(15) Rating score of the rated home on 0–100 points scale and 1–5+ stars category.

§ 437.204 Monitoring and evaluation.

(a) Each HERS provider shall at least semi-annually evaluate the accuracy of consumption and cost estimates by comparing predicted energy usage and costs to actual billing records.

(b) To allow the accrediting body to monitor the accuracy of ratings, each HERS provider shall for 10% or for 500 of the homes rated annually, whichever is less, maintain a database of the following—

(1) Homeowners authorization for the release of consumption information by utility company(s);

(2) Weather data site selected for energy estimation;

(3) Any energy efficiency improvements made to the home, date of completion, and whether the improvement plans were evaluated in the rating report.

§ 437.205 Guideline compliance.

(a) Full accreditation. Any HERS provider may be accredited as being in full compliance with these guidelines if it demonstrates that it can—

(1) Conducts ratings in accordance with the provisions of § 437.100;

(2) Reports the results of ratings in accordance with the provisions of § 437.102 of these guidelines;

(3) Produces documentation of a correctly configured reference home in accordance with the provisions of § 437.103;

(4) Provides documentation that their energy analysis tool is certified under § 437.200 as having passed all HERS–BESTEST tests designated as Tier 1 and Tier 2 tests;

(5) Provides training in accordance with the provisions of § 437.202;

(6) Provides documentation of a quality control plan and a permanent quality assurance file in accordance with the provisions of § 437.203; and

(7) Provides documentation of a monitoring and evaluation program in accordance with the provisions of § 437.204.

(b) Basic compliance. Any existing HERS provider may be accredited for a period of up to two years from [insert date of issuing final rule], as being in basic compliance with these guidelines, by demonstrating that it meets all the provisions of paragraph (a) of this section except that it may—

(1) Use a simplification of utility rate structures;

(2) Rate only the features set forth by § 437.104, that may be rated with its existing system capabilities;

(3) Use only those standard operating conditions set forth in § 437.105 that can be handled by their existing energy analysis tool;

(4) Pass only the Tier 1 set of HERS–BESTEST tests;

(5) Meet the training requirements of § 437.202 by—

(i) Verification that each person with responsibilities in the conduction of ratings has completed classroom training on all items set forth in § 437.202 (a) of these guidelines;

(ii) Verification that each person with responsibilities for the conduction of ratings has received field training;

(iii) Verification that all personnel have successfully passed a written objective examination in all areas applicable to their designated job descriptions; and

(iv) Verification of a probationary period set forth in § 437.202 (d); and

(6) Use an existing program to monitoring and evaluate the accuracy of ratings;

§ 437.206 Accreditation.

(a) Each HERS provider operating in voluntary compliance with these guidelines shall be accredited only by a State or other independent accrediting body having a person or persons—

(1) Qualified to establish and coordinate standard default values within a State, for—

(i) Default values for minimum rated features set forth in section 437.104;

(ii) Operating condition assumptions and local climatic data interpolation set forth in section 437.105 of these guidelines;

(2) Qualified to administer the procedures for certification of energy analysis tools established by HERS–BESTEST set forth in the NREL Report no. NREL/TP–472–7332 referenced in § 437.200;

(3) Qualified to evaluate the training syllabus and procedures set forth in § 437.202;

(4) Qualified to review and evaluate the quality control procedures set forth in § 437.203.

(b) Any Lender or agency in a mortgage business who offers mortgage or loan incentives for energy efficiency on the basis of a home energy rating should require that any HERS provider conducting those ratings be accredited under these guidelines.

[FR Doc. 95–18015 Filed 7–20–95; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–CE–27–AD]

Airworthiness Directives; Jetstream Aircraft Limited HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 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 Jetstream Aircraft Limited (JAL) HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes. The proposed action would require inspecting (one-time) the threaded portion of the aileron mounting spigots for cracks, replacing any cracked spigots, and replacing the securing nut assemblies with newly designed special nut assemblies and new split pins. The proposed action is prompted by reports of cracked mounting spigots caused by stress corrosion. The actions specified by the proposed AD are intended to prevent damage to the aileron control systems, which if not detected and corrected, could cause loss of lateral control and eventual loss of control of the airplane.

DATES: Comments must be received on or before September 29, 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–27–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 Jetstream Aircraft Limited, Prestwick International 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, D.C. 20041–6029; telephone (703) 406–1161; facsimile (703) 406–1469. This information also may be examined at the Rules Docket at the address above.

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 64105; telephone (816) 426–6934; facsimile (816) 426–2169.

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–27–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–27–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Civil Airworthiness Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on JAL HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes. The CAA advises that damage to the aileron mounting spigot could occur when removing the securing nut assemblies during servicing. The damage is from stress corrosion caused by a combination of the torque load required to align the split pin holes and the dissimilar materials of the securing nuts and the mounting spigots and could result in damage to the aileron control system. Damage to the aileron control systems, if not detected and corrected, could cause loss of lateral control and loss of control of the airplane.

JAL has issued Jetstream Service Bulletin (SB) 57–JA 921140, which incorporates the following pages and revision levels:

Pages	Revision level	Date
4, 5, 8, 9, 10, 12, 13, and 14.	Original Issue	February 24, 1993.
1, 2, 3, 6, 7, and 11.	Revision 1	February 3, 1994.

This SB specifies procedures for inspecting the mounting spigots using both visual and fluorescent dye penetrant methods, and replacing the existing securing nut assemblies and split pins with newly designed special nut assemblies, and new split pins.

In order to assure the continued airworthiness of these airplanes in the United Kingdom, the CAA classified this service bulletin as mandatory. The CAA classifying a service document as mandatory is the same for airplanes registered in the United Kingdom as the FAA issuing an AD for airplanes registered in the United States.

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 between the United States and the United Kingdom. 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 and is likely to exist or develop in other JAL HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 and 3201 airplanes of the same type design, the proposed AD would require inspecting (using both visual and fluorescent dye penetrant methods) the mounting spigots for cracks; replacing any cracked spigots; and replacing the securing nut assemblies with newly designed special nut assemblies and new split pins to prevent future damage to the spigots.

The FAA estimates that 160 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 22 hours per airplane to accomplish the proposed action, and that the average labor rate is approximately $60 an hour. Parts will be provided by the manufacturer at no cost to the owners/operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $211,200 or $1,320 per airplane. This figure is based on the assumption that no owner/operators has accomplished the proposed inspection and modification.

The compliance time of this AD is presented in calendar time instead of hours time-in-service (TIS). The FAA has determined that a calendar time compliance is the most desirable method because the unsafe condition described by this AD is caused by stress corrosion. Stress corrosion initiates as a result of airplane operation, but can continue to develop regardless of whether the airplane is in service or in storage. Therefore, to ensure that the above-referenced condition is detected and corrected on all airplanes within a reasonable period of time without inadvertently grounding any airplanes, a compliance schedule based upon calendar time instead of hours TIS is required.

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:

Jetstream Aircraft Limited: Docket No. 95–CE–27–AD.

Applicability: HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 airplanes (all serial numbers), 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 (c) 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 6 calendar months after the effective date of this AD, unless already accomplished.

To prevent damage to the aileron control systems, accomplish the following:

(a) Inspect the mounting spigots for cracks using both visual and fluorescent dye penetrant methods in accordance with the *Accomplishment Instructions* section of Jetstream Service Bulletin (SB) 57–JA 921140, which incorporates the following pages and revision levels:

Pages	Revision level	Date
4, 5, 8, 9, 10, 12, 13 and 14.	Original Issue	February 24, 1993.
1, 2, 3, 6 7, and 11.	Revision 1	February 3, 1994.

(1) Prior to further flight, replace any cracked spigots with applicable parts specified in the Parts Table in paragraph 5 of the *Accomplishment Instructions* section of Jetstream SB 57–JA 921140.

(2) Prior to further flight, replace the securing nut assemblies and split pins with new special nut assemblies, (Part No. SL45022 (Qty. 2)), and new split pins (Part No. SP90–C8 and SP90–C6), in accordance with the *Accomplishment Instructions* section of Jetstream SB 57–JA 921140. This replacement is required regardless of the results of the inspection required in paragraph (a) of this AD.

(b) 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.

(c) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Office.

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request from Jetstream Aircraft Limited, Prestwick International 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, D.C. 20041–6029; telephone (703) 406–1161; facsimile (703) 406–1469; or may examine this document 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 July 18, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–18184 Filed 7–24–95; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 95–CE–28–AD]

Airworthiness Directives; Piper Aircraft Corporation PA28 and PA32 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: The Federal Aviation Administration (FAA) recently became aware of two incidents in the Netherlands where corrosion on the wing spars of Piper Aircraft Corporation (Piper) PA28 series airplanes was so extensive that the wings were replaced. The corrosion, which was discovered in the wing tank area, caused the wing spar material to come off in flakes and strips (exfoliation). A review of the U.S. service difficulty history on Piper PA28 and PA32 series airplanes revealed several incidents where exfoliation corrosion was found on the wing spar in the wing tank area. The purpose of this advance notice is to seek comments from interested persons regarding the best action (if any) to take in order to correct any possible problems with exfoliation corrosion on the wing spar on Piper PA28 and PA32 series airplanes. All comments will be evaluated by the FAA and the FAA will research the situation to decide whether rulemaking is needed.

DATES: Comments must be received on or before October 20, 1995.

ADDRESSES: Submit comments in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–CE–28–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.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7362; facsimile (404) 305–7348.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of any proposed rulemaking actions that may occur as a result of this ANPRM by submitting such written data or views 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 any proposed rulemaking is initiated.

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