FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95–17–16 General Electric Company: Amendment 39–9347. Docket 94–ANE–41.

Applicability: General Electric Company (GE) CF6–80A series turbofan engines installed on, but not limited to, Airbus A310 series and Boeing 767 series aircraft.

Note: This airworthiness directive (AD) applies to each engine 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 engines 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 Federal Aviation Administration (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 engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent a compressor rear frame (CRF) separation, which could result in a rejected takeoff and damage to the aircraft, accomplish the following:

(a) Inspect CRF, Part Numbers (P/N) 9283M77G07, 9283M77G08, 9283M77G09, 9283M77G11, 9283M77G14, 7283M77G15, 9283M77G16, 9283M77G17, 9283M77G18, 9283M77G19, 1338M77G01, 1338M77G02, 1338M77G03, 1338M77G04, 1338M77G05, and 1338M77G06, that have not accomplished the midflange rework or replacement in accordance with any revision level of GE CF6–80A Service Bulletin (SB) No. 72–600 or 72–611, prior to the effective date of this AD, as follows:

(1) Perform an on-wing eddy current inspection (ECI) or an on-wing spot fluorescent penetrant inspection (FPI) of the CRF midflange for cracks in accordance with the Accomplishment Instructions and the schedule outlined in Table 1 of GE CF6–80A SB No. 72–593, Revision 2, dated March 19, 1992, or within 1,000 cycles in service since the last shop level FPI, whichever occurs later, after the effective date of this AD.

(2) Thereafter, reinspect the CRF midflange for cracks in accordance with the Accomplishment Instructions and schedule outlined in Table 2 of GE CF6–80A SB No. 72–593, Revision 2, dated March 19, 1992.

(3) Remove from service prior to further flight CRF's with cracked midflanges that exceed the on-wing serviceable limits specified in Table 2 of GE CF6–80A SB No. 72–593, Revision 2, dated March 19, 1992, and replace with a serviceable part.

(b) Remove from service CRF's identified in paragraph (a) of this AD at the next piece-part exposure, or by December 31, 1996, whichever occurs earlier, and replace with a serviceable part. Removal and replacement of CRF's in accordance with this paragraph constitutes terminating action to the on-wing inspection requirements of paragraph (a) of this AD.

(c) For the purpose of this AD, a serviceable part is defined as a CRF that has accomplished the midflange rework or replacement in accordance with any revision level of GE CF6–80A SB No. 72–600 or 72–611.

(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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

(f) The actions required by this AD shall be done in accordance with the following SB:

Document No.	Pages	Revision	Date
GE CF6–80A SB No. 72–593.	1–4	2	Mar. 19, 1992.
	5–8	1	Oct. 30, 1991.
	9	2	Mar. 19, 1992.
	10–12	1	Oct. 30, 1991.
	13–15	2	Mar. 19, 1992.
	16–22	1	Oct. 30, 1991.

Total Pages: 22.

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 General Electric Aircraft Engines, CF6 Distribution Clerk, Room 132, 111 Merchant Street, Cincinnati, OH 45246. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(g) This amendment becomes effective on November 7, 1995.

Issued in Burlington, Massachusetts, on August 15, 1995.

James C. Jones,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95–20850 Filed 9–7–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–13–AD; Amendment 39–9351; AD 95–18–03]

Airworthiness Directives; Boeing Model 767 Series Airplanes Equipped With BFGoodrich Off-Wing Ramp/Slide Evacuation Systems

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, that requires modication of the off-wing ramp/slide evacuation systems. This amendment is prompted by reports of punctured tubes on certain BFGoodrich off-wing ramp/slide evacuation systems installed on these airplanes. The actions specified by this AD are intended to prevent such tube punctures, which could delay or impede the evacuation of passengers during an emergency.

DATES: Effective October 10, 1995.

The incorporation by reference of certain publications listed in the

regulations is approved by the Director of the Federal Register as of October 10, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207; and BFGoodrich Company, Aircraft Evacuation Systems, Sustaining Engineering, Department 7916, Phoenix, Arizona 85040. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Andrew Gfrerer, Aerospace Engineer, ANM–130L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5338; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 767 series airplanes was published in the **Federal Register** on May 22, 1995 (60 FR 27054). That action proposed to require modication of the off-wing ramp/slide evacuation systems.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

There are approximately 992 Model BFGoodrich off-wing ramp/slide evacuation systems installed on 496 Model 767 series airplanes (2 evacuation systems per airplane) of the affected design in the worldwide fleet. The FAA estimates that 376 BFGoodrich off-wing ramp/slide evacuation systems installed on 188 Model 767 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 9 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $200 per evacuation system. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $278,240, or $740 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95–18–03 Boeing: Amendment 39–9351. Docket 95–NM–13–AD.

Applicability: Model 767 series airplanes, equipped with BFGoodrich off-wing ramp/slide evacuation systems having part number (P/N) 101630, 101655, or 101656; 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) 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 as indicated, unless accomplished previously.

To prevent tube puncture of the ramp/slide evacuation system, which could delay or impede the evacuation of passengers during an emergency, accomplish the following:

(a) Within 36 months after the effective date of this AD, modify the off-wing ramp/slide evacuation systems in accordance with Boeing Service Bulletin 767–25–0218, dated December 15, 1994, and BFGoodrich Service Bulletin 101630/655/656–25–269, dated October 28, 1994.

(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 modification shall be done in accordance with Boeing Service Bulletin 767–25–0218, dated December 15, 1994, and BFGoodrich Service Bulletin 101630/655/656–25–269, dated October 28, 1994. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. 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 October 10, 1995.

Issued in Renton, Washington, on August 17, 1995.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–20856 Filed 9–7–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–26–AD; Amendment 39–9350; AD 95–18–02]

Airworthiness Directives; Boeing Model 757 and 767 Series Airplanes Equipped With Sundstrand Ram Air Turbine (RAT)/Hydraulic Pumps

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 757 and 767 series airplanes, that requires replacement of the hydraulic pressure transfer tube of the ram air turbine (RAT) system with a new hose assembly. This amendment is prompted by reports that, during flight tests, the hydraulic pressure transfer tube of the RAT cracked when the RAT was extended on a Model 767 series airplane due to overload of the hydraulic transfer tube. The actions specified by this AD are intended to prevent such overload, which could result in cracking of the hydraulic transfer tube. Such cracking subsequently could lead to the loss of hydraulic fluid of the center system and the inability of the RAT to pressurize the center system; this situation could lead to loss of all hydraulic system power in the event that power is lost in both engines.

DATES: Effective October 10, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 10, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Kathi Ishimaru, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington, 98055–4056; telephone (206) 227–2674; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 757 and 767 series airplanes was published in the **Federal Register** on May 1, 1995 (60 FR 21054). That action proposed to require replacement of the hydraulic pressure transfer tube of the ram air turbine (RAT) system with a new hose assembly.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule.

One commenter notes that the description of the cause of the unsafe condition that appeared in the Discussion section of the preamble to the notice states that ''* * * cracking has been attributed to overload due to mishandling or improper installation of the pressure transfer tubes on the strut of the RAT system.'' The commenter states that this description is inaccurate, since the overload condition could only occur as a result of maintenance action on in-service airplanes. The commenter suggests that a more accurate description would be ''* * * cracking has been attributed to overload of the pressure transfer tube due to mishandling or improper installation during in-service RAT maintenance.'' The FAA concurs that the commenter's wording is more accurate; however, since the Discussion section is not restated in this final rule, no change to the final rule is necessary.

This commenter also provides further clarification of the unsafe condition described throughout the notice. That description states that ''cracking of the hydraulic transfer tube, if not corrected, could result in loss of hydraulic fluid * * *'' The commenter states that a more complete description of the unsafe condition would be ''* * * overload of the hydraulic transfer tube, if not corrected, may cause the tube to crack and could result in loss of hydraulic fluid * * *'' The FAA concurs and has revised all references to the unsafe condition accordingly throughout this final rule.

The same commenter further notes that the Discussion section of the preamble to the notice states that ''such overloads are likely to have occurred on other tubes * * *'' The commenter states that, since only one operator has reported cracking on two pressure transfer tubes, it does not provide a basis to conclude that overload is ''likely'' to occur on other airplanes. The commenter suggests that a more accurate description of this situation would be, ''such overloads may have occurred on other tubes * * *'' Further, the commenter states that testing has demonstrated that the RAT transfer tubes performed acceptably during an in-flight RAT deployment when shimmed in accordance with the maintenance manual. The FAA has reviewed the relevant data currently available. The FAA finds no basis to support the commenter's suggestion that the RAT transfer tubes perform acceptably when shimmed. In fact, the testing showed abnormally high stresses in the tube when the tube was shimmed in accordance with the maintenance manual. However, the FAA concurs that the commenter's suggested wording relative to the fact that overload conditions ''may have occurred'' is more accurate. Since the Discussion section is not restated in this final rule, no change to the final rule is necessary.

Additionally, this commenter points out a statement that appeared in the Discussion section of the preamble to the notice that reads, ''since an unsafe condition has been identified that is likely to exist * * *'' The commenter suggests that this phrase would be more accurate if it were changed to read, ''since an unsafe condition has been identified that may exist * * *'' The FAA does not concur. The phrasing used in that particular statement in the preamble is not accidental. Part 39.1, ''Applicability,'' of the Federal Aviation Regulations (FAR) (14 CFR 39.1) states:

''This part prescribes airworthiness directives that apply to aircraft * * * when—

(a) An unsafe condition exists in a product; and

(b) That condition is likely to exist or develop in other products of the same type design.''

Therefore, the finding that the condition ''is likely to exist or develop'' is necessary to ensure that the AD falls within the scope of part 39; its absence would arguably subject the FAA to legal challenge for inappropriately using the AD process to issue rules that do not meet the criteria for AD's. While it is understandable that a manufacturer