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]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–244–AD]

Airworthiness Directives; Boeing Model 767 Series 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 all Boeing Model 767 series airplanes. This proposal would require inspections of the components of the leading edge outboard slat; replacement of the control rod end, if necessary; and various follow-on actions. This proposal is prompted by reports of skewed panels of the outboard leading edge slat due to either corrosion of the rotary actuator, cracking of the control rod, or incorrect clearance of the overtravel stop of the outboard leading edge slat. The actions specified by the proposed AD are intended to prevent such conditions, which could result in reduced controllability of the airplane and damage to or cracking of the leading edge slats or the fixed leading edge of the wing.

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–244–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

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–244–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–244–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of skewed panels of the outboard leading edge slat on several Boeing Model 767 series airplanes. Investigation revealed that the cause of the skewed panels is attributed to either corrosion of the rotary actuator, cracking of the control rod, or incorrect clearance of the overtravel stop of the outboard leading edge slat. These conditions, if not detected and corrected in a timely manner, could result in reduced controllability of the airplane and damage to or cracking of the leading edge slats or the fixed leading edge of the wing.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the FAA has determined that an airworthiness directive (AD) is warranted to require the following inspections and follow-on actions of the affected airplanes. These actions are necessary in order to ensure that the unsafe condition is corrected, and to provide an acceptable level of safety:

1. A visual inspection to verify proper clearance of the overtravel stop;

2. Adjustment of the stop clearance, and replacement of the rotary actuator and adjacent offset gearbox, if necessary;

3. Repetitive visual inspections to detect external signs of internal corrosion of the rotary actuator of the outboard leading edge slat;

4. Replacement of a certain earlier model rotary actuator with a certain later model rotary actuator, for certain airplanes;

5. Visual inspection(s) to verify proper installation of the control rods of the outboard leading edge slats; and

6. Tightening of the bolts or installing a new lockwire, if any bolt is loose or any lockwire is missing.

This proposed AD would require that these actions be accomplished at specific times and in accordance with the procedures specified in the Boeing 767 Airplane Maintenance Manual (AMM), Chapter 27–81–20.

This is considered to be interim action. The manufacturer has advised that it currently is developing a modification that will positively address the unsafe condition that is the subject of this AD. Once this modification is developed, approved, and available, the FAA may consider additional rulemaking.

There are approximately 612 Model 767 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 213 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 14 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $178,920, or $840 per airplane, per inspection cycle.

The 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:

Boeing: Docket 95–NM–244–AD.

Applicability: All Model 767 series airplanes, 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 (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 reduced controllability of the airplane and damage to or cracking of the leading edge slats or the fixed leading edge of the wing, accomplish the following:

(a) Within 500 hours time-in-service after the effective date of this AD, unless previously accomplished within the last 3,000 hours time-in-service prior to the effective date of this AD: Perform a visual inspection to verify proper clearance of the overtravel stop, in accordance with the Boeing 767 Airplane Maintenance Manual (AMM), Chapter 27–81–20.

(1) If proper clearance exists, repeat the inspection for proper clearance thereafter at intervals not to exceed 6,000 hours time-in-service or 18 months, whichever occurs later.

(2) If clearance exists, but is incorrect, at the next convenient maintenance interval, but no later than 500 flight hours after accomplishment of the inspection, adjust the stop clearance for the slats in accordance with the AMM. Repeat the inspection for proper clearance thereafter at intervals not to exceed 6,000 hours time-in-service or 18 months, whichever occurs later.

(3) If no clearance exists (i.e., stop contact), prior to further flight, adjust the stop clearance for the slats in accordance with the AMM. After the adjustment, within 3,000 hours time-in-service or 1,500 flight cycles after accomplishing the inspection required by paragraph (a) of this AD, whichever occurs later, replace the rotary actuator and adjacent offset gearbox in accordance with the AMM. After replacement, repeat the inspection for proper clearance at intervals not to exceed 6,000 hours time-in-service or 18 months, whichever occurs later.

(b) Within 500 hours time-in-service after the effective date of this AD, unless previously accomplished within the last 3,000 hours time-in-service prior to the effective date of this AD, perform a visual inspection to detect external signs of internal corrosion of the rotary actuator of the outboard leading edge slat, in accordance with the Boeing 767 Airplane Maintenance Manual (AMM), Chapter 27–81–20.

(1) If no sign of internal corrosion is detected, accomplish paragraph (b)(1)(i) or (b)(1)(ii) of this AD, as applicable.

(i) For airplanes on which a rotary actuator having part number (P/N) 256T2120–3 or earlier is installed: Within 4,000 flight hours after the effective date of this AD, replace that rotary actuator with a new rotary actuator having P/N 256T2120–5 or later. After replacement, repeat the inspection of the rotary actuator at intervals not to exceed 6,000 flight hours or 18 months, whichever occurs later.

(ii) For airplanes on which a rotary actuator having P/N 256T2120–5 or later is installed: Repeat the inspection of the rotary actuator thereafter at intervals not to exceed 6,000 flight hours or 18 months, whichever occurs later.

(2) If any sign of internal corrosion is detected, accomplish paragraph (b)(2)(i) or (b)(2)(ii) of this AD, as applicable.

(i) For airplanes on which a rotary actuator having part number (P/N) 256T2120–3 or earlier is installed: Within 4,000 flight hours after the effective date of this AD, replace that rotary actuator with a new rotary actuator having P/N 256T2120–5 or later. After replacement, repeat the inspection of the rotary actuator at intervals not to exceed 6,000 flight hours or 18 months, whichever occurs later.

(ii) For airplanes on which a rotary actuator having P/N 256T2120–5 or later is installed: Within 6,000 flight hours or 18 months after accomplishing the initial inspection required by paragraph (b) of this AD, replace that rotary actuator with a new rotary actuator having P/N 256T2120–5 or later. After replacement, repeat the inspection required of the rotary actuator at intervals not to exceed 6,000 flight hours or 18 months, whichever occurs later.

(c) Within 500 hours time-in-service after the effective date of this AD, unless previously accomplished within the last 3,000 hours time-in-service prior to the effective date of this AD, perform a visual inspection to verify proper installation (including loose bolts and missing lockwires) of the control rods of the outboard leading edge slats, in accordance with the Boeing 767 Airplane Maintenance Manual (AMM), Chapter 27–81–20.

(1) If all control rods are installed properly, repeat the inspection to verify proper installation thereafter at intervals not to exceed 6,000 flight hours or 18 months, whichever occurs later.

(2) If any bolt is loose or any lockwire missing, prior to further flight, tighten the bolt or install a new lockwire, in accordance with the AMM. Repeat the inspection to verify proper installation thereafter at intervals not to exceed 6,000 flight hours or 18 months, whichever occurs later.

(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, 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.

(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.

Issued in Renton, Washington, on December 7, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–30354 Filed 12–12–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 71

[Airspace Docket No. 95–AGL–20]

Establishment of Class E Airspace; Bigfork, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish Class E5 airspace at Bigfork Municipal Airport, Bigfork, MN, to accommodate a Nondirectional Radio