

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA 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.

(f) All persons affected by this directive may obtain copies of the POH revision, placard, and service information referred to herein upon request to Piper Aircraft Corporation, Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on May 26, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-13621 Filed 6-2-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-CE-23-AD]

Airworthiness Directives; Beech Aircraft Corporation Models 60 and A60 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Beech Aircraft Corporation (Beech) Models 60 and A60 airplanes. The proposed action would require incorporating flight manual supplement revisions into the Airplane Flight Manual (AFM) that would specify a minimum airspeed for operating the affected airplanes in icing conditions. Reports of several incidents and accidents on the affected airplanes related to flight in icing conditions prompted the proposed action. The actions specified by the proposed AD are intended to prevent loss of control of the airplane because of the airplane traveling too slow in icing conditions.

DATES: Comments must be received on or before August 4, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel,

Attention: Rules Docket No. 95-CE-23-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from the Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Bennett L. Sorensen, Flight Test Pilot, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone (316) 946-4165; facsimile (316) 946-4407.

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 should 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 that summarizes 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 No. 95-CE-23-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-23-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received reports of four icing-related occurrences (one incident and three fatal accidents) involving Beech Models 60 and A60 airplanes. Investigation of these occurrences revealed that, in two of the accidents, the airplane was traveling too slow for icing conditions.

The Model 60 and A60 Pilot's Operating Handbook/Airplane Flight Manual (POH/AFM), including the FAA-approved sections, contains no specification or precautionary performance advisory regarding the appropriate minimum airspeed to maintain while operating in icing conditions.

Beech recently issued AFM supplement "FLIGHT IN KNOWN ICING CONDITIONS", Revised: January 1995, part number (P/N) 60-590001-17. This AFM supplement establishes a minimum airspeed for operating Beech Models 60 and A60 airplanes in icing conditions.

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent loss of control of the airplane because of the airplane traveling too slow in icing conditions.

Since an unsafe condition has been identified that is likely to exist or develop in other Beech Models 60 and A60 airplanes of the same type design, the proposed AD would require incorporating AFM supplement "FLIGHT IN KNOWN ICING CONDITIONS", Revised: January 1995, part number (P/N) 60-590001-17, into the applicable AFM.

The compliance time of the proposed AD is presented in calendar time instead of hours time-in-service. Although the unsafe condition develops as a result of airplane usage, it cannot develop unless the airplane travels too slow in icing conditions. Therefore, to ensure that all owners/operators of the affected airplanes incorporate the minimum airspeed in icing conditions flight manual supplement revisions in a reasonable amount of time, a compliance based on calendar time is proposed.

The FAA estimates that 243 airplanes in the U.S. registry would be affected by the proposed AD, that it would take less than 1 workhour per airplane to accomplish the proposed action. Since an owner/operator who holds a private pilot's certificate as authorized by sections 43.7 and 43.11 of the Federal Aviation Regulations (14 CFR 43.7 and 43.11) can accomplish this action, the

only cost impact upon the public is the time it takes to incorporate these AFM supplement revisions.

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 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) 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 has been placed 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 a new AD to read as follows:

Beech Aircraft Corporation: Docket No. 95-CE-23-AD.

Applicability: Models 60 and A60 airplanes, serial numbers P-4 through P-246, 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) of this AD 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 within the next 60 calendar days after the effective date of this AD, unless already accomplished.

To prevent loss of control of the airplane because of the airplane traveling too slow in icing conditions, accomplish the following:

(a) Incorporate Airplane Flight Manual (AFM) supplement "FLIGHT IN KNOWN ICING CONDITIONS", Revised: January 1995, part number (P/N) 60-590001-17, into the AFM, P/N 60-590000-5 or P/N 60-590000-11, as applicable.

(b) Incorporating the AFM supplement "FLIGHT IN KNOWN ICING CONDITIONS", Revised: January 1995, part number (P/N) 60-590001-17, as required by this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.11 of the Federal Aviation Regulations (14 CFR 43.11).

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and send it to the Manager, Wichita ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(e) All persons affected by this directive may obtain copies of the AFM revision referred to herein upon request to Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on May 26, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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14 CFR Part 234

[Docket No. 50053; Notice No. 95-7]

RIN 2137-AC67

Amendments to the On-time Disclosure Rule

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Notice of proposed rulemaking and denial of petitions for emergency waiver.

SUMMARY: This document proposes to revise the on-time flight performance reporting requirements by re-instituting the exclusion of flights delayed or cancelled due to mechanical problems and seeks comments on the retroactive application of the proposal. This action is taken in response to recommendations made at the Federal Aviation Administration's Aviation Safety Conference and a petition for rulemaking by Northwest Airlines. This document denies the petitions of Northwest, Southwest and America West for an emergency waiver from the current on-time reporting requirements, and seeks comments concerning the collection of flight completion data and the filing frequency of the data collection.

DATES: Comments on the proposed rule must be received on or before July 5, 1995. Petitions for reconsideration of the staff action denying the emergency waiver must be received on or before June 15, 1995.

ADDRESSES: Comments should be directed to the Docket Clerk, Docket 50053, Room PL 401, Office of the Secretary, Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590-0001. Comments should identify the regulatory docket number and be submitted in duplicate to the address listed above. Commenters wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on Docket 50053. The postcard will be dated/time stamped and returned to the commenter. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments.

FOR FURTHER INFORMATION CONTACT: Bernard Stankus or Jack Calloway, Office of Airline Statistics, DAI-10, Research and Special Programs Administration, 400 Seventh Street SW., Washington, D.C., 20590, (202) 366-4387 or 366-4383, respectively.