

Modern Avionics, Inc., of Eden Prairie, Minnesota. Should Modern Avionics, Inc., apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A22CE to incorporate the same novel or unusual design feature, the special conditions would apply to that model as well, under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain unusual or novel design features on the Cessna 550 series airplanes modified by Modern Avionics, Inc., of Eden Prairie, Minnesota. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the Cessna 550 series airplanes modified by Modern Avionics, Inc., of Eden Prairie, Minnesota.

The substance of the special conditions for these airplanes has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions immediately. Therefore, these special conditions are being made effective upon issuance. The FAA is requesting comments to allow interested persons to submit views that may have not been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Federal Aviation Administration, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. app. 1344, 1348(c), 1352, 1354(a), 1355, 1421 through 1431, 1502, 1651(b)(2), 42 U.S.C. 1875f-10, 4321 et seq.; E.O. 11514; and 49 U.S.C. 106(g).

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for Cessna 550 series airplanes modified by Modern Avionics, Inc., of Eden Prairie, Minnesota.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields external to the airplane.

2. The following definitions apply with respect to these special conditions: *Critical Functions.* Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on December 20, 1994.

Darrell M. Pederson,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-74 Filed 1-3-95; 8:45 am]

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14 CFR Part 39

[Docket No. 94-NM-88-AD; Amendment 39-9110; AD 94-26-15]

Airworthiness Directives; Lockheed Model 382 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Lockheed Model 382 series airplanes, that requires inspection of a kingpin riser on the lower surface of the outer wing to determine fastener placement. This AD would also require repetitive inspections for fatigue cracks in the kingpin riser if the fasteners are positioned outside certain limits, and repair, if necessary. This amendment is prompted by reports of insufficient distance between the center of the outermost fastener on the kingpin riser and the edge of the riser, which can adversely affect the fatigue resistance of the outer wing assembly. The actions specified by this AD are intended to prevent structural failure of the lower surface of the outer wing due to fatigue cracks in the kingpin riser.

DATES: Effective on February 3, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 3, 1995.

ADDRESSES: The service information referenced in this AD may be obtained

from Lockheed Aeronautical Systems Support Company, Field Support Department, Department 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. 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, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Thomas Peters, Aerospace Engineer, Flight Test Branch, ACE-160A, FAA, Small Airplane Directorate, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-3915; fax (404) 305-7348.

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 Lockheed Model 382 series airplanes was published in the **Federal Register** on September 19, 1994 (59 FR 47823). That action proposed to require an inspection of a kingpin riser on the lower surface of the outer wing to determine fastener placement; and repetitive inspections for fatigue cracks in the kingpin riser if the fasteners are positioned outside certain limits, and repair, if necessary.

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 cost to the public.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has

been added to this final rule to clarify this requirement. The FAA has determined that this addition will neither increase the economic burden on any operator nor increase the scope of the AD.—

The FAA has recently reviewed the figures it has used over the past several years in calculating the economic impact of AD activity. In order to account for various inflationary costs in the airline industry, the FAA has determined that it is necessary to increase the labor rate used in these calculations from \$55 per work hour to \$60 per work hour. The economic impact information, below, has been revised to reflect this increase in the specified hourly labor rate.

There are approximately 20 Lockheed Model 382 series airplanes of the affected design in the worldwide fleet. The FAA estimates that it will take approximately 4 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$4,800, or \$240 per airplane.

The total cost impact figure discussed above is 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.

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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]—

2. Section 39.13 is amended by adding the following new airworthiness directive:

94-26-15 Lockheed Aeronautical Systems

Company: Amendment 39-9110. Docket 94-NM-88-AD.—

Applicability: Model 382, 382B, 382E, 382F, and 382G series airplanes, as listed in Hercules Service Bulletin 382-57-74 (82-688), dated January 31, 1994; 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 use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously. —

To prevent structural failure of the outer wing assembly, accomplish the following: —

(a) Within 30 days after the effective date of this AD, or prior to the accumulation of 18,000 total flight hours, whichever occurs later, perform an ultrasonic inspection to determine the distance between the edge of each of the six most outboard fasteners on kingpin riser number 18 and the edge of the riser, in accordance with Appendix A of Hercules Service Bulletin 382-57-74 (82-688), dated January 31, 1994.

(1) If all six of these fasteners are positioned 0.31 inch or more from the kingpin riser edge: No further action is required by this AD.—

(2) If any of the six most outboard fasteners is positioned less than 0.31 inch from the edge of the kingpin riser: Prior to the applicable threshold specified in Table 1 of Hercules Service Bulletin 382-57-74 (82-688), or prior to further flight if that threshold has been exceeded as of the effective date of this AD, perform an ultrasonic inspection to detect cracks in the kingpin riser, in accordance with Inspection Procedure SP-265 (Appendix B) of the service bulletin.

Note 2: For airplanes on which an outer wing replacement is installed, the total flight hours threshold is counted from the time of outer wing replacement.

(i) If no crack is found, repeat this inspection, thereafter, at intervals not to exceed 7,400 flight hours.

(ii) If any cracked kingpin riser is found, prior to further flight, repair in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Repeat this inspection, thereafter, at intervals not to exceed 7,400 flight hours.—

(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 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 3: 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. —

(d) The inspections shall be done in accordance with Hercules Service Bulletin 382-57-74 (82-688), dated January 31, 1994 (includes Attachment 1, and Appendices A and B). 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 Lockheed Aeronautical Systems Support Company, Field Support Department, Department 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.—

(e) This amendment becomes effective on February 3, 1995.

Issued in Renton, Washington, on December 21, 1994.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-48 Filed 1-3-95; 8:45 am]

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