

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:

95-11-12 McDonnell Douglas: Amendment 39-9245. Docket 94-NM-194-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 DC-9 Service Bulletin 24-150, dated March 28, 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 ensure replacement of the emergency power switch that have reached the maximum life limit, accomplish the following:

(a) Prior to the accumulation of 3 years since installation of the emergency power switch in the overhead switch panel, or within 12 months after the effective date of this AD, whichever occurs later, replace the emergency power switch with a new switch in accordance with the procedures specified in McDonnell Douglas DC-9 Service Bulletin 24-150, dated March 28, 1994, or Revision 1, dated April 7, 1995. Thereafter, replace the emergency power switch at intervals not to exceed 3 years.

(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, Los Angeles Aircraft Certification Office (ACO), 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, 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.

(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 replacement shall be done in accordance with McDonnell Douglas DC-9 Service Bulletin 24-150, dated March 28, 1994; or McDonnell Douglas DC-9 Service Bulletin 24-150, Revision 1, dated April 7, 1995. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

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

Issued in Renton, Washington, on May 22, 1995.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-12951 Filed 5-31-95; 8:45 am]

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14 CFR Part 39

[Docket No. 95-NM-96-AD; Amendment 39-9246; AD 95-11-13]

Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes Equipped With Pratt & Whitney Model PW4460 and PW4462 Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model MD-11 series airplanes. This action requires a visual inspection to detect cracks or discrepancies in the aft mount beam assembly of the engines;

and replacement of the cracked or discrepant aft mount beam assembly with a new assembly, or a previously inspected and re-identified assembly. This amendment is prompted by reports of cracking in a certain aft mount beam assembly on Airbus Model A310 series airplanes. The actions specified in this AD are intended to prevent cracks in the aft mount beam assembly of the engines, which could result in loss of the capability of the aft mount beam assembly to support engine loads, and possible separation of the engine from the airplane.

DATES: Effective June 16, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 16, 1995.

Comments for inclusion in the Rules Docket must be received on or before July 31, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-96-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD 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, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 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: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5324; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: The FAA has received reports of cracking in an aft mount beam assembly having part number (P/N) 221-0261-501 installed on Airbus Model A310 series airplanes. Metallurgical analysis and close examination of the cracked aft mount beam assembly has indicated this cracking is the result of physical defects, which were caused during the forging process by one supplier. Cracks in the aft mount beam assembly of the engines, if not detected and corrected in a timely

manner, could result in loss of the capability of the aft mount beam assembly to support engine loads, and possible separation of the engine from the airplane.

Aft mount beam assemblies having P/N 221-0261-501 are also installed on McDonnell Douglas Model MD-11 series airplanes equipped with Pratt & Whitney PW4460 and PW4462 engines. The FAA has determined that these airplanes are also subject to the addressed unsafe condition.

The FAA may consider similar rulemaking action that is applicable to Airbus Model A310 series airplanes on which the suspect mount beam assembly also may be installed.

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin MD11-71A073, Revision 1, dated May 16, 1995, which describes procedures for a one-time visual inspection to detect cracks or discrepancies in the aft mount beam assembly, P/N 221-0261-501, of engine numbers 1, 2, and 3. This alert service bulletin also describes procedures for replacement of the cracked or discrepant aft mount beam assembly with a new assembly having P/N 221-0261-503, or a previously inspected and re-identified assembly having P/N 221-0261-501.

Since an unsafe condition has been identified that is likely to exist or develop on certain other McDonnell Douglas Model MD-11 series airplanes of the same type design, this AD is being issued to prevent loss of the capability of the aft mount beam assembly to support engine loads, and possible separation of the engine from the airplane. This AD requires a one-time visual inspection to detect cracks or discrepancies in the aft mount beam assembly of the engines; and replacement of the cracked or discrepant aft mount beam assembly with a certain new assembly, or a certain previously inspected and re-identified assembly. The actions are required to be accomplished in accordance with the alert service bulletin described previously.

This AD also requires that operators report results of inspection findings, positive or negative, to the FAA.

The FAA is considering further rulemaking action to require fluorescent penetrant and eddy current inspections of the aft mount beam assembly, P/N 221-0261-501, of the engines within 4,000 flight cycles after accomplishing the visual inspection required by this AD. However, the proposed compliance time for the one-time visual inspection is sufficiently long so that notice and

time for public comment would not be impracticable.

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 long-standing requirement.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption ADDRESSES. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-96-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

95-11-13 McDonnell Douglas: Amendment 39-9246. Docket 95-NM-96-AD.

Applicability: Model MD-11 series airplanes, equipped with Pratt & Whitney Model PW4460 and PW4462 engines; as listed in McDonnell Douglas Alert Service Bulletin MD11-71A073, Revision 1, dated May 16, 1995; 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 (d) 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 loss of the capability of the aft mount beam assembly to support engine loads, and possible separation of the engine from the airplane, accomplish the following:

(a) Within 60 days after the effective date of this AD, perform a visual inspection to detect cracks or discrepancies in the aft mount beam assembly, part number (P/N) 221-0261-501, of engine numbers 1, 2, and 3, in accordance with McDonnell Douglas Alert Service Bulletin MD11-71A073, Revision 1, dated May 16, 1995.

(1) If no cracks or discrepancies are detected, no further action is required by this AD.

(2) If any crack or discrepancy is detected, prior to further flight, replace the cracked or discrepant aft mount beam assembly with a new assembly having P/N 221-0261-503, or an assembly having P/N 221-0261-501 that has been previously inspected and re-identified, in accordance with paragraph 3.B., Phase 2, of the Accomplishment Instructions of the alert service bulletin. Replacement shall be accomplished in accordance with the procedures specified in the alert service bulletin.

(b) Within 10 days after accomplishing the inspection required by this AD, report inspection results, positive or negative, to the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California 90712; fax (310) 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.

(c) As of the effective date of this AD, no person shall install an aft mount beam assembly, P/N 221-021-501, on any airplane, unless it has been previously inspected and re-identified in accordance with the paragraph 3.B., Phase 2, of the

Accomplishment Instructions of McDonnell Douglas Alert Service Bulletin MD11-71A073, Revision 1, dated May 16, 1995.

(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, 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, 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.

(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.

(f) The inspection, replacement, and re-identification shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD11-71A073, Revision 1, dated May 16, 1995. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on June 16, 1995.

Issued in Renton, Washington, on May 22, 1995.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-12950 Filed 5-31-95; 8:45 am]

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14 CFR Part 39

[Docket No. 90-CE-67-AD; Amendment 39-9250; AD 95-11-17]

Airworthiness Directives; Jetstream Aircraft Limited (Formerly British Aerospace, Regional Aircraft Limited) Jetstream Models 3101 and 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 90-13-12, which currently requires modifying the

airplane electrical system and revising the emergency procedures section of the Airplane Flight Manual (AFM) on certain Jetstream Aircraft Limited (JAL) Jetstream Models 3101 and 3201 airplanes. This action retains the requirements of AD 90-13-12 for those airplanes that do not have modified inverters installed and the inverted transfer function restored. The Federal Aviation Administration (FAA) has determined that installing modified inverters along with restoring the inverter transfer function corrects the problems in the power supply addressed by AD 90-13-12. The actions specified by this AD are intended to prevent alternating current system failures, which, if not detected and corrected, could result in damage to the airplane navigational systems.

DATES: Effective July 19, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 19, 1995.

ADDRESSES: Service information that applies to this AD may be obtained from Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond A. Stoer, Program Officer, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (322) 513.3830; facsimile (322) 230.6899; or Mr. Sam Lovell, Project Officer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6934; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain JAL Models 3101 and 3201 airplanes was published in the **Federal Register** on February 10, 1995 (60 FR 7922). The action proposed to supersede AD 90-13-12 with a new AD that would (1) retain the requirements of modifying