

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:

Beech Aircraft Corporation (Formerly DeHavilland; Hawker Siddeley; British Aerospace, plc; Raytheon Corporate Jets, Inc.): Docket 95-NM-141-AD.

*Applicability:* All Model BAe 125-1000A and Hawker 1000 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 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 chafing damage to the hydraulic pipe and subsequent hydraulic fluid leakage; this condition may lead to failure of essential airplane systems; accomplish the following:

(a) Within 3 months after the effective date of this AD, perform a detailed visual inspection to detect chafing damage to the hydraulic pipes located aft of frame 21 and adjacent to the hydraulic module, in accordance with Hawker Service Bulletin SB.29-95, dated March 24, 1995.

(1) If no chafing damage is detected, prior to further flight, perform a visual inspection to determine if adequate clearance exists between the intersecting pipe runs, and between pipes and adjacent equipment or structure, in accordance with the service bulletin.

(i) If the clearance is adequate, no further action is required by this AD.

(ii) If the clearance is inadequate, prior to further flight, adjust the pipe connections and/or clipping in accordance with the service bulletin.

(iii) If any chafing damage to other equipment or structure is found, prior to further flight, repair it in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(2) If any chafing damage is detected and it is beyond the limits specified in paragraph 2.B.(4) of the service bulletin, prior to further flight, replace the damaged pipe with a new pipe in accordance with the service bulletin.

(3) If any chafing damage is detected within the limits specified in paragraph 2.B.(4) of the service bulletin, prior to further flight, perform a pressure test or replace the damaged pipe with a new pipe in accordance with the service bulletin.

(i) If the pipes are satisfactory, no further action is required by this AD.

(ii) If any pipe leaks and/or if any distortion occurs in or around the area of chafing damage, prior to further flight, replace the pipe with a new pipe in accordance with the 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, 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.

(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.

Issued in Renton, Washington, on December 13, 1995.

Darrell M. Pederson,

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

[FR Doc. 95-30748 Filed 12-18-95; 8:45 am]

BILLING CODE 4910-13-U

#### **14 CFR Part 39**

[Docket No. 95-NM-172-AD]

#### **Airworthiness Directives; Fokker Model F28 Mark 0100 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 certain Fokker Model F28 Mark 0100 series airplanes. This proposal would require a one-time measurement during refueling to determine the pressure in each collector tank; for certain airplanes, non-destructive test (NDT) inspections to detect cracking or deformations of the collector tank ribs on each wing, and repair, if necessary; and modification of top-hat stringers in each outer wing tank. This proposal is prompted by a report of damage to the ribs of the wing collector tank caused by over-pressure in the collector tank during refueling. The actions specified by the proposed AD are intended to prevent cracking and deformation of the wing collector tanks due to over-pressure, which could result in reduced structural integrity of the wing.

**DATES:** Comments must be received by January 30, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-172-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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Ruth E. Harder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate,

1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1721; 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 95-NM-172-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-172-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F28 Mark 0100 series airplanes. The RLD advises, that during scheduled maintenance on a Model F28 Mark 0100 series airplane, the ribs in the right-hand wing collector tank were found to be damaged. Investigation revealed that the damage was caused by over-pressure in the collector tank during refueling.

The top-hat stringers between the wing collector tank and the outer wing tank contain restriction blocks that are intended to close off, but still ventilate the collector tank. The four forward

most top-hat stringers (2.32, 2.33, 2.34, and 2.35) should not contain these restriction blocks, which would enable fuel to flow from the wing collector tank to the outer wing tank. Subsequent investigation revealed that the over-pressure was due to the installation of restriction blocks in these four top-hat stringers, which adversely affected the fuel transfer capacity of these airplanes. This condition, if not corrected, could result in cracking and deformation of the ribs in the wing collector tank, which could lead to reduced structural integrity of the wing.

Fokker has issued Service Bulletin SBF 100-57-030, dated December 17, 1994, which describes procedures for conducting a one-time measurement during refueling to determine the pressure in each collector tank. The service bulletin also describes procedures for conducting non-destructive test (NDT) inspections of certain airplanes to detect cracking and deformations of the collector tank ribs at wing stations 1825, 2230, and 2635.

Fokker has also issued Service Bulletin SBF 100-57-029, Revision 1, dated March 23, 1995, which describes procedures for modification of the four top-hat stringers (2.32, 2.33, 2.34, and 2.35) in the outer wing tank area. This modification entails removal of the restriction blocks in the top-hat stringers.

The RLD classified both of these service bulletins as mandatory and issued the Netherlands airworthiness directive BLA 1994-172 (A), dated December 23, 1994, in order to assure the continued airworthiness of these airplanes in the Netherlands.

This airplane model is manufactured in the Netherlands 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 RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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, the proposed AD would require a one-time measurement during refueling to determine the pressure in each collector tank; and modification of the four top-hat stringers in the outboard wing tank area. For certain

airplanes, this proposed AD would require non-destructive test (NDT) inspections of the collector tank ribs to detect cracking or deformations. The actions would be required to be accomplished in accordance with the service bulletins described previously.

This AD also proposes to require repair of any cracking or deformations in accordance with a method approved by the FAA.

The FAA estimates that 58 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 85 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 \$295,800, or \$5,100 per airplane.

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 U.S.C. 106(g), 40101, 40113, 44701.

#### **§ 39.13 [Amended]**

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

Fokker: Docket 95–NM–172–AD.

*Applicability:* Model F28 Mark 0100 airplanes, serial numbers 11244 through 11277 inclusive, 11279, 11281 through 11287 inclusive, and 11289 through 11400 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 (g) 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 over-pressurization and/or damage to the wing collector tanks, which could result in reduced structural integrity of the wings, accomplish the following:

(a) Within 45 days after the effective date of this AD, perform a one-time measurement during refueling to determine the pressure in each collector tank in accordance with Part 1 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–030, dated December 17, 1994.

Note 2: Pressure Limits Categories are defined in Table 2 of Fokker Service Bulletin SBF100–57–030, dated December 17, 1994.

(b) For Pressure Limits Category 1: Within 2 years after the effective date of this AD, modify the four affected top-hat stringers (2.32, 2.33, 2.34, and 2.35) in each outer wing tank area by removing the restriction blocks, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–029, Revision 1, dated March 23, 1995.

(c) For Pressure Limits Categories 2 through 5: Except as provided by paragraph (d) of this AD, prior to the number of accumulated total flight cycles or within the time specified in Table 1 of Fokker Service Bulletin SBF100–57–030, dated December

17, 1994, whichever occurs earlier, accomplish the requirements of paragraphs (c)(1) and (c)(2) of this AD.

(1) Perform the Non-Destructive Test (NDT) inspections specified in Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–030, dated December 17, 1994, to detect cracking or deformations of the collector tank ribs on each wing at wing stations 1825, 2230, and 2635. These inspections are to be performed in accordance with Fokker Service Bulletin SBF100–57–030, dated December 17, 1994.

(2) Modify the four affected top-hat stringers (2.32, 2.33, 2.34, and 2.35) in each outer wing tank area by removing the restriction blocks, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–029, Revision 1, dated March 23, 1995.

(d) For Pressure Limits Category 6, and for airplanes having pressure limits within the limits specified in Categories 3 through 5 and that have exceeded the number of accumulated total flight cycles specified in Table 1: Within 100 flight cycles, accomplish the requirements of paragraphs (d)(1) and (d)(2) of this AD.

(1) Perform the NDT inspections in accordance with the procedures of Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–030, dated December 17, 1994. The fueling pressure must not exceed 25 pounds per square inch (PSI) during refueling.

(2) Modify the four affected top-hat stringers (2.32, 2.33, 2.34, and 2.35) in each outer wing tank area by removing the restriction blocks, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–029, Revision 1, dated March 23, 1995.

(e) For Pressure Limits Category 7: Prior to further flight following the measurement required by paragraph (a) of this AD, accomplish the requirements of paragraphs (e)(1) and (e)(2) of this AD.

(1) Perform the NDT inspections in accordance with the procedures of Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–030, dated December 17, 1994.

(2) Modify the four affected top-hat stringers (2.32, 2.33, 2.34, and 2.35) in each outer wing tank area by removing the restriction blocks, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100–57–029, Revision 1, dated March 23, 1995.

(f) If any cracking or deformation is detected during any inspection required by this AD, prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(g) 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(h) Special flight permits may be issued in accordance with §§ 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 13, 1995.

Darrell M. Pederson,

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

[FR Doc. 95–30746 Filed 12–18–95; 8:45 am]

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### **14 CFR Part 39**

[Docket No. 95–NM–133–AD]

#### **Airworthiness Directives; Jetstream Model 4101 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 Model 4101 airplanes. This proposal would require replacement of the flexible cables of the power and condition controls of the engines with new flexible cables. The proposal would also require installation of protective tape on the outside case of these flexible cables, and reidentification of the cables. This proposal is prompted by reports of stiff operation of the power and condition controls of the engines due to heat damage to and moisture contamination of the flexible cable. The actions specified by the proposed AD are intended to prevent heat damage and moisture contamination to the flexible cable, which could result in stiff operation of the power and condition controls and subsequent reduced engine control.

**DATES:** Comments must be received by January 25, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–133–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