

compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) All persons affected by this directive may examine information related to this AD at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 5, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-61-AD]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Raytheon Aircraft Company (Raytheon) 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 series airplanes. The proposed AD would require installing a placard on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. The proposed AD is the result of reports of engine stoppage on the affected airplanes where the cause was considered to be incorrect positioning of the fuel selector. The actions specified by the proposed AD are intended to help prevent a lack of fuel flow to the engine caused by incorrect positioning of the fuel selector, which could result in loss of engine power.

DATES: Comments must be received on or before December 18, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-61-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location

between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Randy Griffith, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4145; facsimile: (316) 946-4407.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-CE-61-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-61-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received several reports of engine stoppage on Raytheon 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60,

65, 70, 76, 77, 80, 88, and 95 series airplanes. These incidents are believed to be attributed to incorrect positioning of the fuel selector, e.g., fuel shutoff, cross-feed selector for twin engine aircraft, tank selector. No mechanism exists to prevent positioning of the selector between any selection and no warning light exists to warn the pilot of incorrect positioning.

With the selector positioned between a selection, a lack of fuel flow to the engine could result with consequent loss of engine power.

Relevant Service Information

Raytheon has issued Mandatory Service Bulletin (SB) No. 2670, Revision No. 1, dated May, 1998, which specifies procedures for installing a placard, part number 36-920059-1, on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, including the above-referenced service information, the FAA has determined that AD action should be taken to prevent a lack of fuel flow to the engine caused by incorrect positioning of the fuel selector, which could result in loss of engine power.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Raytheon 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58P, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 series airplanes of the same type design, the FAA is proposing AD action. The proposed AD would require installing a placard, part number 36-920059-1, on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. Accomplishment of the proposed installation would be in accordance with the service information previously referenced.

Cost Impact

The FAA estimates that 15,200 airplanes in the U.S. registry would be affected by the proposed AD. The placard that would be required for the proposed AD may be obtained through a Raytheon Aircraft Authorized Service Center at no cost to the owners/operators of the affected airplanes. Since an owner/operator who holds at least a private pilot's certificate as authorized by §§ 43.7 and 43.9 of the Federal Aviation Regulations (14 CFR 43.7 and

43.9) may accomplish the proposed placard installation, the only cost impact upon the public would be the approximately 30 minutes it would take each owner/operator to install the placard.

Regulatory Impact

The regulations proposed herein would 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 proposal would 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) if promulgated, 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 draft regulatory evaluation prepared for this action has been placed 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, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Raytheon Aircraft Company (All type certificates of the affected airplanes previously held by the Beech Aircraft Corporation): Docket No. 98-CE-61-AD.

Applicability: The following airplane models and serial numbers, certificated in any category:

| Model | Serial No. | Model | Serial No. |
|---|-------------------------|----------------|------------------------|
| B17L | All serial numbers. | A36 | E-185 through E-3046. |
| SB17L | Do. | A36TC | All serial numbers. |
| B17B | Do. | B36TC | EA-242 through EA-591. |
| B17R (Army UC-43H). | Do. | 45 | All serial numbers. |
| C17L (Army UC-43J) | Do. | A45 | Do. |
| SC17L | Do. | D45 | Do. |
| C17B (Army UC-43G). | Do. | 50 | Do. |
| SC17B | Do. | B50 | Do. |
| C17R (Army UC-43E). | Do. | C50 | Do. |
| SC17R | Do. | D50 | Do. |
| D17A (Army UC-43F) | Do. | D50A | Do. |
| D17R (Army UC-43A). | Do. | D50B | Do. |
| D17S (Army UC-43, UC-43B, Navy GB-1, GB-2). | Do. | D50C | Do. |
| SD17S | Do. | D50E | Do. |
| E17B (Army UC-43D) | Do. | E50 | Do. |
| SE17B | Do. | F50 | Do. |
| E17L | Do. | G50 | Do. |
| F17D (UC-43C) | Do. | H50 | Do. |
| SF17D | Do. | J50 | Do. |
| G17S | Do. | 95-55 | Do. |
| D18S | Do. | 95-A55 | Do. |
| E18S | Do. | 95-B55 | Do. |
| E18S-9700 | Do. | 95-C55 | Do. |
| G18S | Do. | D55 | Do. |
| G18S-9150 | Do. | E55 | Do. |
| H18 | Do. | 56TC | Do. |
| A23-19 | Do. | A56TC | Do. |
| 19A | Do. | 58 | TH-1 through TH-1798. |
| M19A | Do. | 58P | All serial numbers. |
| B19 | Do. | 58TC | Do. |
| 23 | Do. | 60 | Do. |
| A23 | Do. | A60 | Do. |
| A23A | Do. | B60 | Do. |
| B23 | Do. | 65 | Do. |
| C23 | Do. | A65 | Do. |
| A23-24 | Do. | A65-8200 | Do. |
| A24 | Do. | 70 | Do. |
| A24R | Do. | 76 | Do. |
| B24R | Do. | 77 | Do. |
| C24R | Do. | 65-80 | Do. |
| F33A | CE-290 through CE-1791. | 65-A80 | Do. |
| E33C and F33C | CJ-26 through CJ-179. | 65-B80 | Do. |
| 35 | All serial numbers. | 65-88 | Do. |
| 35R | Do. | 95 | Do. |
| A35 | Do. | B95 | Do. |
| B35 | Do. | B95A | Do. |
| C35 | Do. | D95A | Do. |
| D35 | Do. | E95 | Do. |
| E35 | Do. | | |
| F35 | Do. | | |
| G35 | Do. | | |
| H35 | Do. | | |
| J35 | Do. | | |
| K35 | Do. | | |
| M35 | Do. | | |
| N35 | Do. | | |
| P35 | Do. | | |
| S35 | Do. | | |
| V35 | Do. | | |
| V35TC | Do. | | |
| V35A | Do. | | |
| V35A-TC | Do. | | |
| V35B | Do. | | |
| V35B-TC | Do. | | |
| 36 | Do. | | |

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 (d) 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 within the next 75 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent a lack of fuel flow to the engine caused by incorrect positioning of the fuel

selector, which could result in loss of engine power, accomplish the following:

(a) Install a placard, part number 36-920059-1, on the fuel tank selector to warn of the no-flow condition that exists between the fuel tank detents. Accomplish this installation in accordance with Raytheon Mandatory Service Bulletin No. 2670, Revision No. 1, dated May, 1998.

(b) Installing the placard, as specified in paragraph (a) of this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by § 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with § 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(c) Special flight permits may be issued in accordance with §§ 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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 5, 1998.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-64-AD]

RIN 2120-AA64

Airworthiness Directives; Mooney Aircraft Corporation Models M20B, M20C, M20D, M20E, M20F, M20G, and M20J Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to all Mooney Aircraft Corporation (Mooney) Models M20B, M20C, M20D, M20E, M20F, M20G, and M20J airplanes that are equipped with an O & N Bladder Fuel Cell that was installed prior to February 1, 1998, in accordance with Supplemental Type Certificate (STC) SA2277CE or STC SA2350CE. The STC's apply to all of the affected airplane models except for the Model M20B airplanes; the Model M20B airplanes could have one of the STC's incorporated by field approval. The proposed AD would require inspecting the drain valve to assure that it was inserted fully into the drain nipple and modifying any drain valve found not to be inserted fully into the drain nipple. The proposed AD would also require certain modifications and replacements on the affected fuel cells to reduce the chances of water/ice contamination. The proposed AD is the result of reports of rain water entering the fuel bladders and the information from the subsequent evaluation of the fuel systems. The actions specified by the proposed AD are intended to assist in preventing water from entering the fuel bladders, which could result in rough engine operation or complete loss of engine power.

DATES: Comments must be received on or before December 4, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-64-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from O & N Aircraft Modifications Inc., 210 Windsock Lane, Seamans Airport, Factoryville, PA 18419; telephone: (717) 945-3769; facsimile: (717) 945-7282. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Paul O. Pendleton, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4143; facsimile: (316) 946-4407.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as

they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-CE-64-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-64-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received a report of water being trapped in the fuel bladders on Mooney Models M20C, M20D, M20E, M20F, M20G, and M20J airplanes that are equipped with an O & N Bladder Fuel Cell that was installed prior to February 1, 1998, in accordance with Supplemental Type Certificate (STC) SA2277CE or STC SA2350CE. The STC's apply to all of the above-referenced airplane models except for the Mooney Model M20B airplanes; the Model M20B airplanes could have one of the STC's incorporated by field approval.

Evaluation of this problem shows that improper installation of the fuel bladder drains and fuel caps could allow rain water to enter the fuel bladders if the fuel cap was defective.

The evaluation also revealed additional installation problems and design deficiencies, including:

—Inadequate installation of the foam filler that supports the fuel bladders;