

compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(i) 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.

Issued in Renton, Washington, on April 11, 1995.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-9345 Filed 4-14-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 94-NM-183-AD]

Airworthiness Directives; British Aerospace Model BAC 1-11 200 and 400 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness directive (AD), applicable to British Aerospace Model BAC 1-11 200 and 400 series airplanes, that currently requires structural inspections and repairs or replacements, as necessary. This action would require additional inspections of certain Structural Significant Items (SSI) and expansion of the inspection area for certain other SSI's. This proposal is prompted by the results of a structural integrity audit, which indicated that in order to maintain the structural integrity of these airplanes as they approach or exceed the manufacturer's original fatigue design life goal, certain SSI's need to be inspected. The actions specified by the proposed AD are intended to ensure continuing structural integrity of these airplanes.

DATES: Comments must be received by May 26, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-183-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 British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. This

information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

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 94-NM-183-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-03, Attention: Rules Docket No. 94-NM-183-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On September 16, 1988, the FAA issued AD 87-24-06 R1, amendment 39-6037 (53 FR 37993, September 29, 1988), applicable to British Aerospace Model BAC 1-11 200 and 400 series airplanes. That AD requires structural inspections and repairs or replacements, as necessary, in order to ensure the continuing airworthiness of these

airplanes as they approach or exceed the manufacturer's original fatigue design life goal. That action was prompted by a structural re-evaluation, which identified certain structurally significant items (SSI) in which undetected fatigue cracks could propagate and compromise the structural integrity of these airplanes. The requirements of that AD are intended to ensure continuing structural integrity of these airplanes.

Since the issuance of that AD, British Aerospace has conducted a structural integrity audit to assess the structural inspection program of Model BAC 1-11 200 and 400 series airplanes. The results of this audit indicated that, in order to maintain the structural integrity of these airplanes as they approach or exceed 85,000 landings (the manufacturer's original fatigue design life goal), certain additional SSI's need to be inspected and the inspection area for certain other SSI's needs to be expanded.

British Aerospace has issued BAC 1-11 Alert Service Bulletin 51-A-PM5830, Issue 4, dated January 28, 1993. This revision of the alert service bulletin adds ten inspections of the doors to the structural inspection program. Some of these inspections merely expand the area of inspection for certain SSI's. Additionally, this revision of the alert service bulletin describes procedures for repair or replacement of cracked parts. Table 3 of the alert service bulletin specifies life limits for certain components in the engine mount/attachment structure of certain airplanes. The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, has classified this revision of the alert service bulletin as mandatory.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

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 supersede AD 87-24-06 R1 to require a revision of the FAA-approved maintenance inspection program to

include additional structural inspections of certain SSI's, expansion of the inspection area for certain other SSI's, and repair or replacement of cracked parts; and establishes a life limit for the engine mount/attachment structure on certain airplanes. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

However, certain inspections and repairs specified in the alert service bulletin have been excluded from the requirements of this proposal. Those inspections and repairs have been identified in the alert service bulletin as Maintenance Planning Guide (MPG), Reference Numbers 52-10-6R and 53-10-2R. The actions specified in MPG 52-10-6R are currently required by AD 87-21-06, amendment 39-5744 (52 FR 38396, October 16, 1987), and those in MPG 53-10-29R will be addressed in a separate rulemaking action.

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 included in this notice to clarify this long-standing requirement.

The FAA estimates that 31 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 158 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$293,880, or \$9,480 per airplane, per inspection cycle.

The total 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.

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. 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 removing amendment 39-6037 (53 FR 37993, September 29, 1988), and by adding a new airworthiness directive (AD), to read as follows:

British Aerospace Airbus Limited (Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group): Docket 94-NM-183-AD. Supersedes AD 87-24-06 R1, Amendment 39-6037.

Applicability: Model BAC 1-11 200 and 400 series airplanes, 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 (f) 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 ensure continuing structural integrity of the airplane, accomplish the following:

(a) Within 6 months after November 3, 1988 (the effective date of AD 87-4-06 R1, amendment 39-6037), incorporate a revision into the FAA-approved maintenance inspection program which requires inspections, repairs, and replacements, as necessary, in accordance with Tables 1, 2, and 3 of British Aerospace BAC 1-11 Alert Service Bulletin 51-A-PM5830, Issue 3, dated March 19, 1987. The revision to the maintenance inspection program must include procedures to notify the manufacturer when Structural Significant Items are found cracked or otherwise significantly deteriorated. 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. The inspection thresholds, repetitive intervals and inspection techniques are listed in the alert service bulletin.

(b) Within 6 months after the effective date of this AD, replace the revision of the FAA-approved maintenance inspection program required by paragraph (a) of this AD, with a revision which requires inspections, repairs, and replacements, as necessary, in accordance with Tables 1 (except Maintenance Planning Guide Reference Numbers 52-10-6R and 53-10-29R), 2, and 3 of British Aerospace BAC 1-11 Alert Service Bulletin 51-A-PM5830, Issue 4, dated January 28, 1993. The revision to the maintenance inspection program must include procedures to notify the manufacturer when Structural Significant Items are found cracked or otherwise significantly deteriorated. 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. The inspection thresholds, repetitive intervals and inspection techniques are listed in the alert service bulletin.

Note 2: Maintenance Planning Guide (MPG) Reference Numbers 52-10-6R and 53-10-29R, listed in Table 1 of British Aerospace BAC 1-11 Alert Service Bulletin 51-A-PM5830, Issue 4, dated January 28, 1993, are excluded from the requirements of this AD for the following reasons:

MPG reference No.	Reason
52-10-6R	Required by AD 87-21-06, amendment 39-5744.
53-10-29R ..	Will be addressed in a separate rulemaking action.

(c) Within one year after November 3, 1988 (the effective date of AD 87-24-06 R1, amendment 39-6037), or prior to the accumulation of the number of landings listed in the landing threshold indicated in British Aerospace BAC 1-11 Alert Service Bulletin 51-A-PM5830, Issue 3, dated March 19, 1987, whichever occurs later, and thereafter, at intervals not to exceed the number of landings specified in the alert service bulletin, accomplish the inspections, repairs, and replacements, as necessary, of the Structural Significant Items identified in Tables 1, 2, and 3 of that service bulletin.

(d) Within one year after the effective date of this AD, or prior to the accumulation of the number of landings listed in the landing threshold indicated in British Aerospace BAC 1-11 Alert Service Bulletin 51-A-PM5830, Issue 4, dated January 28, 1993, whichever occurs later, and thereafter, at intervals not to exceed the number of landings specified in the alert service bulletin, accomplish the inspections, repairs, and replacements, as necessary, of the Structural Significant Items identified in Tables 1 (except Maintenance Planning Guide Reference Numbers 52-10-6R and 53-10-29R), 2, and 3 of the alert service bulletin.

Note 3: For operators that have accomplished this inspection previously in accordance with the requirements of AD 87-24-06 R1, amendment 39-6037: This paragraph requires that the next scheduled inspection for that SSI be performed within the repetitive interval specified for that SSI in the alert service bulletin after the last inspection performed in accordance with the requirements of AD 87-24-06 R1 for that SSI.

(e) For any cracked structure detected during any inspection required by this AD, prior to further flight, accomplish paragraph (e)(1), (e)(2), or (e)(3) of this AD.

(1) Replace the cracked part with a serviceable part of the same part number, in accordance with the Airplane Maintenance Manual. Or

(2) Repair the cracked structure in accordance with the Structural Repair Manual, listed in the service bulletin. Or

(3) Repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(f) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be

obtained from the Standardization Branch, ANM-113.

(g) 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.

Issued in Renton, Washington, on April 11, 1995.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-9347 Filed 4-14-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-40-AD]

Airworthiness Directives; Boeing Model 737 Series Airplanes Equipped With BFGoodrich Main Landing Gear Brake Assemblies

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 Boeing Model 737 series airplanes. This proposal would require inspection of certain brake assemblies to determine the part number of the torque plates, measurement of the amount of wear remaining on the brake wear pin indicator, and removal of brake assemblies on which misidentified torque plates were installed and replacement with serviceable brakes. This proposal is prompted by a report that certain torque plates were misidentified and installed on certain brake assemblies. The actions specified by the proposed AD are intended to prevent decreased brake performance during a rejected takeoff or landing when these brakes are at or near their indicated wear limit. (The brake wear pin indicator would falsely indicate longer remaining wear because of the misidentified longer torque plates that were installed on these brake assemblies.)

DATES: Comments must be received by May 11, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-40-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 BFGoodrich Aerospace, Aircraft Wheels and Brakes, P.O. Box 340, Troy, Ohio 45373. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: David M. Herron, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2672; fax (206) 227-1181.

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 95-NM-40-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-103, Attention: Rules Docket No. 94-NM-40-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

Recently, BFGoodrich shipped some torque plates that were misidentified as