

and limitations of this AD as applicable. If the number of operational cycles-per-hour determined for a replacement shaft assembly does not equal or exceed 20 cycles-per-hour, the Rotorcraft Flight Manual limitation specified in paragraph (g) and the placard specified in paragraph (h) may be removed.

(j) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used when approved by the Manager, Boston Aircraft Certification Office, FAA, New England Region. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Boston Aircraft Certification Office.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Boston Aircraft Certification Office.

(k) 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 helicopter to a location where the requirements of this AD can be accomplished.

(l) This amendment becomes effective on January 4, 1996.

**Attachment—Inspection Results Report**

The following information must be reported as soon as possible, but no later than 7 days after inspection, to: Manager, Boston Aircraft Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299, FAX: (617) 238-7199.

Operator/Repair Station \_\_\_\_\_  
 Aircraft Model No. \_\_\_\_\_  
 Aircraft Serial No. \_\_\_\_\_  
 Date of Inspection \_\_\_\_\_  
 Main Rotor Part No. \_\_\_\_\_  
 Main Rotor Serial No. \_\_\_\_\_  
 Type of Aircraft Utilization:  
 Passenger Carry \_\_\_\_\_  
 Utility/Construction \_\_\_\_\_  
 Firefighting \_\_\_\_\_  
 Logging \_\_\_\_\_  
 Other \_\_\_\_\_

Identify Operational Usage Cycles-Per-Hour:

- 1-6 Operational Cycles-Per-Hour \_\_\_\_\_
- 7-19 Operational Cycles-Per-Hour \_\_\_\_\_
- 20-Above Operational Cycles-Per-Hour \_\_\_\_\_

Next Inspection Date (Estimated): \_\_\_\_\_

and Flight Hours (Estimated): \_\_\_\_\_

Magnetic Particle Inspection (MPI) Results (this inspection):  
 Passed \_\_\_\_\_ Failed \_\_\_\_\_

If a crack is found, indicate the approximate location on the part and the length of the crack in inches: \_\_\_\_\_

Total Time-In-Service (TIS) (Hours):

Estimated \_\_\_\_\_  
 Actual \_\_\_\_\_  
 Unknown \_\_\_\_\_  
 At Retirement \_\_\_\_\_

Inspection results at retirement (if known):

MPI Passed \_\_\_\_\_  
 Failed \_\_\_\_\_  
 Visual Passed \_\_\_\_\_  
 Failed \_\_\_\_\_

Log Book Entry for Part No. \_\_\_\_\_, Serial No. \_\_\_\_\_, is (date) \_\_\_\_\_, at Retirement Hours \_\_\_\_\_. This part's Serial No. \_\_\_\_\_ has been marked unairworthy and unfit for further service on (date) \_\_\_\_\_, 199 \_\_\_\_.

Issued in Fort Worth, Texas, on December 13, 1995.

Daniel P. Salvano,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 95-30772 Filed 12-19-95; 8:45 am]

BILLING CODE 4910-13-U

**14 CFR Part 39**

[Docket No. 95-NM-238-AD; Amendment 39-9465; AD 95-26-07]

**Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) 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 Bombardier Model CL-600-2B19 series airplanes. This action requires revising the Limitations Section of the Airplane Flight Manual to provide the flight crew with procedures to check the travel range of the aileron. This action also requires inspection for damage of the shear pins of the aileron flutter damper and aileron hinge fittings, and various follow-on actions. This amendment is prompted by reports of failure of shear pins in the aileron flutter damper. The actions specified in this AD are intended to prevent damage to the aileron hinge fittings due to failed shear pins, which subsequently could cause reduced controllability of the airplane.

**DATES:** Effective January 4, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 4, 1996.

Comments for inclusion in the Rules Docket must be received on or before February 20, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-238-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Franco Pieri, Aerospace Engineer, Airframe Branch, ANE-172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7526; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** Transport Canada Aviation, which is the airworthiness authority for Canada, recently notified the FAA that an unsafe condition may exist on certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes. Transport Canada Aviation advises that it has received reports indicating that the shear pins of the aileron flutter damper had failed. Investigation revealed that the shear pins had sheared off and migrated out, which subsequently damaged the aileron hinge fittings. This condition, if not corrected, could result in reduced controllability of the airplane.

Bombardier has issued Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision "A," dated September 8, 1995, which describes procedures for:

1. A visual inspection to detect damage of the shear link, the shear pin, and the aileron attachment fitting;
2. Repair of the aileron attachment fitting, if necessary;
3. For airplanes on which any damaged shear pin is found, removal of the aileron flutter dampers, the shear links, the pivots, and the attaching hardware;
4. For certain airplanes on which no damaged shear pin is found, repetitive visual inspections to detect damage of the shear link, the shear pin, and the aileron attachment fitting until the aileron flutter dampers are removed.

Transport Canada Aviation classified the alert service bulletin as mandatory, and issued Canadian airworthiness directive CF-95-14, dated September 11, 1995, in order to assure the continued airworthiness of these airplanes in Canada.

This airplane model is manufactured in Canada 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, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, 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, this AD is being issued to prevent damage to the aileron hinge fittings due to the failure of the shear pins, which could cause subsequent reduced controllability of the airplane. This AD requires revising the Limitations Section of the FAA-approved Airplane Flight Manual to provide the flight crew with procedures to check the travel range of the aileron prior to the first flight of the day. Such checks are necessary to verify proper operation of the aileron control system. The FAA has determined that these checks may be properly performed by pilots because the checks do not require the use of tools, precision measuring equipment, training, pilot logbook endorsements, or the use of reference to technical data that are not contained in the body of the AD.

This AD also requires a visual inspection to detect damage of the shear link, the shear pin, and the aileron attachment fitting; and repair of the aileron attachment fitting, if necessary. This AD also requires removal of the aileron flutter dampers, the shear links, the pivots, and the attaching hardware for airplanes on which any damage to the shear pin is detected. For certain airplanes on which no damaged shear pin is found, this AD provides for accomplishment of the visual inspections on a repetitive basis until the aileron flutter dampers are removed. These actions are required to be accomplished in accordance with the alert service bulletin described previously.

Operators should note that, although the relevant Transport Canada Aviation airworthiness directive requires the visual inspection of all aileron flutter damper shear pins and aileron hinge fittings within 7 calendar days or at the next scheduled shear pin replacement, this AD requires that inspection to be performed within 30 days. The FAA has determined that an interval of 30 days will address the identified unsafe condition in a timely manner. In recent communications with Transport Canada Aviation and the manufacturer, the FAA finds that the unsafe condition was not as urgent as it initially appeared to be. In developing an appropriate compliance time for this AD, the FAA considered not only the manufacturer's recommendation, but also the average utilization of the affected fleet and the time necessary to perform the required actions (10 work hours). In light of all these factors, the FAA finds 30 days to be an appropriate compliance time for initiating the required actions in that it represents the maximum interval of time allowable for affected airplanes to continue to operate without compromising safety.

This is considered to be interim action. Once a terminating modification is developed, approved, and available, the FAA may consider additional 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-238-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:

95-26-07 Bombardier, Inc. (Formerly Canadair): Amendment 39-9465. Docket 95-NM-238-AD.

*Applicability:* Model CL-600-2B19 (Regional Jet Series 100) series airplanes, serial numbers 7003 through 7079 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 (e) 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 damage to the aileron hinge fittings due to failure of the shear pins, which could cause subsequent reduced controllability of the airplane; accomplish the following:

(a) Within 7 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

"Before engine start, prior to the first flight of each day, the flight crew or certificated maintenance personnel shall perform a check of the travel range of the aileron as follows:

Aileron—Check travel range (to approx 1/2 travel) using each hydraulic system in turn, with the other hydraulic systems depressurized."

Note 2: This AFM revision may also be accomplished by inserting a copy of Temporary Revision RJ/45, dated September 7, 1995, in the AFM. When this temporary revision has been incorporated into general revisions of the AFM, the general revisions may be inserted in the AFM, provided the information contained in the general revisions is identical to that specified in Temporary Revision RJ/45.

Note 3: Operators should note that operation of the aircraft remains restricted to

the altitude and airspeed limits currently specified in the FAA-approved AFM, Revision 34, Chapter 5, Abnormal Procedures, Section 13, Hydraulic Power, Paragraphs "A" through "C" and "M" through "O."

(b) Perform a visual inspection to detect damage of the shear link, the shear pin, and the aileron attachment fitting, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995, and at the time specified in paragraph (b)(1) or (b)(2) of this AD, as applicable.

(1) For airplanes having serial numbers 7003 through 7054 inclusive: Inspect at the next scheduled shear pin replacement, but no later than 30 days after the effective date of the AD.

(2) For airplanes having serial numbers 7055 through 7079 inclusive: Inspect at the next scheduled shear pin replacement, but no later than 400 flight hours after the effective date of the AD.

(c) If no shear pin is found to be damaged during the inspection required by paragraph (b) of this AD, accomplish the requirements of either paragraph (c)(1) or (c)(2), as applicable, at the times specified:

(1) For airplanes having serial numbers 7003 through 7054 inclusive: At the next scheduled shear pin replacement, but no later than 400 flight hours after accomplishing the inspection specified in paragraph (b) of this AD, remove the aileron flutter dampers, shear link, and pivot, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. Following removal of the flutter dampers, the shear pin replacement in accordance with the FAA-approved maintenance program is not required.

(2) For airplanes having serial numbers 7055 through 7079 inclusive: Repeat the inspection required by paragraph (b) of this AD at intervals not to exceed 400 flight hours. At the next scheduled shear pin replacement, but no later than 1,500 landings after accomplishing the initial inspection specified in paragraph (b) of this AD, remove the aileron flutter dampers, shear link, and pivot, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. Following removal of the flutter dampers, the shear pin replacement in accordance with the FAA-approved maintenance program is not required.

(d) If any shear pin is found to be damaged during the inspection required by paragraph (b) of this AD, prior to further flight, remove the aileron flutter dampers, shear link, and pivot, in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995. Following removal of the flutter dampers, shear pin replacement in accordance with the FAA-approved maintenance program is not required.

(e) If any aileron hinge fitting is found to be damaged during the inspection required by paragraph (b) of this AD, prior to further flight, repair in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 1995.

(f) 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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(g) 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.

(h) The inspections, removal, and repair shall be done in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R-27-058, Revision 'A,' dated September 8, 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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centreville, Quebec H3C 3G9, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(i) This amendment becomes effective on January 4, 1996.

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

Darrell M. Pederson,

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

[FR Doc. 95-30961 Filed 12-19-95; 8:45 am]

**BILLING CODE 4910-13-U**

**14 CFR Part 39**

[Docket No. 95-NM-245-AD; Amendment 39-9464; AD 95-26-06]

**Airworthiness Directives; McDonnell Douglas Model MD-11 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 McDonnell Douglas Model MD-11 series airplanes. This AD requires either that the control circuit breaker of the left fuel pump valve be opened and collared, or that the Airplane Flight Manual (AFM) be revised to prohibit autoland operation