

require initial and repetitive inspections of critical aspects of the transfer tube assembly, actuator assembly, and PCU for wear. This AD would also require, prior to further flight, removing and replacement with serviceable parts those critical components that do not meet the return to service criteria. The actions would be required to be accomplished in accordance with the SB's described previously.

There are approximately 2,900 propellers of the affected design in the worldwide fleet. The FAA estimates that 1,350 propellers installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 4.3 work hours per propeller to accomplish the proposed 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 \$348,300.

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:

Hamilton Standard: Docket No. 95-ANE-66.

*Applicability:* Hamilton Standard Models 14RF-9, 14RF-19, 14RF-21, and 14SF-5, 14SF-7, 14SF-11, 14SF-11L, 14SF-15, 14SF-17, 14SF-19, 14SF-23 and Hamilton Standard/British Aerospace 6/5500/F propellers installed on but not limited to Embraer EMB-120 and EMB-120-RT; SAAB-SCANIA SF 340B; Aerospaiale ATR42-100, ATR42-300, ATR42-320, ATR72; DeHavilland DHC-8-100 series, DHC-8-300 Series; Construcciones Aeronauticas SA (CASA) CN-235 series and CN-235-100; Canadair CL-215T and CL-415; and British Aerospace ATP Airplanes.

Note: This airworthiness directive (AD) applies to each propeller 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 propellers 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) 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 propeller from the applicability of this AD.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent loss of propeller control due to failure of critical components, which could result in loss of control of the aircraft, accomplish the following:

(a) For those propellers with transfer tube assemblies, actuator assemblies, and propeller control units (PCU's) with greater than or equal to 15,500 hours time in service (TIS), or unknown TIS, on the effective date of this AD, inspect for wear within 1,000 hours TIS after the effective date of this AD. Perform inspections of the critical aspects of these components in accordance with the applicable service bulletins (SB's) listed in paragraph (d) of this AD. Thereafter, inspect at intervals not to exceed 10,500 hours TIS since last inspection. Prior to further flight, remove and replace with serviceable parts those components that do not meet the return to service criteria defined in the applicable SB's.

(b) For those propellers with transfer tube assemblies, actuator assemblies, and PCU's

with greater than or equal to 10,500 hours TIS but less than 15,500 hours TIS on the effective date of this AD, inspect for wear within 1,000 hours TIS after the effective date of this AD, or prior to accumulating 16,500 hours TIS, whichever occurs later. Perform inspections of the critical aspects of these components in accordance with the applicable SB's listed in paragraph (d) of this AD. Thereafter, inspect at intervals not to exceed 10,500 hours TIS since last inspection. Prior to further flight, remove and replace with serviceable parts those components that do not meet the return to service criteria defined in the applicable SB's.

(c) For those propellers with transfer tube assemblies, actuator assemblies, and PCU's with less than 10,500 hours TIS on the effective date of this AD, inspect for wear within 6,000 hours TIS after the effective date of this AD, or prior to accumulating 10,500 hours TIS, whichever occurs later. Perform inspections of the critical aspects of these components in accordance with the applicable SB's listed in paragraph (d) of this AD. Thereafter, inspect at intervals not to exceed 10,500 hours TIS since last inspection. Prior to further flight, remove and replace with serviceable parts those components that do not meet the return to service criteria defined in the applicable SB's.

(d) Perform the inspections for wear required by this AD in accordance with, and use the return to service criteria defined in, the following applicable Hamilton Standard SB's, all dated November 29, 1995: 14RF-9-61-64, 14RF-19-61-32, 14RF-21-61-51, 14SF-61-70, and 6/5500/F-61-2.

(e) 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, Boston Aircraft 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, Boston Aircraft Certification Office.

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

(f) 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 inspection requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on December 6, 1995.

James C. Jones,

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

[FR Doc. 95-30352 Filed 12-12-95; 8:45 am]

**BILLING CODE 4910-13-U**

**14 CFR Part 39**

[Docket No. 95-NM-124-AD]

**Airworthiness Directives; Boeing Model 767 Series Airplanes****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, that currently requires an inspection of the control rods of the outboard leading edge slat, and follow-on actions (including repetitive ultrasonic inspections), if necessary. That AD also requires replacement of the control rod ends and attach bolts for certain airplanes. It also provides for an optional terminating action for follow-on repetitive inspections. That AD was prompted by reports of cracks and worn attach bolts of the control rods of the leading edge outboards slats of the wings due to the high breakout torque in the joint of the control rod end. This action would require installation of the previously optional terminating action. The actions specified by the proposed AD are intended to prevent reduced controllability of the airplane and damage in the slat structure or fixed leading edge of the wing, as a result of cracks and worn attach bolts.

**DATES:** Comments must be received by January 24, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-124-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 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.

**FOR FURTHER INFORMATION CONTACT:** Kristin Larson, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington; telephone (206) 227-1760; fax (206) 227-1181.

**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 95-NM-124-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. 95-NM-124-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

**Discussion**

On September 5, 1990, the FAA issued AD 90-20-16, amendment 39-6726 (55 FR 37858, September 14, 1990), applicable to certain Boeing Model 767 series airplanes, to require a one-time visual inspection to determine the date of manufacture of the control rods of the outboard leading edge slat, and follow-on actions, if necessary. Certain of the follow-on actions entail performing repetitive ultrasonic inspections of the control rods. That AD also requires replacement of the control rod ends and attach bolts, for certain airplanes. It also provided for an optional terminating action for the follow-on repetitive inspections. That action was prompted by a report that certain airplanes could be operating with control rods of the outboard leading edge slat that are subject to

cracking. The requirements of that AD are intended to prevent the loss of the pilot's ability to control the affected slat, which could adversely affect the controllability of the airplane.

Since the issuance of that AD, the FAA has reviewed and approved Revision 5 of Boeing Service Bulletin 767-57-0021, dated June 15, 1995. The one-time visual inspection and the replacement of the control rod ends and attach bolts procedures described in this revision are essentially identical to those described in Revision 1 and Revision 2 of the service bulletin (which were referenced in AD 90-20-16). For certain airplanes, Revision 5 of the service bulletin describes procedures for replacement of the control rod with a control rod that has been manufactured after June 1983. The control rod ends of these newer control rods have improved bearings and chrome plated bolts, and a lower break-out torque, all of which will reduce wear of the attach bolts of the control rods. Accomplishment of this replacement eliminates the need for the (follow-on) repetitive ultrasonic inspections described in Revision 1 and Revision 2 of the service bulletin.

The FAA has determined that accomplishment of the replacement of the control rod with a new control rod that has been manufactured after June 1983, will positively address the unsafe condition identified as loss of the pilot's ability to control the affected slat, which could adversely affect the controllability of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 90-20-16. It would continue to require a one-time visual inspection to determine the date of manufacture of the control rods of the outboard leading edge slat, and follow-on actions (i.e., repetitive ultrasonic inspection), if necessary. The proposed AD would also continue to require replacement of the control rod ends and attach bolts, for certain airplanes. For operators accomplishing the (follow-on) repetitive ultrasonic inspections, the proposed AD would require replacement of the control rod with a new control rod manufactured after June 1983; this replacement would constitute terminating action for the repetitive inspections. The actions would be required to be accomplished in accordance with the service bulletins described previously.

There are approximately 271 Model 767 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 193 airplanes of U.S.

registry would be affected by this proposed AD.

The actions that are currently required by AD 90-20-16 take approximately 21 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$5,500 per airplane. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$1,304,680, or \$6,760 per airplane.

For certain affected airplanes, the new replacement (terminating) action that is proposed in this AD would take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. The cost of required replacement parts is estimated to be \$5,500 per airplane. Based on these figures, the cost impact on U.S. operators of the proposed requirements of this AD is estimated to be \$5,560 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or 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 removing amendment 39-6726 (55 FR 37858, September 14, 1990), and by adding a new airworthiness directive (AD), to read as follows:

Boeing: Docket 95-NM-124-AD. Supersedes AD 90-20-16, Amendment 39-6726.

*Applicability:* Model 767 series airplanes, as listed in Boeing Service Bulletin 767-57-0021, Revision 1, dated September 14, 1989, or Revision 5, dated June 15, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 as indicated, unless accomplished previously. To prevent loss of the pilot's ability to control the affected slat, which could adversely affect the controllability of the airplane, accomplish the following:

(a) For airplanes having line positions 1 through 235 inclusive: Within the next 1,200 landings or 9 months after October 23, 1990 (the effective date of AD 90-20-16, amendment 39-6726), whichever occurs first, unless accomplished within the last 800 landings or 6 months, whichever occurs later, perform a visual inspection to determine the date of manufacture of the control rods of the outboard leading edge slat of the wings, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767-57-0021, dated August 25, 1988; Revision 1, dated September 14, 1989; Revision 2, dated July 26, 1990; or Revision 5, dated June 15, 1995.

(1) If the date of manufacture (stamped on the control rod) is June 1983 or later, no further action is required by this paragraph.

(2) If the date of manufacture is illegible or is prior to June 1983, accomplish paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Prior to further flight, perform an ultrasonic inspection to detect cracks of the control rods in accordance with Figure 1 of Boeing Service Bulletin 767-57-0021, dated August 25, 1988, Revision 1, dated September 14, 1989, or Revision 2, dated July 26, 1990. If any crack or fracture is detected, prior to further flight, replace it in accordance with Figure 2 of the service bulletin. Repeat the ultrasonic inspection of the control rods manufactured prior to June 1983 thereafter at intervals not to exceed 2,000 landings or 15 months, whichever occurs first, until the replacement required by paragraph (a)(2)(ii) of this AD is accomplished.

(ii) Within 3,000 flight hours or 15 months after the effective date of this AD, whichever occurs later, replace the control rod with a new rod manufactured June 1983 or later, in accordance with Boeing Service Bulletin 767-57-0021, Revision 5, dated June 15, 1995. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirement of paragraph (a)(2)(i) of this AD.

(b) For airplanes having line number 1 through 264 inclusive, and 266 through 273 inclusive: Within the next 2,500 landings or 18 months after October 23, 1990 (the effective date of AD 90-20-16, amendment 39-6726, whichever occurs first, replace the control rod end and attach bolt with a new configuration control rod end and attach bolt on each wing, in accordance with Boeing Service Bulletin 767-57-0221, Revision 1, dated September 14, 1989; Revision 2, dated July 26, 1990; or Revision 5, dated June 15, 1995.

(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, 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.

(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 December 7, 1995.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-30353 Filed 12-12-95; 8:45 am]

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