no additional burden on any person. It will have no 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 action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action 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.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, direct final rule AD 98-21-16, Amendment 39-10825, Docket No. 98-CE-70-AD, published in the **Federal Register** on October 8, 1998 (63 FR 54039), is withdrawn.

Issued in Kansas City, Missouri, on November 16, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-31315 Filed 11-23-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-45-AD; Amendment 39-10908; AD 98-21-09]

Airworthiness Directives; Robinson Helicopter Company Model R22 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) 98-21-09, which was sent previously to all known U.S. owners and operators of Robinson Helicopter Company (RHC) Model R22 helicopters by individual letters. This AD requires installing fuel tank vent tube(s), with modified attachment to the mast tube, if not previously accomplished; installing a spring into the flexible tube leading to the main fuel tank; and installing a spring into the flexible tube leading to the auxiliary fuel tank, if an auxiliary fuel tank is installed. This amendment is prompted by an incident in which the flexible vent connecting the rigid vent tube to the main fuel tank kinked, resulting in fuel starvation and a hard landing after uncommanded engine shutdown. The actions specified by this AD are intended to prevent fuel starvation, loss of engine power, and a subsequent forced landing.

DATES: Effective December 9, 1998, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 98-21-09, issued on September 28, 1998, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before January 25, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-45-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Bumann, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, Propulsion Branch, 3960 Paramount Blvd., Lakewood, California 90712, telephone (562) 627-5265, fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: On September 28, 1998, the FAA issued Priority Letter AD 98-21-09, applicable