

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 USC 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:

HB Flugtechnik GMBH: Docket No. 95-CE-30-AD.

Applicability: Model HB-23/2400 Sailplanes (serial numbers 23001 through 23048), certificated in any category.

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 request approval for an alternative method of compliance in accordance with paragraph (f) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required initially within the next 50 hours time-in-service (TIS) after the effective date of this AD and as indicated in the body of this AD thereafter, unless already accomplished.

To prevent failure of the elevator control system, which, if not detected and corrected, could result in possible loss of elevator control and loss of the sailplane, accomplish the following:

(a) Inspect (one time) for bending, and dents on the elevator control push rod tube. Prior to further flight, replace the elevator control push rod tube in accordance with Flugtechnik Service Bulletin (SB) HB-23/18/91, dated October 28, 1991.

(b) Inspect the clearance between the elevator control lever and the elevator control push rod, ensuring the clearance remains at least 3 mm. If clearance is not 3 mm, prior to further flight, adjust in accordance with the maintenance manual.

(c) Inspect the threaded portion of the adjustable push rod joints (located at each

end of the push rod) for fatigue cracks and deformation, and if cracked or damaged, (based on the fatigue evaluation), prior to further flight, replace the joints on both ends of the push rod, in accordance with Flugtechnik SB HB-23/17/91, dated October 28, 1991.

(d) Repetitively inspect the threaded portion of the adjustable push rod joints, at intervals not to exceed 500 hours time-in-service (TIS) thereafter for cracks or deformation, and if cracked or damaged, prior to further flight, replace the joints as necessary, in accordance with Flugtechnik SB HB-23/17/91, dated October 28, 1991.

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

(f) 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, Small Airplane Directorate, FAA, 1201 Walnut, Kansas City, Missouri, 64106. The request for the alternative method 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.

(g) All persons affected by this directive may obtain copies of the documents referred to herein upon request to HB Flugtechnik GmbH, Dr. Adolf Scharfstr. 42, PF 74, A-4053 Haid, Austria, telephone 43.7229.80904, 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 October 6, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-25439 Filed 10-12-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 94-NM-238-AD]

Airworthiness Directives; Jetstream ATP Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Jetstream ATP airplanes. This proposal would require inspections to detect fatigue cracking and corrosion in the gussets of the rear passenger door

and rear baggage door apertures, and replacement of the gussets, if necessary. This proposal is prompted by fatigue tests which indicated that fatigue cracking and corrosion can occur in these gussets. The actions specified by the proposed AD are intended to prevent degradation of the structural integrity of the fuselage pressure vessel due to the problems associated with cracking and corrosion in the gussets of the rear passenger door and rear baggage door apertures.

DATES: Comments must be received by November 14, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-238-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2747; fax (206) 227-1149.

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 shall 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 summarizing 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 Number 94-NM-238-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-238-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Jetstream Model ATP airplanes. The CAA advises that results of fatigue testing of Model ATP airplanes, which was conducted by the manufacturer, indicate that fatigue cracking and corrosion is likely to occur in the gussets of the rear passenger door and rear baggage door apertures. Such fatigue cracking and corrosion, if not detected and corrected in a timely manner, could degrade the structural integrity of the fuselage pressure vessel.

Jetstream Aircraft, Ltd., has issued Service Bulletin ATP-53-29, dated October 31, 1994, which describes procedures for performing detailed visual inspections to detect fatigue cracking and corrosion in the gussets of the rear baggage door and rear passenger door apertures. It also describes procedures for replacing cracked and corroded gussets. The CAA classified this service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

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. 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 that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require a one-time detailed visual inspection for fatigue cracking and corrosion in the gussets of the rear passenger door and the rear baggage door apertures. It also would require replacement of cracked gussets, and either replacement or repair of corroded gussets. The inspection and replacement actions would be required to be accomplished in accordance with the service bulletin described previously. The repair of corroded gussets would be required to be accomplished in accordance with the Structural Repair Manual (SRM).

The Limitations section of the Instructions for Continued Airworthiness in the Aircraft Maintenance Manual for these airplanes has recently been revised to include a repetitive inspection (at regular intervals) for the subject gussets. The FAA has determined that the one-time inspection of the gussets that would be required by this AD, coupled with the mandatory repetitive inspections that are now a part of the maintenance program, is adequate to provide a level of safety equivalent to that required by the Federal Aviation Regulations (FAR). This combination of inspections will ensure that any cracked or corroded gusset is detected and replaced/repairs before it could fail and consequently affect the operational safety of the airplane.

The FAA estimates that 10 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 8 work hours per airplane to accomplish the proposed inspection actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$4,800, or \$480 per airplane.

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

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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

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

Jetstream Aircraft Limited (Formerly British Aerospace Commercial Aircraft, Ltd.): Docket 94-NM-238-AD.

Applicability: Model ATP airplanes; having serial numbers 2002 through 2012 inclusive, and 2019 through 2022 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 (c) 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 degradation of the structural integrity of the fuselage pressure vessel due to the problems associated with cracking and corrosion in the gussets of the rear passenger door and rear baggage door apertures, accomplish the following:

(a) Prior to the accumulation of 12,000 total landings or within 1,500 landings after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracks and corrosion of the gussets of the rear passenger door aperture, in accordance with Jetstream Service Bulletin ATP-53-29, dated October 31, 1994.

(1) If any crack is found, prior to further flight, replace the gusset in accordance with the service bulletin.

(2) If any corrosion is found, prior to further flight, either replace the gusset in accordance with the service bulletin, or repair the gusset in accordance with the Structural Repair Manual, chapter 53-10-12.

(b) Prior to the accumulation of 15,000 total landings or within 1,500 landings after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracks and corrosion of the gussets of the rear baggage door aperture, in accordance with Jetstream Service Bulletin ATP-53-29, dated October 31, 1994.

(1) If any crack is found, prior to further flight, replace the gusset in accordance with the service bulletin.

(2) If any corrosion is found, prior to further flight, either replace the gusset in accordance with the service bulletin, or repair the gusset in accordance with the Structural Repair Manual, chapter 53-10-12.

(c) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

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

Issued in Renton, Washington, on October 6, 1995.

Gary L. Killion,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-25449 Filed 10-12-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-CE-37-AD]

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) PA28, PA32, PA34, and PA44 Series 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 New Piper Aircraft, Inc. (Piper) PA28, PA32, PA34, and PA44 series airplanes. The proposed action would require inspecting and modifying the flap lever assembly. Reports of worn flap handle attach bolts and elongated holes in the flap lever to cable mounting attach point prompted this proposed AD action. The actions specified by the proposed AD are intended to prevent failure of the flap handle attach bolt and sudden retraction of the flaps, which, if not detected and corrected, could result in possible loss of control of the airplane.

DATES: Comments must be received on or before December 14, 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-37-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.

Piper Service Bulletin (SB) No. 965, dated September 1, 1993, may be obtained from The New Piper Aircraft, Inc., Attn: Customer Service, 2629 Piper Dr., Vero Beach, Florida 32960. This information also may be examined at the Rules Docket at the address above.

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 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-37-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-37-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received reports of worn flap handle attach bolts and elongated holes in the flap lever to cable mounting attach points on certain Piper PA28, PA32, PA34, and PA44 series airplanes. This condition, if left uncorrected, could result in the inability to lower the flaps or, if the retaining bolt breaks or comes free while the flaps are in a down position, a sudden retraction of the flaps creating a reduction in lift and possible loss of control of the airplane.

Piper has issued SB No. 965, dated September 1, 1993, which specifies procedures for: (1) Measuring and enlarging the cable mounting attach hole diameter, (2) installing a new bushing (Piper Part Number (P/N) 63900-174), (3) replacing the flap lever handle attach bolt with a new clevis bolt (Piper P/N 400 673), and (4) inspecting the washer (P/N 407-584), nut (P/N 404-392), and cotter pin (P/N 424-051) for damage, and replacing as applicable.

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 failure of the flap handle attach bolt and sudden