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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 U.S.C. 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

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

95–21–03 Learjet: Amendment 39–9388. Docket 95–NM–178–AD.

Applicability: Model 31A airplanes, serial numbers 31–093 through 31–108 inclusive; and Model 60 airplanes, serial numbers 60–034 through 60–061 inclusive; 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 as indicated, unless accomplished previously.

To prevent electrical failure of the microswitches in the engine fire pull switch assembly, which could result in the inability of the flight crew to shut down certain systems or to arm the fire extinguishers, or inadvertent shutdown of one or both engines, accomplish the following:

(a) For Model 31A airplanes: Within 50 hours time-in-service after the effective date of this AD, perform an inspection to identify the serial numbers of the left-hand (pilot) and right-hand (copilot) engine fire pull switch assemblies in accordance with Learjet Alert Service Bulletin SB A31–26–3, dated July 14, 1995.

(1) If the serial number of the assembly is not identified as 2326, 2363 through 2377 inclusive, or 3000 through 3019 inclusive: No further action is required by this AD.

(2) If the serial number of the assembly is identified as 2326, 2363 through 2377 inclusive, or 3000 through 3019 inclusive: Prior to further flight, replace the engine fire pull switch assembly with a serviceable assembly in accordance with the alert service bulletin.

(b) For Model 60 airplanes: Within 50 hours time-in-service after the effective date of this AD, perform an inspection to identify the serial numbers of the left-hand (pilot) and right-hand (copilot) engine fire pull switch assemblies in accordance with Learjet Alert Service Bulletin SB A60–26–1, dated July 14, 1995.

(1) If the serial number of the assembly is not identified as 106 through 168 inclusive: No further action is required by this AD.

(2) If the serial number of the assembly is identified as 106 through 168 inclusive: Prior to further flight, replace the engine fire pull switch assembly with a serviceable assembly in accordance with the alert service bulletin.

(c) As of the effective date of this AD, no person shall install on any airplane an engine fire pull switch assembly having a serial number identified in paragraph (c)(1) or (c)(2) of this AD, as applicable, unless such serial number is preceded by the letters ''RS'' and accompanied by a repair date code later than June 1, 1995.

(1) For Model 31A airplanes: Serial numbers 2326, 2363 through 2377 inclusive, and 3000 through 3019 inclusive.

(2) For Model 60 airplanes: Serial numbers 106 through 168 inclusive.

(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, Wichita Aircraft Certification Office (ACO), FAA, Small 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, 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) 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.

(f) The inspection and replacement shall be done in accordance with Learjet Alert Service Bulletin SB A31–26–3, dated July 14, 1995, and Learjet Alert Service Bulletin SB A60–26–1, dated July 14, 1995. 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 Gates Learjet, Mid-Continent Airport, PO Box 7707, Wichita, Kansas 67277. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(g) This amendment becomes effective on October 26, 1995.

Issued in Renton, Washington, on October 2, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–24902 Filed 10–10–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–169–AD; Amendment 39–9390; AD 95–21–05]

Airworthiness Directives; Boeing Model 767 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 767 series airplanes. This action requires an inspection to detect damage of the wire bundles in the left side of the flight compartment in the vicinity of the stowage box for the captain's oxygen mask, and repair, if necessary; a continuity check on repaired wires; installation of sleeving over the wire bundles; and rerouting of the wire

bundles. This amendment is prompted by reports of chafed wiring and minimal clearance between the oxygen connector and the adjacent wire bundles in the vicinity of the stowage box for the captain's oxygen mask. The actions specified in this AD are intended to prevent such chafing and inadequate clearance, which could result in electrical arcing and consequent oxygen leakage in the vicinity of the stowage box; these conditions, if not corrected, could result in a fire in the flight compartment.

DATES: Effective October 26, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 26, 1995.

Comments for inclusion in the Rules Docket must be received on or before December 11, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–169–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

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 FAA, Transport Airplane Directorate, 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: Susan Letcher, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2670; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report indicating that a ''MAP RANGE DISAGREE'' message occurred on the left electronic horizontal situation indicator (EHSI) of a Boeing Model 767 series airplane. Investigation revealed that a wire in the vicinity of the stowage box for the captain's oxygen mask was chafed. Other wires were exposed and were in contact with the oxygen line fitting. This condition could result in a small hole in the oxygen line fitting, which may allow oxygen leakage. The FAA also received a report indicating that an operator found evidence of wire insulation wear in the area where the oxygen line fitting touched the wire bundle on one airplane. This operator also reported that three other airplanes had minimal clearance between the oxygen connector and the adjacent wire bundles. Chafing of the wires on oxygen system components in the vicinity of the stowage box for the captain's oxygen mask, if not corrected, could result in electrical arcing and leakage of oxygen; these conditions could result in a fire in the flight compartment.

The FAA has reviewed and approved Boeing Alert Service Bulletin 767–35A0028, dated September 7, 1995, which describes procedures for a one-time inspection to detect damage of the wire bundles in the left side of the flight compartment in the vicinity of the stowage box for the captain's oxygen mask and repair, if necessary; a continuity check on repaired wires; installation of sleeving over the wire bundles; and rerouting of the wire bundles. Accomplishment of these procedures will prevent chafing of these wires, which could result in electrical arcing, and will also ensure that adequate spacing separates the oxygen equipment and adjacent wire bundles.

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 767 series airplanes of the same type design, this AD is being issued to prevent wire chafing on oxygen system components and consequent oxygen leakage in the vicinity of the stowage box for the captain's oxygen mask, which could result in a fire in the flight compartment. This AD requires a one-time inspection to detect damage of the wire bundles in the left side of the flight compartment in the vicinity of the stowage box for the captain's oxygen mask, and repair, if necessary; a continuity check on repaired wires; installation of sleeving over the wire bundles; and rerouting of the wire bundles. The actions are required to be accomplished in accordance with the alert service bulletin described previously.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 95–NM–169–AD.'' The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

95–21–05 Boeing: Amendment 39–9390. Docket 95–NM–169–AD.

Applicability: Model 767 series airplanes; line positions 2 through 589 inclusive except VA801 through VA810 inclusive, VN684 through VN691 inclusive, and VW701; 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 wire chafing and subsequent electrical arcing in the vicinity of the stowage box for the captain's oxygen mask, which could result in a fire in the flight compartment, accomplish the following:

(a) Within 45 days after the effective date of this AD, inspect to detect damage of the wire bundles in the left side of the flight compartment in the vicinity of the stowage box for the captain's oxygen mask, in accordance with Boeing Alert Service Bulletin 767–35A0028, dated September 7, 1995.

(1) If no damage is detected, prior to further flight, install protective sleeving on the wiring, and reroute the wire bundles, in accordance with the alert service bulletin.

(2) If any damage is detected, prior to further flight, accomplish the requirements of paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Repair the wiring and perform a continuity check on each repaired wire, in accordance with the alert service bulletin. And

(ii) Install protective sleeving on the wiring and reroute the wire bundles, in accordance with the alert service bulletin.

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

Note 2: 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.

(d) The actions shall be done in accordance with Boeing Alert Service Bulletin 767–35A0028, dated September 7, 1995. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on October 26, 1995.

Issued in Renton, Washington, on October 2, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–24904 Filed 10–10–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 71

[Airspace Docket No. 94–ASO–20]

Establishment and Alteration of VOR Federal Airways; Florida

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies several existing airways and establishes a new Federal airway, V–601, in the Miami, FL, area. This action is necessary because of the decommissioning of the Miami, FL, Very High Frequency Omnidirectional Range and Tactical Air Navigation (VORTAC) and the commissioning of the Dolphin, FL, VORTAC.

EFFECTIVE DATE: 0901 UTC, November 9, 1995.

FOR FURTHER INFORMATION CONTACT: Patricia P. Crawford, Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–9255.

SUPPLEMENTARY INFORMATION:

History

On May 3, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a Federal airway and to modify several existing airways (60 FR 21776). On September 25, 1995, the FAA published a supplemental notice of proposed rulemaking (SNPRM) to further modify the descriptions for V–7, V–35, V–157, and V–601, as proposed in the original notice (60 FR 49354). Interested parties were invited to participate in this rulemaking process by submitting written comments on the proposal to the FAA.

One comment was received from the Dade County Aviation Department in response to a previous rulemaking action which was given consideration in this rulemaking action. The Dade County Aviation Department suggested that V–3 would have to be realigned again, once the new Dolphin Very High Frequency Omnidirectional Range (VOR) is commissioned because it may affect arrivals and departures at the Homestead Air Reserve Base (HST). The department stated that a conflict may be created between aircraft operating on that airway and the rapidly ascending jet fighters operating from HST. The department recommended that V–3 be shifted farther east, connecting the Virginia Keys VOR and the NMATE Intersection. It is the department's opinion that aligning the airway with Virginia Keys VOR would place the airway well to the east of HST.

In response, V–3 will not be located over HST when the airway is realigned to the Dolphin VOR. V–3 will be in a position approximately 7.5 miles east of the Homestead General Aviation Airport and 2 miles west of the reserve base, therefore, this airway will not impede operations at either location.

Except for editorial changes and corrections to the airspace descriptions for V–7, V–35, and V–157, as proposed