

Instructions of Boeing Service Bulletin 727-55-0089, dated June 29, 1995. Accomplishment of the modification constitutes terminating action for the repetitive inspection requirements of this AD.

(i) 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.

(j) 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 Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Issued in Renton, Washington, on September 11, 1995.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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14 CFR Part 39

[Docket No. 93-CE-02-AD]

Airworthiness Directives; Glasflugel, Model Mosquito Sailplanes

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 Glasflugel, model Mosquito sailplanes. The proposed action would require modifying the mounting studs on the lifting/tilting frame of the canopy system, repetitively inspecting the mounting stud, and incorporating flight manual revisions that specify a warning on emergency canopy deployment failure. Canopy system problems discovered during routine checks and periodic inspections of these sailplanes prompted the proposed action. The actions specified in this proposed AD are intended to prevent canopy system failure, which could result in loss of control of the sailplane.

DATES: Comments must be received on or before November 17, 1995.

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

Attention: Rules Docket No. 93-CE-02-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 Glasflugel, c/o Hansjorg Streifeneder, Glasfer-Flugzeug Service, Hofener Weg, D 72582 Grabenstetten, Germany, telephone number 49.73.82.10.32. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Herman C. Belderok, Project Officer, Gliders, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; 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. 93-CE-02-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. 93-CE-02-AD, Room

1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain Glasflugel mode Mosquito sailplanes. The LBA reports: (1) considerable wear to the mounting studs on the canopy lifting/tilting frame caused by the guide bracket on either side of the fuselage; and (2) possible emergency deployment failure of the canopy caused by the "Pip" pin not being engaged.

Glasflugel has issued the following Technical Note (TN) 303-18, dated March 1, 1991, which specifies repetitively inspecting the mounting studs on the canopy lifting/tilting frame for wear caused by the guide bracket on either side of the fuselage and modifying the mounting studs if they are less than a specified diameter.

Glasflugel also issued Technical Note 303-9, dated June 22, 1979, which specifies incorporating a flight manual revision to include a warning regarding the emergency canopy deployment system.

In order to assure the continued airworthiness of these sailplanes in Germany, the LBA classified the above-referenced technical notes as mandatory, and also issued LBA AD 91-111. The LBA classifying a technical note as mandatory is the same for sailplanes registered in Germany as the FAA issuing an AD for sailplanes registered in the United States.

This sailplane model is manufactured in Germany 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 Germany and the United States. Pursuant to this bilateral airworthiness agreement, the LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, 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 that is likely to exist or develop in other Glasflugel Mosquito sailplanes of the same type design, the proposed AD would require the following:

- Within the next 30 calendar days, after the effective date of this AD, inspect the mounting studs on the canopy lifting/tilting frame for wear, repetitively inspecting the mounting

stud every 100 hours time-in-service (TIS) thereafter.

- Measure the diameter of the mounting stud and if it is less than 5 mm (0.2 inch) increase the diameter to 6 mm (0.24 inch) in accordance with the procedure described in Glasflugel Technical Note (TN) 303-18, dated March 1, 1991,
- Incorporate a change to the Mosquito flight manual on page 19, paragraph 3.3 by inserting the following language in accordance with Glasflugel TN 303-9, dated June 22, 1979:

Whenever the canopy emergency jettison knob is pulled and prior to each flight, if no locking thread is used, it should be ensured that the Pip pins are fully pushed home, so that the locking balls are clear of and behind their fittings.

Initially, the compliance time of the proposed AD is in calendar time instead of hours time-in-service (TIS). The average monthly usage of the affected sailplanes ranges throughout the fleet. For example, one owner may operate the sailplane 25 hours in one week, while another operator may operate the sailplane 25 hours in one year. For this reason, the FAA has determined that, in order to ensure that all of the owners/operators of the affected sailplanes initially inspect the canopy system and incorporate the flight manual revisions within a reasonable amount of time, a calendar compliance time is proposed.

The FAA estimates that 40 sailplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 2 workhours per sailplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$10 per sailplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$5,200. This figure is based on the assumption that no affected owner/operator of the affected sailplanes has incorporated the proposed modification or accomplished the proposed inspection.

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. 106(g); 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

Glasflugel: Docket No. 93-CE-02-AD.

Applicability: Model Mosquito Sailplanes (all serial numbers).

Note 1: This AD applies to each sailplane 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 sailplanes 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 (e) 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 sailplane from the applicability of this AD.

Compliance: Required initially within the next 30 calendar days after the effective date of this AD, unless already accomplished, and repetitively inspect thereafter as indicated in the body of this AD.

To prevent canopy frame failure and emergency canopy deployment failure,

which could result in loss of control of the sailplane, accomplish the following:

- Inspect the mounting studs on the canopy lifting/tilting frame for evidence of wear and diameter specifications in accordance with the recommendation in Glasflugel TN 303-18, dated March 1, 1991.
 - If the mounting stud is worn or the diameter measures less than 5 mm (0.2 inch), prior to further flight, increase the diameter to 6 mm (0.24 inch) in accordance with the procedure described in Glasflugel Technical Note (TN) 303-18, dated March 1, 1991.
 - Repeat the inspection specified in paragraph (a) of this AD and increase the diameter as necessary at intervals not to exceed 100 hours time-in-service (TIS).
- Incorporate the following language on page 19, paragraph 3.3 of the Mosquito flight manual in accordance with Glasflugel TN 303-9, dated June 22, 1979:

Whenever the canopy emergency jettison knob is pulled and prior to each flight, if no locking thread is used, it should be ensured that the Pip pins are fully pushed home, so that the locking balls are clear of and behind their fittings.

(c) Incorporating the flight manual revision as required by paragraph (b) of 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 sailplane's records showing compliance with this AD in accordance with section 43.11 of the Federal Aviation Regulations (14 CFR 43.11).

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

(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, Small Airplane Directorate. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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

(f) All persons affected by this directive may obtain copies of the documents referred to herein upon request to Glasflugel, c/o Hansjorg Streifeneder, Glasfaser-Flugzeug Service, Hofener Weg, D 72582 Grabenstetten, Germany, 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 September 7, 1995.

Gerald W. Pierce,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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