required reporting the results of the one-time inspection to the Federal Aviation Administration (FAA) to determine if repetitive inspections should be required by further rulemaking. The actions specified by the proposal were intended to prevent an in-flight engine shutdown due to blockage of the fuel nozzle screen, which can result in autorotation and forced landing.

Since the issuance of that NPRM, the FAA and Rolls-Royce have determined that there have been no additional engine problems reported due to fuel nozzle screen contamination. Rolls-Royce further maintains that fuel nozzle contamination is a very rare event, varying between zero to 6.5 per 8,000 disassembled nozzles.

Since this problem first surfaced, Rolls-Royce and the FAA have taken the following actions:

• Because most accidents involving fuel nozzle contamination have occurred in Hawaii, Rolls-Royce Corporation conducted a training/fact finding mission to Hawaii in the spring of 1998 to assess the situation and to help educate users regarding the proper service of engine fuel systems.

• The FAA approved revised maintenance procedures for the Rolls-Royce model 250 engines. These procedures clarified the actions to be taken when fuel system contamination is suspected.

• Finally, the FAA published Special Airworthiness Information Bulletin (SAIB) No. CE–01–10 advising owners and operators of Rolls-Royce Corporation model 250–C18 series and 250–C20 series engines of the recent changes to the fuel system maintenance on how rotorcraft engine fuel nozzle screens be inspected.

Comments Received

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

Support

Two commenters either supported the NPRM or were neutral.

Opposition to NPRM

One commenter points out that there is already a requirement to inspect the fuel nozzle screen each 300 hours of operation if there is no airframe mounted fuel filter (otherwise inspect it at 1,500 hours); a 300 hour requirement to replace the fuel filter, and a 1,000 hour requirement to change the fuel control screen. The commenter expresses concern that the proposed actions in the NPRM would burden the majority of the operators who are already correctly performing the required maintenance checks. The FAA agrees and the NPRM is being withdrawn.

Another comment, by an aircraft owner and repair station owner employing over 200 Airframe and Powerplant mechanics, strongly opposes the actions proposed in the NPRM. The commenter emphasizes that efforts should be put into ensuring that clean fuel is used by operators, rather than mandating items that are already clearly covered by the Original Equipment Manufacturer's maintenance and operations manuals. The comment also notes that the rare cases of contamination they had witnessed resulted from operators refueling remotely out of 55-gallon drums. The commenter believes that this is an operational issue rather than an inherent design flaw with the rotorcraft fuel system. The FAA agrees. This observation is consistent with the FAA's inspection results confirming that accidents involved cases where the fuel supply was a problem (less than optimal conditions).

The final comment opposing the NPRM is from an owner/operator of 173 helicopters. This individual also points out that the actions proposed in the NPRM were already required by the engine maintenance manual. He expresses concern that in the course of complying with the proposed actions in the NPRM, mechanics will be removing and disassembling thousands of fuel nozzles in the field. It is his experience that these nozzles are best taken apart at a repair facility where they can be checked for proper reassembly after the inspection. Due to the critical nature of the assembly process, slight variations in the torque values can have a significant effect on the fuel flow and spray pattern of the nozzle. The net result would be an increase in service difficulties associated with the fuel nozzle. The FAA agrees and the proposed NPRM is being withdrawn.

After further consideration and review of this data, the FAA has determined that the unsafe condition no longer exists and is extremely unlikely to develop. Accordingly, the proposed rule is withdrawn.

Withdrawal of this notice of proposed rulemaking does not preclude the agency from issuing another notice in the future, nor does it commit the agency to any course of action in the future.

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor final rule, and, therefore, is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket No. 99–NE–47, published in the **Federal Register** on April 25, 2000 (65 FR 24135), is withdrawn.

Issued in Burlington, Massachusetts, on August 16, 2001.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 01–21398 Filed 8–23–01; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–353–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–100, –200, –300, –400, and –500 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain Boeing Model 737–100, –200, –300, –400, and –500 series airplanes. That action would have required modification of certain filter module assemblies of the generator control units (GCU). Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data that indicate that the unsafe condition identified in the NPRM does not exist. Accordingly, the proposed rule is withdrawn.

FOR FURTHER INFORMATION CONTACT: Forrest Keller, Senior Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2790; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD),

applicable to certain Boeing Model 737–100, –200, –300, –400, and –500 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on March 5, 1999 (64 FR 10578). The proposed rule would have required modification of certain filter module assemblies of the generator control units (GCU). That action was prompted by reports of smoke and occasional fire in the flight compartment as a direct result of a GCU failure. The proposed actions were intended to prevent failure of the filter module assemblies of the GCUs due to overcurrent conditions, which could result in an increased risk of smoke, and/or fire in the flight compartment.

Actions Since Issuance of the NPRM

The NPRM proposed to require modification of certain filter module assemblies of the GCUs to prevent smoke and/or fire in the flight compartment due to overcurrent conditions in the GCUs. Since the issuance of the NPRM, the manufacturer has advised the FAA that there have been no reports of fire as a result of GCU overcurrent conditions. The manufacturer has further advised that GCUs that were examined and/or repaired by the supplier have shown no evidence of fire. In those cases where fires were reported, the manufacturer asserts that the erroneous identification of an actual fire had been inferred from the presence of smoke, which resulted from unrelated conditions and did not represent a hazard to the airplane.

In addition, the modifications proposed by the NPRM may have contributed, in part, to an event that occurred on a Model 737–200 series airplane during which all electrical power was lost in flight. As a result of that incident, the FAA issued AD 99–18–17, amendment 39–11283 (64 FR 47656, September 1, 1999), which was later superseded by AD 99–24–08, amendment 39–11432 (64 FR 66368, November 26, 1999), to require, among other things, repetitive testing of GCU diodes and repetitive replacement of airplane batteries. In this case, the attempt to minimize the incidence of smoke resulted in an increased probability of a total loss of electrical power. Total loss of electrical power represents a greater hazard to the airplane, and the information provided by the manufacturer indicates that the existing GCUs are adequate to ensure the safety of the fleet.

FAA's Conclusions

Upon further consideration of the above information, the FAA has determined that the hazard associated with GCU overcurrent conditions does not justify a requirement to modify the filter module. The FAA has further determined that incorporation of the proposed modifications could actually decrease the reliability of the electrical power system. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action 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 notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 98–NM–353–AD, published in the **Federal Register** on March 5, 1999 (64 FR 10578), is withdrawn.

Issued in Renton, Washington, on August 20, 2001.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01–21496 Filed 8–23–01; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–99–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–10–10, –10F, –15, –30, –30F (KC–10A and KDC–10), –40, and –40F Series Airplanes; and Model MD–10–10F and –30F 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 McDonnell Douglas Model DC–10–10, –10F, –15, –30, –30F (KC–10A and KDC–10), –40, and –40F series airplanes; and Model MD–10–10F and –30F series airplanes. This proposal would require an inspection of the throttle control module on the center pedestal in the flight deck compartment to determine its part number and configuration, and modification of the throttle control module. This action is necessary to prevent chafing of wiring inside the throttle control module, fuel shutoff lever lights, and/or aft pedestal lightplates due to degradation of protective sleeving, which could result in electrical arcing and failure of the auto throttle/speed control system and consequent smoke and/or fire in the cockpit. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by October 9, 2001.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–99–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. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 2001–NM–99–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800–0024). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Natalie Phan-Tran, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5343; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION: