

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 fatigue cracks and/or distortion in the seat bracket of the backrest recline control lock, which could result in failure of the seat backrest attach fittings, the uncommanded 50° angle recline of the pilot or co-pilot seat, and, subsequently, lead to the temporary inability of the pilots to control the airplane, accomplish the following:

(a) Prior to the accumulation of 10,000 total flight hours or within 500 flight hours after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect distortion and/or cracks on the attachment brackets of the backrest recline control locks of certain seats, in accordance with SOGERMA-SOCEA Service Bulletin 25-229, dated November 26, 1993.

(1) If no bracket is distorted or cracked, repeat the inspection thereafter at intervals not to exceed 5,000 flight hours.

(2) If any bracket is distorted or cracked, prior to further flight, accomplish paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Replace both of the brackets and their associated attachment fittings with new parts, in accordance with SOGERMA-SOCEA Service Bulletin 25-229, dated November 26, 1993. Thereafter, repeat the inspection at intervals not to exceed 5,000 flight hours. Or,

(ii) Modify the backing of the control locks fittings of the backrest recline, in accordance with SOGERMA-SOCEA Service Bulletin 25-233, Revision 1, dated January 9, 1995. Accomplishment of this modification constitutes terminating action for the repetitive inspection requirements of this AD.

(b) Modification of the backing of the control locks fittings of the backrest recline, in accordance with SOGERMA-SOCEA Service Bulletin 25-233, Revision 1, dated January 9, 1995, constitutes terminating action for the repetitive inspection requirements of this AD.

(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, 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 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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.

Issued in Renton, Washington, on May 26, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-13504 Filed 6-1-95; 8:45 am]

**BILLING CODE 4910-13-U**

**14 CFR Part 39**

**[Docket No. 95-NM-28-AD]**

**Airworthiness Directives; Boeing Model 737 Series Airplanes**

**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 all Boeing Model 737 series airplanes. This proposal would require revising the FAA-approved Airplane Flight Manual (AFM) to provide the flightcrew with additional procedures for shutting down the auxiliary power unit (APU) when an APU fire is indicated. This proposal is prompted by reports indicating that a latent electrical failure exists in the fire extinguishing system for the APU; this failure could prevent the APU from shutting down and fire extinguishant from discharging into the APU compartment in the event of an APU fire. The actions specified by the proposed AD are intended to ensure that the flightcrew is provided with procedures for shutting down the APU in the event of an APU fire.

**DATES:** Comments must be received by 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-28-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.

**FOR FURTHER INFORMATION CONTACT:** Stephen Bray, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2681; 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-28-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. 95-NM-28-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The FAA received two reports indicating that a latent electrical failure exists in the fire extinguishing system of the auxiliary power unit (APU) on Boeing Model 737 series airplanes. The FAA-approved Airplane Flight Manual (AFM) for these airplanes currently contains procedures that require the flightcrew to pull and rotate the flight compartment fire handle when an APU fire is indicated. When the flightcrew takes such action, the APU shuts down and fire extinguishant discharges into the APU compartment. However, if a latent electrical failure exists in the fire extinguishing system of the APU, this failure could prevent the APU from shutting down and fire extinguishant from discharging when the flightcrew pulls and rotates the fire handle. A latent electrical failure in the fire extinguishing system of the APU, if not corrected, could result in the inability of the flightcrew to extinguish an APU fire.

In light of this information, the FAA finds that the procedures specified

currently in the FAA-approved AFM for flightcrew response to an APU fire on Model 737 series airplanes are not defined adequately. The FAA has determined that the FAA-approved AFM for these airplanes must be revised to provide procedures for the flightcrew to turn the APU switch to the "OFF" position, as well as pulling and rotating the fire handle, when an APU fire is indicated. Such action will ensure that the flightcrew is able to shut down the APU in the event of an APU fire.

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 require revising the Emergency Procedures and Limitations Sections of the FAA-approved AFM to provide the flightcrew with these additional procedures for shutting down the APU when an APU fire is indicated.

There are approximately 2,602 Model 737 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,072 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour 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 \$64,320, or \$60 per airplane.

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 adding the following new airworthiness directive:

**Boeing:** Docket 95-NM-28-AD.

**Applicability:** All Model 737 series airplanes, certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To ensure that the flightcrew is provided with additional procedures necessary for shutting down the auxiliary power unit (APU) in the event of an APU fire, accomplish the following:

(a) Within 6 months after the effective date of this AD, revise the Emergency Procedures and Limitations Sections of the FAA-approved Airplane Flight Manual (AFM) to include the following procedures, which will ensure that the flightcrew is able to shut down the APU when an APU fire is indicated. This may be accomplished by inserting a copy of this AD in the AFM.

##### **"APU FIRE WARNING**

###### **RECALL**

APU Fire Warning Switch	PULL AND ROTATE
APU Switch .....	OFF
REFERENCE	
Master Fire Warning .....	RESET"

(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, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Operations Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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.

Issued in Renton, Washington, on May 26, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-13503 Filed 6-1-95; 8:45 am]

**BILLING CODE 4910-13-U**

#### **14 CFR Part 71**

**[Airspace Docket No. 95-AWP-12]**

#### **Proposed Revocation of Class E Airspace Area; Merced, Castle Air Force Base (AFB), CA, and Amendment of Class E Airspace Areas; Merced Municipal/MacReady Field, CA**

**AGENCY:** Federal Aviation Administration [FAA], DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to revoke the Class E airspace area at Merced, Castle AFB, CA. This proposal action is necessary due to the closure of Castle AFB, CA. This action also proposes to amend the Class E2 and E5 airspace areas at Merced Municipal/MacReady Field, CA.

**DATES:** Comments must be received on or before June 30, 1995.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Attn: Manager, System Management Branch, AWP-530, Docket No. 95-AWP-12, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California, 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California, 90261.

An informal docket may also be examined during normal business hours at the Office of the Manager, System Management Branch, Air Traffic Division, at the above address.

#### **FOR FURTHER INFORMATION CONTACT:**

Scott Speer, System Management Specialist, System Management Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 297-0010.