information as would be required by a prudent lessor and must include an evaluation of the capacity and reliability of the servicer. Boards of directors of jointly managed institutions must adopt procedures to ensure the interests of their respective shareholders are protected in participation between such institutions.

(e) *Sales with recourse*. When a lease or interest in a lease is sold with recourse:

(1) For the purpose of determining the lending and leasing limit in subpart J of part 614 of this chapter, the lease must be considered, to the extent of the recourse or guaranty, a lease by the buyer to the seller, and in addition, the seller must aggregate the lease with other obligations of the lessee; and

(2) The lease subject to the recourse agreement must be considered an asset sold with recourse for the purpose of computing capital ratios.

(f) *Similar entity lease transactions*. The provisions of § 613.3300 of this chapter that apply to interests in loans made to similar entities apply to interests in leases made to similar entities. In applying these provisions, the term ''loan'' shall be read to include the term ''lease'' and the term ''principal amount'' shall be read to include the term ''lease amount.''

§ 616.6200 Out-of-territory leasing.

A System institution may make leases outside its chartered territory.

§ 616.6300 Leasing policies, procedures, and underwriting standards.

The board of each institution engaged in lease underwriting must adopt a written policy (or policies). Management, at the direction of the board, must develop procedures that reflect lease practices that control risk and comply with all applicable laws and regulations. Any leasing activity must comply with the lending policies and loan underwriting requirements in § 614.4150 of this chapter. An institution engaged in the making, buying, or syndicating of leases also must adopt written policies and procedures that address the additional risks associated with leasing. Written policies and procedures must address the following, if applicable:

(a) Appropriateness of the lease amount, purpose, and terms and conditions, including the residual value established at the inception of the lease;

(b) Process for estimating the leased asset's market value during the lease term;

(c) Types of equipment and facilities the institution will lease;

(d) Remarketing of leased property and associated risks;

(e) Property tax and sales tax reporting;

(f) Title and ownership of leased assets;

(g) Title and licensing for motor vehicles;

(h) Liability associated with ownership, including any environmental hazards or risks;

(i) Insurance requirements for both the lessor and lessee;

(j) Classification of leases in accordance with generally accepted accounting principles; and

(k) Tax treatment of lease transactions and associated risks.

§ 616.6400 Documentation.

Each institution must document that any asset it leases is within its statutory authority.

§ 616.6500 Investment in leased assets.

An institution may acquire property to be leased that is consistent with current or planned leasing programs.

§ 616.6600 Leasing limit.

All leases made by Farm Credit System institutions shall be subject to the lending and leasing limit in subpart J of part 614 of this chapter.

§ 616.6700 Stock purchase requirements.

(a) Each System institution, except the Farm Credit Leasing Services Corporation, making an equipment lease under titles II or III of the Act must require the lessee to buy or own at least one share of stock or one participation certificate in the institution making the lease, in accordance with its bylaws.

(b) The disclosure requirements of § 615.5250(a) and (b) of this chapter apply to stock (or participation certificates) bought as a condition for obtaining a lease.

§ 616.6800 Disclosure requirements.

(a) Each System institution must give to each lessee a copy of all lease documents signed by the lessee within a reasonable time following lease closing.

(b) Each System institution must make its decision on a lease application as soon as possible and provide prompt written notice of its decision to the applicant.

PART 618—GENERAL PROVISIONS

18. The authority citation for part 618 continues to read as follows:

Authority: Secs. 1.5, 1.11, 1.12, 2.2, 2.4, 2.5, 2.12, 3.1, 3.7, 4.12, 4.13A, 4.25, 4.29, 5.9, 5.10, 5.17 of the Farm Credit Act (12 U.S.C. 2013, 2019, 2020, 2073, 2075, 2076, 2093, 2122, 2128, 2183, 2200, 2211, 2218, 2243, 2244, 2252).

Subpart C—[Removed and Reserved]

19. Subpart C, consisting of §§ 618.8050 and 618.8060, is removed and reserved.

Subpart J—Internal Controls

§ 618.8440 [Amended]

20. Section 618.8440 is amended by removing the reference ''or (d)'' in paragraph (b)(6).

PART 621—ACCOUNTING AND REPORTING REQUIREMENTS

21. The authority citation for part 621 continues to read as follows:

Authority: Secs. 5.17, 8.11 of the Farm Credit Act (12 U.S.C. 2252, 2279aa–11).

Subpart C—Loan Performance and Valuation Assessment

§ 621.7 [Amended]

22. Section 621.7 is amended by removing the reference ''§ 614.4358(a)(2)'' and adding in its place, the reference ''§ 614.4359(a)(2)'' in paragraph (a)(2)(iii).

Dated: June 18, 1999.

Vivian L. Portis,

Secretary, Farm Credit Administration Board.

[FR Doc. 99–16149 Filed 6–25–99; 8:45 am]

BILLING CODE 6705–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–147–AD; Amendment 39–11208; AD 99–13–13]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80, and C–9 (Military) Series Airplanes; Model MD–88 Airplanes; and Model MD–90 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 (military) series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes, that requires a one-time inspection of the forward attach pins of the outboard flight spoiler actuators to determine whether the pins are of correct length, and follow-on corrective actions. This amendment is prompted by a report that forward attach pins of

incorrect length were found to be installed in the flight spoiler actuators on several in-service and in-production airplanes. The actions specified by this AD are intended to prevent failure of the piston of the flight spoiler actuator and consequent puncturing of the aft spar web, which could result in fuel leakage and reduced structural integrity of the wings.

DATES: Effective August 2, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 2, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). 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, 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.

FOR FURTHER INFORMATION CONTACT: Brent Bandley, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5237; fax (562) 627–5210.

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 McDonnell Douglas Model DC–9, DC–9–80, and C–9 (military) series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes was published in the **Federal Register** on July 13, 1998 (63 FR 37508). That action proposed to require a one-time inspection of the forward attach pins of the outboard flight spoiler actuators to determine whether the pins are of correct length, and follow-on corrective actions.

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 for the Proposed Rule

One commenter supports the proposed rule.

Requests To Revise or Delete Paragraph (c) of the Proposed AD

One commenter requests that the FAA revise paragraph (c) of the proposed AD to read, ''As of the effective date of this AD, no person shall install a forward attach pin of the flight spoiler actuator, P/N 4935329–1 or 4935329–501 to be used on piston P/N 4913415–505 or P/N 4913415–507, on any airplane.'' The commenter states, as paragraph (c) of the proposed AD is currently worded, it may create confusion that a forward attach pin, P/N 4935329–1, must be installed on actuators with a piston, P/N 4913415–501. Actuators with a piston, P/N 4913415–501, are eligible for installation as long as the aircraft has been modified in accordance with ''S/B 27–300 Option #1.'' The commenter also states that, due to the stack up of tolerances, the use of a forward attach pin, P/N 4935329–503, on a piston, P/N 4913415–501, could eliminate the anti-rotation attribute of the pin, and consequently, could cause the pin to bind in the bushings. Such binding would translate to the rotation of the bushings in the lugs and cause scoring and wear of the piston lugs, which would create stress risers that could greatly reduce the strength of the piston lugs.

One commenter requests that the FAA revise paragraph (c) of the proposed AD to take into account that the –1 pin may still be required on the aircraft. The commenter notes that P/N 5913900–5523 actuators are still acceptable for use in the inboard positions, and that all outboard positions may not have been reworked in accordance with AD 97–02–08, amendment 39–9893 (62 FR 3985, January 28, 1997), by the time this new AD is released. The proper pin for use with the P/N 5913900–5523 actuators is the P/N 4935329–1 pin.

One commenter requests that paragraph (c) of the proposed AD be revised to include a note that reads, ''NOTE: The –1 pin is still used on other than 4913415–505 and 4913415–507 piston assemblies.'' The commenter provides no justification for its request.

One commenter requests that the FAA delete paragraph (c) of the proposed AD. The commenter states that the P/N 4913415–501 piston is a legal assembly in accordance with AD 97–02–08 R1, amendment 39–9928 (62 FR 6708, February 13, 1997), provided that aft spar web protective doublers are installed in accordance with McDonnell Douglas Service Bulletin DC9–27–355, dated February 24, 1998 (which is referenced in this AD as an appropriate source of service information for accomplishment of the requirements of this AD).

One commenter states that the forward attach pins identified in paragraph (c) of the proposed AD may be used in flight spoilers other than those installed in the outboard position. The commenter points out that, if only the outboard positions are inspected in accordance with the proposed AD, those pins that are on the actuators in the inboard positions having other part number pistons would go uninspected. This would appear to conflict with the requirements of paragraph (c) of the proposed AD.

The FAA acknowledges that clarification of the requirements of paragraph (c) of the proposed AD is necessary. The FAA's intent was that no person shall install a forward attach pin (P/N 4935329–1 or P/N 4935329–501) in piston assembly (P/N 4913415–505 or P/N 4913415–507) of the outboard flight spoiler actuator on any airplane. However, because paragraph (c) of the proposed AD is confusing and because operators will be remarking correct length pins and reidentifying them with P/N 4935329–503, the FAA has determined not to retain paragraph (c) of the proposed AD in the final rule.

In addition, the FAA finds that further clarification is necessary. The FAA's concern is about the outboard flight spoiler actuator because only at the outboard location can a failed piston lug puncture the aft spar web and result in fuel leakage. (The inboard location of the aft spar web is thick enough to prevent such puncturing.) The requirements of both AD 97–02–08 R1 and this final rule are intended to prevent puncturing of the aft spar web and resultant fuel leakage.

Requests To Revise the Applicability Statement

One commenter requests that the applicability statement of the proposed AD be revised to exclude airplanes that have incorporated Option 1 of McDonnell Douglas Service Bulletin DC9–27–300, dated June 16, 1997 (referenced in AD 97–02–08 R1 as the appropriate source of service information for accomplishment of the requirements of that AD), or that a note be included in the final rule that acknowledges Option 1 as an alternative method of compliance. The commenter states that airplanes on which Option 1 of the subject service bulletin has been accomplished, or on which the old piston, P/N 4913415–501 (or prior), has been installed, are safe to fly with the

existing spoiler attach pins installed and do not require incorporation of McDonnell Douglas Service Bulletin DC9–27–355.

From this comment, the FAA infers that this commenter is requesting that the applicability statement be revised due to confusion over the requirements of paragraph (c) of the proposed AD. The FAA does not concur. As discussed previously, the FAA has determined not to retain paragraph (c) of the proposed AD in the final rule. The FAA notes that airplanes on which only a piston assembly having P/N 4913415–505 or P/N 4913415–507 of the outboard flight spoiler actuator has been installed are subject to the addressed unsafe condition of this AD. Therefore, the FAA finds that no change to applicability statement of the final rule is necessary.

One commenter states that under the heading ''Concurrent Requirements'' of McDonnell Douglas Service Bulletin DC9–27–355, the text reads ''Aircraft with Service Bulletin DC9–27–300 Option 1 accomplished * * * are not affected.'' The commenter contends that an operator may accomplish Option 1 of Service Bulletin DC9–27–300, which involves installing doublers. However, the FAA notes that at anytime, piston P/N 4913415–505 or P/N 4913415–507 may have been installed. This creates a situation where Option 1 of Service Bulletin DC9–27–300 has been accomplished but the installed piston and pin are still suspect. The commenter also states that Option II of Service Bulletin DC9–27–300 gives no definitive actuator identification instructions. This creates a situation where any dash number actuator assembly may have a suspect piston and pin installed. The commenter suggests that a possible solution would be to require measurement of the piston lugs to determine which piston has been installed.

From this comment, the FAA infers that the commenter is requesting that the applicability statement of the proposed AD be revised to exclude airplanes equipped with external protective doublers between the outboard flight spoiler actuator and the aft spar webs. The FAA does not concur. Airplanes on which only Option 1 of Service Bulletin DC9–27–300 (which is required by AD 97–02–08 R1) has been accomplished are not subject to the requirements of this AD. As indicated in the applicability statement, this AD applies to certain airplanes on which a piston assembly having P/N 4913415–505 or 4913415–507 is installed. In addition, the FAA finds that a measurement to determine which piston is installed is unnecessary because this AD specifically identifies the dash number of the affected pin assembly.

Requests To Extend Compliance Time

Several commenters request that the compliance time for accomplishing the removal and one-time visual inspection required by paragraph (a) of the proposed AD be extended from the proposed 18 months. One commenter states that the removal of actuators will require extensive maintenance requirements. One commenter states that, as paragraph (c) of the proposed AD is currently worded, it would have to inspect twice as many units as initially proposed. Another commenter states that an 18-month extension would minimize the impact on its operation and aid in scheduling of the inspection/modification.

The FAA does not concur with the commenters' request. As discussed previously under the heading ''Requests to Revise or Delete Paragraph (c) of the Proposed AD,'' operators are required to inspect the forward attach pins of only the outboard flight spoiler actuators, not both the outboard and inboard as suggested by some of the commenters. Because stress corrosion is time dependent rather than landing dependent, the FAA finds that a 5,000-landing compliance time, as suggested by one of the commenters, would be inappropriate. In developing an appropriate compliance time for these actions, the FAA considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the removal and inspection. In consideration of these factors, the FAA has determined that the 18-month initial compliance time, as proposed, is appropriate. However, under the provisions of paragraph (c) 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 Allow Replacement of Pins With Serviceable or Reidentified Pins

One commenter requests that paragraph (a)(2)(i) of the proposed AD be revised to allow the use of serviceable and reidentified forward attach pins as well as new pins. The commenter notes that some operators may elect to send pins to the shop for length inspection and reidentification, which could result in the pins being reinstalled on another aircraft. The FAA concurs. The FAA finds that installing serviceable and reidentified, as well as new, forward attach pins is acceptable for compliance with the requirements of paragraphs (a)(2)(i), (a)(2)(ii)(A), and (a)(2)(ii)(B) of the final rule. Therefore, the final rule has been revised accordingly.

Request To Use a New Tool

One commenter states that it recently has developed a tool which will allow gauging the pins to differentiate between the short pins and the proper length pins. The commenter also states that the use of this tool would eliminate the requirement for removing the pin for measurement. An alternative method of identification also could be used such as the application of paint to the end of the pin, which is accessible. The commenter notes that the use of this tool would greatly minimize the economic impact of the proposed AD.

The FAA does not concur. The commenter did not provide sufficient information to the FAA to justify the use of such a tool. However, paragraph (c) of the final rule does provide affected operators the opportunity to apply for an alternative method of compliance, such as the use of a new tool or application of paint.

Request to Delete Reporting Requirement

One commenter requests that paragraph (b) of the proposed AD be deleted. The commenter states that a reporting requirement places an additional burden on the operator and has no useful purpose since all discrepant parts are being removed from service. The FAA does not concur. When the unsafe condition addressed by an AD action appears to be attributed to a manufacturer's quality control (QC) problem (such as this AD), such a reporting requirement is instrumental in ensuring that the FAA is able to gather as much information as possible as to the extent and nature of the QC problem or QC breakdown, especially in cases where such data may not be available through other established means. This information is necessary to ensure that proper corrective action is implemented.

Request to Revise Reporting Requirement

One commenter requests that the compliance time for the reporting requirement in paragraph (b) of the proposed AD be revised from 10 days to 30 days. The commenter states that such an extension will allow time to receive paperwork from the inspection stations, review and analyze the results, and compile the data. The FAA does not concur. In developing an appropriate compliance time, the FAA considered

the time necessary for submitting a report of the inspection results to the FAA in a timely manner. The FAA has determined that a 10-day compliance time is appropriate. However, paragraph (c) of the final rule does provide affected operators the opportunity to apply for an adjustment of the compliance time if data are presented to justify such an adjustment.

Requests to Revise Cost Impact

Two commenters note that the economic impact of the proposed rule has been underestimated. In order to gain access to the flight spoiler forward attach pin to conduct the required inspection, these commenters state that it is necessary to remove the actuator. One commenter estimates that it will take approximately six work hours per aircraft to accomplish the pin inspection (including removal and reinstallation of the forward attach pin), as compared to the five work hours estimated in the proposed rule. The other commenter estimates that it will take 16 work hours.

From these comments, the FAA infers that the commenters are requesting that the Cost Impact section of the proposed AD be revised. The FAA does not concur. The cost impact information, below, describes only the ''direct'' costs of the specific actions required by this AD. The number of work hours necessary to accomplish the required actions, specified as 5 in the cost impact information, below, was provided to the FAA by the manufacturer based on the best data available to date. This number represents the time necessary to perform only the actions actually required by this AD. The FAA recognizes that, in accomplishing the requirements of any AD, operators may incur ''incidental'' costs in addition to the ''direct'' costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental costs, such as the time required to gain access and close up; planning time; or time necessitated by other administrative actions. Because incidental costs may vary significantly from operator to operator, they are almost impossible to calculate.

Request to Revise Descriptive Language in Discussion Section of Proposed AD

One commenter points out that, in addition to McDonnell Douglas Model DC–9–80 and Model MD–90 airplanes, the incorrect length pins were found on Model DC–9 and MD–88 series airplanes. From this comment, the FAA infers that the commenter is requesting that the FAA revise the wording of the reported incident that appeared in the Discussion Section of the AD.

The same commenter requests that the word ''nut'' be replaced with ''washer'' in the sentence in the Discussion Section of the proposed AD that reads ''If a forward attach pin is too short, the pin and nut * * *''

The FAA finds that no revision to this final rule in the manner suggested by the commenter is necessary, since the Discussion section of the proposed AD does not reappear in the final rule.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 1,700 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,134 airplanes of U.S. registry will be affected by this AD.

It will take approximately 5 work hours per airplane (including removal and reinstallation of the forward attach pin) to accomplish the required one-time visual inspection, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this inspection required by this AD on U.S. operators is estimated to be $340,200, or $300 per airplane.

If the forward attach pin is determined to be of correct length, it will take approximately 1 work hour per airplane to accomplish the necessary modification, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this modification required by this AD on U.S. operators is estimated to be $60 per airplane.

If the forward attach pin is determined to be of incorrect length, it will take approximately 1 work hour per airplane to accomplish the follow-on visual inspection and replacement of the pin, at an average labor rate of $60 per work hour. New pins will be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the follow-on visual inspection and replacement is estimated to be $60 per airplane.

Should an operator be required to accomplish the HFEC inspection, it will take approximately 11 work hours per airplane to accomplish (including removal and reinstallation of the flight spoiler actuator), at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the HFEC inspection is estimated to be $660 per airplane.

Should an operator be required to accomplish the replacement of the piston assembly of the flight spoiler actuator, it will take approximately 5 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will cost approximately $2,590 per airplane. Based on these figures, the cost impact of the replacement on U.S. operators is estimated to be $2,890 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the 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 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 adding the following new airworthiness directive:

99–13–13 McDonnell Douglas: Amendment 39–11208. Docket 98–NM–147–AD.

Applicability: Model DC–9–10, –20, –30, –40, and –50 series airplanes, Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87) series airplanes, Model MD–88 airplanes, and C–9 (military) series airplanes, as listed in McDonnell Douglas Service Bulletin DC9–27–355, dated February 24, 1998; and Model MD–90 airplanes, as listed in McDonnell Douglas Service Bulletin MD90–27–024, dated February 24, 1998; on which a piston assembly of the flight spoiler actuator having part number (P/N) 4913415–505 or 4913415–507 is installed; 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 (c) 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 piston of the flight spoiler actuator and consequent puncturing of the aft spar web, which could result in fuel leakage and reduced structural integrity of the wings, accomplish the following:

(a) Within 18 months after the effective date of this AD, remove the forward attach pin of the outboard flight spoiler actuator of the left and right wings of the airplane, and perform a one-time visual inspection of the pin to determine whether it is of correct length, in accordance with the Accomplishment Instructions of McDonnell Douglas Service Bulletin DC9–27–355 [for Model DC–9–10, –20, –30, –40, –50 series airplanes; Model C–9 (military) series airplanes; Model DC–9–81 (MD–81), –82 (MD–82), –83 (MD–83), and –87 (MD–87) series airplanes; and Model MD–88 airplanes], or MD90–27–024 (for Model MD–90 airplanes), both dated February 24, 1998, as applicable.

(1) *Condition 1 (Correct Length).* If the forward attach pin is of correct length, prior to further flight, modify the pin by reidentifying it with P/N 4935329–503, in accordance with the applicable service bulletin.

(2) *Condition 2 (Incorrect Length).* If the forward attach pin is of incorrect length, prior to further flight, perform a follow-on visual inspection of the piston lugs of the flight spoiler actuator for corrosion at the outer transition radii, or discrepancies of the cadmium plating of the lugs, in accordance with the applicable service bulletin.

(i) If no corrosion or discrepancy of the cadmium plating of the lugs is detected, prior to further flight, install a forward attach pin, P/N 4935329–503, that is new, serviceable, or reidentified in accordance with paragraph (a)(1) of this AD, and install a new washer and nut; in accordance with the applicable service bulletin.

(ii) If any corrosion or discrepancy of the cadmium plating of the lugs is detected, prior to further flight, remove the actuator and attaching parts, and perform a high frequency eddy current inspection for cracking of the lugs of the actuator, in accordance with the applicable service bulletin.

(A) If no cracking of the lugs is detected, prior to further flight, reinstall the flight spoiler actuator and attaching parts, and install a forward attach pin, P/N 4935329–503, that is new, serviceable, or reidentified in accordance with paragraph (a)(1) of this AD, and install a new washer and nut; in accordance with the applicable service bulletin.

(B) If any cracking of the lugs is detected, prior to further flight, replace the existing piston assembly of the flight spoiler actuator with a new piston assembly having the same P/N; reinstall the flight spoiler actuator and attaching parts; and install a forward attach pin, P/N 4935329–503, that is new, serviceable, or reidentified in accordance with paragraph (a)(1) of this AD, and install a new washer and nut; in accordance with the applicable service bulletin.

(b) Within 10 days after accomplishing the inspection required by paragraph (a) of this AD, submit a report of the inspection results (both positive and negative findings) to the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California 90712–4137; fax (562) 627–5210. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120–0056.

Alternative Methods of Compliance

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

Special Flight Permits

(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.

Incorporation by Reference

(e) The actions shall be done in accordance with McDonnell Douglas Service Bulletin DC9–27–355, dated February 24, 1998; or McDonnell Douglas Service Bulletin MD90–27–024, dated February 24, 1998; as applicable. 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 Aircraft Group, Long Beach 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.

(f) This amendment becomes effective on August 2, 1999.

Issued in Renton, Washington, on June 17, 1999.

Dorenda D. Baker,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–15926 Filed 6–25–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–ANE–36–AD; Amendment 39–11206; AD 97–21–01 R1]

RIN 2120–AA64

Airworthiness Directives; MT-Propeller Entwicklung GMBH Model MTV–3–B–C Propellers

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to MT-Propeller Entwicklung GMBH Model MTV–3–B–C propellers, that currently requires initial and repetitive dye penetrant or eddy current inspections for cracks in the propeller hub, and rework of the propeller hub or replacement with a new model propeller hub. This amendment allows the repetitive dye penetrant inspections to be performed on-wing as opposed to at approved propeller repair stations, and to mark B–050 propeller hubs that have been modified in accordance with