

which could adversely affect the integrity of the engine mount structure, accomplish the following:

(a) Prior to the accumulation of 15,000 total hours time-in-service since wing replacement (for Model 382, 382B, 382E, and 382F series airplanes on which the outer wings have been replaced in accordance with MEP 12R/13R or MEP 9T/10T); or prior to the accumulation of 15,000 total hours time in service (for Model 382G series airplanes); or within 30 days after February 18, 1994 (the effective date of AD 94-03-03, amendment 39-8809), whichever occurs later: Accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD. Repeat the specified inspections thereafter at intervals not to exceed 300 hours time-in-service or 100 landings, whichever occurs later, until the requirements of paragraph (b) of this AD are accomplished.

(1) Perform a general visual inspection to detect loose, missing, or deformed fasteners on the inboard and outboard upper truss mounts of the No. 1 and No. 4 (left and right outboard) engines, in accordance with Lockheed Alert Service Bulletin A382-71 19/A82-687, dated December 23, 1993. If any loose, missing, or deformed fastener is found, prior to further flight, replace it with a new or serviceable fastener in accordance with Hercules Structural Repair Manual (SRM), Document Number SMP 583.

(2) Perform a general visual inspection to detect cracking of the truss mount upper tangs of the No. 1 and No. 4 engine truss mounts in accordance with Lockheed Alert Service Bulletin A382-71-19/A82-687, dated December 23, 1993. If cracking is detected in any truss mount upper tang, prior to further flight, replace it with a new or serviceable tang in accordance with Hercules SRM, Document Number SMP 583, or in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate.

(b) Perform an ultrasonic inspection to detect cracking of the upper tangs of the No. 1 outboard and the No. 4 inboard engine truss mounts, in accordance with Hercules Service Bulletin 382-71-20, dated March 18, 1994, at the time specified in paragraph (b)(1) or (b)(2) of this AD, as applicable. Accomplishment of this inspection terminates the inspections required by paragraph (a) of this AD.

(1) For Model 382, 382B, 382E, 382F, and 382G series airplanes on which the outer wings have been replaced in accordance with MEP 12R/13R or MEP 9T/10T: Accomplish the inspection at the earlier of the times specified in paragraphs (b)(1)(i) and (b)(1)(ii) of this AD.

(i) Prior to the accumulation of 15,000 total hours time-in-service since replacement of the outer wings, or within 90 days after the effective date of this AD, whichever occurs later. Or

(ii) Within 300 hours time-in-service or 100 landings, whichever occurs later, following the immediately preceding visual inspection accomplished in accordance with paragraph (a) of this AD.

(2) For Model 382E and 382G series airplanes having serial number 4561 through 5225 inclusive, other than those identified in

paragraph (b)(1) of this AD: Accomplish the inspection at the earlier of the times specified in paragraphs (b)(2)(i) and (b)(2)(ii) of this AD.

(i) Prior to the accumulation of 15,000 total hours time-in-service, or within 90 days after the effective date of this AD, whichever occurs later. Or

(ii) Within 300 hours time-in-service or 100 landings, whichever occurs later, following the immediately preceding visual inspection accomplished in accordance with paragraph (a) of this AD.

(c) If no cracking is detected during the inspection required by paragraph (b) of this AD, repeat the inspection thereafter at intervals not to exceed 5,200 hours time-in-service.

(d) If any cracking is detected during the inspection required by paragraph (b) of this AD: Prior to further flight, accomplish the requirements of either paragraph (d)(1) or (d)(2) of this AD.

(1) Replace the truss mount assembly with a new or serviceable assembly having part number 360013-15, -19, or -23 (for the outboard truss mounts of the No. 1 engine), or part number 360017-15, -19, or -23 (for the inboard truss mounts of the No. 4 engine), as applicable, in accordance with SRM 515C. Prior to the accumulation of 15,000 hours time-in-service after installation of the engine truss mount assembly, perform an ultrasonic inspection as specified in paragraph (b) of this AD. Repeat that inspection thereafter at intervals not to exceed 5,200 hours time-in-service. Or

(2) Replace the truss mount assembly with part number 360013-31 or subsequent (for the truss mounts in the No. 1 outboard engine), or part number 360017-31 or subsequent (for the truss mounts of the No. 4 inboard engine), as applicable, in accordance with SRM 515C. Such replacement constitutes terminating action for the requirements of this AD.

(e) As of the effective date of this AD, no person shall install a No. 1 outboard engine truss mount (part number 360013-15, -19, or -23), or a No. 4 inboard engine truss mount (part number 360017-15, -19, or -23), on any airplane unless the truss mount has been inspected in accordance with SRM 151C.

(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, Atlanta ACO. 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.

(g) 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 May 10, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-11972 Filed 5-15-95; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 94-NM-195-AD]

Airworthiness Directives; McDonnell Douglas Model DC-9 Series Airplanes and C-9 (Military) 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 McDonnell Douglas Model DC-9 series airplanes and C-9 (military) airplanes, that currently requires the implementation of a program of structural inspections to detect and correct fatigue cracking in order to ensure the continued airworthiness of these airplanes as they approach the manufacturer's original fatigue design life goal. This action would require, among other things, revision of the existing program to require additional visual inspections of additional structure. This proposal is prompted by new data submitted by the manufacturer indicating that certain revisions to the program are necessary in order to increase the confidence level of the statistical program to ensure timely detection of cracks in various airplane structures. The actions specified by the proposed AD are intended to prevent fatigue cracking that could compromise the structural integrity of these airplanes.

DATES: Comments must be received by July 10, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-195-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). This

information may be examined 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.

FOR FURTHER INFORMATION CONTACT: Sol Davis, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (310) 627-5233; fax (310) 627-5210.

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-195-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-195-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On January 20, 1994, the FAA issued AD 94-03-01, amendment 39-8807 (59 FR 6538, February 11, 1994), applicable to McDonnell Douglas Model DC-9

series airplanes and C-9 (military) airplanes, to require implementation of a program of structural inspections to detect and correct fatigue cracking in order to ensure the continued airworthiness of these airplanes as they approach the manufacturer's original fatigue design life goal. That action was prompted by new data submitted by the manufacturer indicating that certain revisions to the program are necessary in order to increase the confidence level of the statistical program to ensure timely detection of cracks in various airplane structures. The requirements of that AD are intended to prevent fatigue cracking that could compromise the structural integrity of these airplanes.

The manufacturer has issued McDonnell Douglas Report No. L26-008, "DC-9 Supplemental Inspection Document (SID)," Volume I, Revision 4, dated July 1993; Volume II-10/20, Revision 4, dated July 1993; Volume II-20/30, Revision 5, dated July 1993; Volume II-40, Revision 4, dated July 1993; Volume II-50, Revision 4, dated July 1993; and Volume III-94, dated July 1994. These revisions of the SID revise the sampling program by:

1. Deleting certain visual inspections and adding certain other visual inspections of certain Principal Structural Elements (PSE's) on certain airplanes listed in the SID planning data at least once during the interval between the start date (SDATE) and the end date (EDATE) established for each PSE (the visual inspections are defined in Volume III-94, Revision Highlights.);
2. Reporting the results of the new visual inspections in addition to those required by the existing AD; and
3. Increasing the sample size for one PSE.

The FAA has reviewed and approved the revised SID and has determined that these revised procedures must be incorporated into the affected operators' SID programs in order to provide an acceptable level of confidence that cracks in PSE's do not exist in the fleet. Such cracking could compromise the structural integrity of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 94-03-01 to require additional visual inspections of certain PSE's on certain airplanes listed in the SID planning data, a revision of the reporting requirements, and an increase in the sample size for one PSE. The actions would be required to be accomplished in accordance with the revised SID described previously.

There are approximately 889 Model DC-9 series airplanes and C-9 (military)

airplanes of the affected design in the worldwide fleet. The FAA estimates that 568 airplanes of U.S. registry and 38 U.S. operators would be affected by this proposed AD.

Incorporation of the SID program into an operator's maintenance program, as required by AD 94-03-01, is estimated to necessitate 1,062 work hours (per operator), at an average labor rate of \$60 per work hour. Based on these figures, the cost to the 38 affected U.S. operators to incorporate the SID program is estimated to be \$2,421,360.

The incorporation of the revised procedures proposed in this AD action would require approximately 20 additional work hours per operator to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost to the 38 affected U.S. operators to incorporate these revised procedures into the SID program into an operator's maintenance program is estimated to be \$45,600.

The recurring inspection costs, as required by AD 94-03-01, are estimated to be 362 work hours per airplane per year, at an average labor rate of \$60 per work hour. Based on these figures, the recurring inspection costs required by AD 94-03-01 are estimated to be \$21,720 per airplane, or \$12,336,960 for the affected U.S. fleet.

The recurring inspection procedures added to the program by this proposed AD action would not add any new additional economic burden on affected operators, since certain inspections would be added while others would be deleted.

Based on the figures discussed above, the total cost impact of this AD is estimated to be \$12,382,560 for the first year, and \$12,336,960 for each year thereafter. These "total cost impact" figures assume that no operator has yet accomplished any of the requirements of this AD. However, it can be reasonably assumed that a majority of the affected operators has already initiated the SID program (as required by AD 94-03-01).

Additionally, the number of required work hours for each proposed inspection (and for the SID program), as indicated above, is presented as if the accomplishment of those actions were to be conducted as "stand alone" actions. However, in actual practice, these actions for the most part will be accomplished coincidentally or in combination with normally scheduled airplane inspections and other maintenance program tasks. Therefore, the actual number of necessary additional work hours will be minimal in many instances. Further, any cost associated with special airplane

scheduling can be expected to be minimal.

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 39-8807 (59 FR 6538, February 11, 1994), and by adding a new airworthiness directive (AD), to read as follows:

McDonnell Douglas: Docket 94-NM-195-AD. Supersedes AD 94-03-01, Amendment 39-8807.

Applicability: Model DC-9-10, -20, -30, -40, and -50 series airplanes, and C-9 (military) airplanes; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To ensure the continuing structural integrity of these airplanes, accomplish the following:

(a) Within six months after March 14, 1994 (the effective date of AD 94-03-01, amendment 39-8807), incorporate a revision into the FAA-approved maintenance inspection program which provides for inspection(s) of the Principal Structural Elements (PSE) defined in McDonnell Douglas Report No. L26-008, "DC-9 Supplemental Inspection Document (SID)," Section 2 of Volume I of Revision 3, dated April 1991, in accordance with Section 2 of Volume III-92, dated July 1992, of the SID.

(1) Visual inspections of all PSE's on airplanes listed in Volume III-92, dated July

1992, of the SID planning data, are required by the fleet leader-operator sampling (FLOS) program at least once during the interval between the start date (SDATE) and the end date (EDATE) established for each PSE. These visual inspections are defined in Section 3 of Volume II, dated April 1991, of the SID, and are required only for those airplanes that have not been inspected previously in accordance with Section 2 of Volume II, dated April 1991, of the SID.

(2) The Non Destructive Inspection (NDI) techniques set forth in Section 2 of Volume II, dated April 1991, of the SID provide acceptable methods for accomplishing the inspections required by this paragraph.

(3) All inspection results (negative or positive) must be reported to McDonnell Douglas, in accordance with the instructions contained in Section 2 of Volume III-92, dated July 1992, of the SID. 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.

Note 1: Volume II, dated April 1991, of the SID is comprised of the following:

Volume designation	Revision level shown on volume
Volume II-10/20	3
Volume II-20/30	4
Volume II-40	3
Volume II-50	3

Note 2: NDI inspections accomplished in accordance with the following Volume II of the SID provide acceptable methods for accomplishing the inspections required by this paragraph:

Volume designation	Revision level	Date of revision
Volume II-10/20	3	April 1991.
Volume II-10/20	2	April 1990.
Volume II-10/20	1	June 1989.
Volume II/20	Original	November 1987.
Volume II-20/30	4	April 1991.
Volume II-20/30	3	April 1990.
Volume II-20/30	2	June 1989.
Volume II-20/30	1	November 1987.
Volume II-40	3	April 1991.
Volume II-40	2	April 1990.
Volume II-40	1	June 1989.
Volume II-40	Original	November 1987.
Volume II-50	3	April 1991.
Volume II-50	2	April 1990.
Volume II-50	1	June 1989.
Volume II-50	Original	November 1987.

(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 that provides for inspection(s) of the PSE's defined in McDonnell Douglas Report No. L26-008, "DC-9 Supplemental

Inspection Document (SID)," Section 2 of Volume I of Revision 4, dated July 1993, in accordance with Section 2 of Volume III-94, dated July 1994, of the SID.

(1) Prior to reaching the threshold (N_{th}) specified for any PSE listed in Volume III-94, dated July 1994, of the SID, inspect each

PSE sample in accordance with the NDI procedures set forth in Section 2 of Volume II, dated July 1993. Thereafter, repeat the inspection of the PSE at intervals not to exceed DNDI/2 of the NDI procedure that is specified in Volume III-94, dated July 1994, of the SID.

(2) The NDI techniques set forth in Section 2 of Volume II, dated July 1993, of the SID provide acceptable methods for accomplishing the inspections required by this paragraph.

(3) Visual inspections of all PSE's on airplanes listed in Volume III-94, dated July 1994, of the SID planning data, are required by the fleet leader-operator sampling (FLOS) program at least once during the interval between the start date (SDATE) and the end date (EDATE) established for each PSE. These visual inspections are defined in Section 3 of Volume II, dated July 1993, of the SID, and are required only for those airplanes that have not been inspected previously in accordance with Section 2 of Volume II, dated July 1993, of the SID.

(4) For those FLOS PSE's which do not have a Normal Maintenance Visual

Inspection specified in Section 3 of Volume II, dated July 1993, of the SID, the procedure for general visual inspection is as follows: Perform an inspection of the general PSE area for cleanliness, presence of foreign objects, security of parts, cracks, corrosion, and damage.

(5) All inspection results (negative or positive) must be reported to McDonnell Douglas, in accordance with the instructions contained in Section 2 of Volume III-94, dated July 1994, of the SID. 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.

Note 3: Volume II, dated July 1993, of the SID is comprised of the following:

Volume designation	Revision level shown on volume
Volume II-10/20	4
Volume II-20/30	5
Volume II-40	4
Volume II-50	4

Note 4: NDI inspections accomplished in accordance with the following Volume II of the SID provide acceptable methods for accomplishing the inspections required by this paragraph:

Volume designation	Revision level	Date of revision
Volume II-10/20	4	July 1993.
Volume II-10/20	3	April 1991.
Volume II-10/20	2	April 1990.
Volume II-10/20	1	June 1989.
Volume II/20	Original	November 1987.
Volume II-20/30	5	July 1993.
Volume II-20/30	4	April 1991.
Volume II-20/30	3	April 1990.
Volume II-20/30	2	June 1989.
Volume II-20/30	1	November 1987.
Volume II-40	4	July 1993.
Volume II-40	3	April 1991.
Volume II-40	2	April 1990.
Volume II-40	1	June 1989.
Volume II-40	Original	November 1987.
Volume II-50	4	July 1993.
Volume II-50	3	April 1991.
Volume II-50	2	April 1990.
Volume II-50	1	June 1989.
Volume II-50	Original	November 1987.

(c) Any cracked structure detected during the inspections required by either paragraph (a) or (b) of this AD must be repaired before further flight, in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note 5: Requests for approval of any PSE repair that would affect the FAA-approved maintenance inspection program that is required by this AD should include a damage tolerance assessment for that PSE.

(d) 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. Alternative methods of compliance previously granted for amendment 39-8807, AD 94-03-01, continue to be considered as acceptable alternative methods of compliance with this amendment.

Note 6: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be

obtained from the Manager, Los Angeles ACO.

(e) 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 May 10, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-11973 Filed 5-15-95; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Parole Date Advancements for Substance Abuse Treatment Program Completion

AGENCY: United States Parole Commission, Justice.

ACTION: Proposed rule.

SUMMARY: The U.S. Parole Commission is proposing to amend its regulations on superior program achievement to permit a prisoner to be considered for a special advancement of the prisoner's presumptive release date, by up to twelve months, if the prisoner is a non-violent offender who has completed a program of treatment for a recognized problem of substance abuse and dependence. Although the existing regulation already sets forth a schedule of permissible advancements for superior program achievement, the