

of this AD in accordance with Saab Service Bulletin 2000-29-007, dated April 29, 1997, are considered acceptable for compliance with the applicable actions specified in this AD.

To prevent chafing between the hydraulic pipe on the emergency uplock release system of the main landing gear (MLG) and an attachment bolt on a structural panel, which could result in rupture of the hydraulic pipe, loss of hydraulic pressure, and consequent inability to activate the emergency MLG extension, accomplish the following:

(a) Within 300 flight hours after the effective date of this AD, perform a visual inspection to detect chafing of the hydraulic pipe on the emergency uplock release system of the MLG, in accordance with Saab Service Bulletin 2000-29-007, Revision 01, dated August 18, 1997.

(1) If no chafing is detected, repeat the visual inspection thereafter at intervals not to exceed 300 flight hours.

(2) If any chafing is detected, prior to further flight, perform a test of the hydraulic pipe to detect leaks in accordance with the service bulletin.

(i) If no leaking is detected, repeat the actions required by paragraph (a) of this AD thereafter at intervals not to exceed 300 flight hours.

(ii) If any leaking is detected, prior to further flight, repair the hydraulic pipe and accomplish paragraph (b) of this AD, in accordance with the service bulletin.

(b) Within 900 flight hours after the effective date of this AD, modify the attachment bolt and attachment hole on the structural panel, in accordance with Saab Service Bulletin 2000-29-007, Revision 01, dated August 18, 1997. Accomplishment of this modification constitutes terminating action for the repetitive inspection requirements of this AD.

(c) 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-216.

(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.

Note 4: The subject of this AD is addressed in Swedish airworthiness directive (SAD) 1-112R1, dated August 21, 1997.

Issued in Renton, Washington, on April 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-66-AD]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) EMB-145 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain EMBRAER EMB-145 series airplanes. This proposal would require modification of the windshield heating system in the flight compartment. This proposal is prompted by reports of overheating and delamination of the windshield because the windshield heating system failed to shut off during flight. The action specified by the proposed AD is intended to prevent failure of the windshield heating system, which could result in reduced pilot visibility, structural degradation of the windshield, and depressurization of the airplane during flight.

DATES: Comments must be received by May 21, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-66-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center,

1895 Phoenix Boulevard, suite 450, Atlanta, Georgia.

FOR FURTHER INFORMATION CONTACT: John W. McGraw, Aerospace Engineer, Systems and Flight Test Branch, ACE-116A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30337-2748; telephone (770) 703-6098; fax (770) 703-6097.

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 shall 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 summarizing 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 Number 98-NM-66-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, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-66-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports of overheating and delamination of the windshield in the flight compartment because the windshield heating system failed to shut off during flight. The cause of the failure of the windshield heating system has been attributed to failure of the contactor in the closed position and failure of the electrical connections between the contactor and

the busbar. This condition, if not corrected, could result in reduced pilot visibility, structural degradation of the windshield, and depressurization of the airplane during flight.

Explanation of Relevant Service Information

EMBRAER has issued Service Bulletin 145-30-0008, dated November 10, 1997, which describes procedures for modification of the windshield heating system in the flight compartment. This modification involves installation of a support beam between frames 10 and 12 at the right- and left-hand cockpit floor; installation of an additional contactor, circuit breaker, and associated wiring; and installation of an auxiliary relay and associated wiring. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The Departamento de Aviação Civil (DAC), which is the airworthiness authority for Brazil, has approved this service bulletin.

FAA's Conclusions

The FAA has reviewed the service bulletin described previously and has determined that accomplishment of the actions specified in the service bulletin will positively address the identified unsafe condition.

U.S. Type Certification of the Airplane

This airplane model is manufactured in Brazil and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

The FAA estimates that 17 airplanes of U.S. registry would be affected by this proposed AD. It would take approximately 12 work hours per airplane to accomplish the proposed modifications, at an average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on this figure, the cost impact of the proposed AD on U.S. operators is estimated to be \$12,240, or \$720 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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 the following new airworthiness directive:

Empresa Brasileira De Aeronautica S.A. (EMBRAER): Docket 98-NM-66-AD.

Applicability: Model EMB-145 series airplanes, serial numbers 145004 through 145029 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 failure of the windshield heating system, which could result in reduced pilot visibility, structural degradation of the windshield, and depressurization of the airplane during flight, accomplish the following:

(a) Within 60 days after the effective date of this AD, modify the windshield heating system in accordance with EMBRAER Service Bulletin 145-30-0008, dated November 10, 1997.

(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, Atlanta 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, Atlanta ACO.

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

Issued in Renton, Washington, on April 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-75-AD]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A319 and A321-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.