

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:

98-06-29 Boeing: Amendment 39-10407. Docket 97-NM-65-AD.

Applicability: Model 747-400 series airplanes; as listed in Boeing Alert Service Bulletin 747-25A3137, dated March 13, 1997; 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 chafing of the galley power feeder and static ground wiring on passenger oxygen system tubing in the forward ceiling area above the Door 4 galley, which could result in a fire, accomplish the following:

(a) Within 18 months after the effective date of this AD: Perform a one-time inspection of the separation between the galley power feeder and static ground wiring, and the adjacent passenger oxygen system tubing in the forward ceiling area above the door 4 galley, in accordance with Boeing Alert Service Bulletin 747-25A3137, dated March 13, 1997. If the separation is outside

the limits specified in the alert service bulletin, prior to further flight, reroute the wiring, and install clamps and sleeves, in accordance with the alert service bulletin.

(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, Seattle 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, Seattle ACO

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

(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 Boeing Alert Service Bulletin 747-25A3137, dated March 13, 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

(e) This amendment becomes effective on April 24, 1998.

Issued in Renton, Washington, on March 11, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98-6951 Filed 3-19-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-202-AD; Amendment 39-10406; AD 98-06-28]

RIN 2120-AA64

Airworthiness Directives; Learjet Model 31 and 35A Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Learjet Model 31 and 35A airplanes, that currently requires replacement of two segments of 16 American Wire Gauge (AWG) wire with 8 AWG wire at the connector that

is connected to the auxiliary cabin heater relay box. That AD was prompted by a report indicating that two segments of the 16 AWG wire in the auxiliary cabin heater, which were spliced during production, do not provide adequate current-carrying capacity. This amendment requires the installation of a new replacement wire assembly. The actions specified by this AD are intended to prevent electrical arcing and consequent fire hazard that could result from wiring with inadequate current-carrying capacity.

DATES: Effective April 24, 1998.

The incorporation by reference of Learjet Service Bulletin SB 31-21-10, Revision 1, dated May 17, 1996, and Learjet Service Bulletin SB 35-21-24, Revision 1, dated May 17, 1996, as listed in the regulations, is approved by the Director of the Federal Register as of April 24, 1998.

The incorporation by reference of Learjet Service Bulletin SB 31-21-10, dated August 11, 1995, and Learjet Service Bulletin SB 35-21-24, dated August 11, 1995, as listed in the regulations, was approved previously by the Director of the Federal Register as of June 28, 1996 (61 FR 26090, May 24, 1996).

ADDRESSES: The service information referenced in this AD may be obtained from Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. 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 FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Dale Bleakney, Aerospace Engineer, Flight Test Branch, ACE-117W, FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4135; fax (316) 946-4407.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 96-11-07, amendment 39-9632 (61 FR 26090, May 24, 1996), which is applicable to certain Learjet Model 31 and 35A airplanes, was published in the **Federal Register** on October 28, 1996 (61 FR 55584). The action proposed to require the

installation of a new replacement wire assembly.

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

There are approximately 52 Learjet Model 31 and 35A airplanes of the affected design in the worldwide fleet. The FAA estimates that 44 airplanes of U.S. registry will be affected by this AD.

The actions that are currently required by AD 96-11-07, and retained in this AD, take approximately 4 work hours per airplane to accomplish, at an average labor rate of \$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 actions on U.S. operators is estimated to be \$10,560, or \$240 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the current or proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The FAA has been advised, however, that some operators already have installed equipment that is the equivalent to that which would be required by this AD. Therefore, the future economic cost impact of this proposed rule on U.S. operators is expected to be less than the cost impact figure indicated above.

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 removing amendment 39-9632 (61 FR 26090, May 24, 1996), and by adding a new airworthiness directive (AD), amendment 39-10406, to read as follows:

98-06-28 Learjet, Inc.: Amendment 39-10406. Docket 96-NM-202-AD. Supersedes AD 96-11-07, Amendment 39-9632.

Applicability: Model 31 airplanes having serial numbers 31-002 through 31-029 inclusive, and Model 35A airplanes having serial numbers 35-647 through 35-670 inclusive; 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 electrical arcing and consequent fire hazard, accomplish the following:

(a) Within 6 months after the effective date of this AD, replace two segments of 16 American Wire Gauge (AWG) wire with 8

AWG wire at the P190 connector that is connected to the E33 auxiliary cabin heater relay box, in accordance with Learjet Service Bulletin SB 31-21-10, Revision 1, dated May 17, 1996 (for Model 31 airplanes), or Learjet Service Bulletin SB 35-21-24, Revision 1, dated May 17, 1996 (for Model 35A airplanes), as applicable.

Note 2: Accomplishment of the replacement in accordance with the procedures specified in Learjet Service Bulletin SB 31-21-10 or SB 35-21-24 (original issue), both dated August 11, 1995, but using equipment that is identical or equivalent to that of the applicable kit specified in Revision 1 of those service bulletins, is considered to be acceptable for compliance with the requirements of paragraph (a) of this AD.

(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, Wichita 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, Wichita ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(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 Learjet Service Bulletin SB 31-21-10, dated August 11, 1995, or Revision 1, dated May 17, 1996, or Learjet Service Bulletin SB 35-21-24, dated August 11, 1995, or Revision 1, dated May 17, 1996; as applicable.

(1) The incorporation by reference of Learjet Service Bulletin SB 31-21-10, Revision 1, dated May 17, 1996, and Learjet Service Bulletin SB 35-21-24, Revision 1, dated May 17, 1996, is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Learjet Service Bulletins SB 31-21-10 dated August 11, 1995 and Learjet SB 35-21-24 dated August 11, 1995, was approved previously by the Director of the Federal Register as of June 28, 1996 (61 FR 26090, May 24, 1996).

(3) Copies may be obtained from Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on April 24, 1998.

Issued in Renton, Washington, on March 11, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98-6950 Filed 3-19-98; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94-NM-117-AD; Amendment 39-10405; AD 98-06-27]

RIN 2120-AA64

Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, that requires installation of additional "EXIT" signs at the overwing emergency exits. This amendment is prompted by a report indicating that the "EXIT" signs for the overwing emergency exits, as currently installed, would not be visible to passengers during an emergency evacuation when the emergency exit doors are open. The actions specified by this AD are intended to ensure the "EXIT" signs for overwing emergency exits are clearly visible during an evacuation.

DATES: Effective April 24, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 24, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, the Netherlands. 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 Fokker Model F28 Mark 0100 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on February 28, 1997 (62 FR 9113). That action proposed to require installation of additional "EXIT" signs at the overwing emergency exits, and proposed to expand the applicability of the original NPRM to include additional airplanes.

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

Supportive Comments

Two commenters support the proposed rule.

One commenter states that the proposed rule, if adopted, would not affect its fleet of airplanes.

Requests To Extend the Compliance Time

The Air Transport Association (ATA) of America, on behalf of one of its members, requests that the proposed compliance time be extended from 8 months to 14 months. The commenter states that, in order to accomplish the modification within the proposed 8-month compliance schedule, approximately 2 of the 40 affected airplanes in its fleet would require special visits in addition to the normal heavy check scheduled. The commenter notes that the additional aircraft downtime and manpower for the special visit would result in a significant additional cost. The commenter points out that an additional 6 months will allow all of its affected aircraft to be modified during heavy maintenance visits.

The FAA does not concur with the commenter's request. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the manufacturer's and foreign airworthiness authority's recommendations as to an appropriate compliance time, the availability of required parts, and the practical aspect of installing the required modification within an interval of time that parallels the normal scheduled maintenance for the majority of affected operators. The FAA has determined that the compliance time, as proposed, represents the maximum interval of time allowable for the affected airplanes

to continue to operate prior to accomplishing the required modification without compromising safety. Additionally, the commenter has not provided any data to substantiate why an extension of the compliance time would not compromise safety.

In consideration of all of these factors, and in consideration of the amount of time that has already elapsed since issuance of the supplemental NPRM, the FAA has determined that further delay of this AD is not appropriate. However, under the provisions of paragraph (b) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.

Request To Resolve Method of Compliance

The ATA, in response to the original NPRM and on behalf of one of its members, requests that the AD either be reworded to mandate compliance with the applicable certification requirements for the emergency exit signs rather than requiring accomplishment of the service bulletin, or that issuance of the AD be deferred until an understanding between Fokker and the ATA member is reached as to how the certification requirements should be satisfied. The commenter states that, since it appears that none of its 40 affected airplanes are in compliance, there is no advantage to meeting the applicable certification requirements for the emergency exit signs by accomplishing the service bulletin referenced in the NPRM. The commenter notes that it should be allowed to meet the applicable certification requirements by the most labor and cost effective way possible. The commenter also notes that it may want to design and install one exit sign rather than two exit signs, and that its design would meet the applicable certification requirements. The ATA adds that it is not productive to adopt a rule that does not reflect the actual installation that is ultimately approved. The ATA also suggests that the FAA contact Fokker before any rule is adopted to ensure that the referenced service bulletin is not in the process of being revised.

The FAA does not concur. The FAA has determined that accomplishment of the actions specified in the service bulletin referenced in this AD adequately addresses the identified unsafe condition. In response to comments to the original NPRM, the FAA noted that the 20 airplanes that were inadvertently omitted from the applicability were delivered from the