

(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 February 6, 1996.

Darrell M. Pederson,
Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.
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BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-224-AD]

Airworthiness Directives; Fokker Model F28 Mark 0100 and 0070 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 Fokker Model F28 Mark 0100 series airplanes, that currently requires certain maximum brake wear limits to be incorporated into the FAA-approved maintenance inspection program. That AD also currently requires that the Airplane Flight Manual (AFM) be revised to include certain procedures concerning operations in the event of a rejected takeoff (RTO). This action would add a requirement for the incorporation of new maximum brake wear limits for additional brake units into the FAA-approved maintenance program. This action would also delete the current requirement for the AFM revision. This proposal is prompted by the determination of the maximum allowable brake wear limits for additional brake unit part numbers. The actions specified by the proposed AD are intended to prevent the loss of brake effectiveness during a high energy RTO. **DATES:** Comments must be received by March 25, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-224-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.

This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Ruth 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-224-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-224-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On March 7, 1994, the FAA issued AD 94-06-06, amendment 39-8854 (59 FR 11713, March 14, 1994), applicable to certain Fokker Model F28 Mark 0100 series airplanes, to require that certain maximum brake wear limits be incorporated into the FAA-approved maintenance program. That AD also requires that the Airplane Flight Manual (AFM) be revised to include certain procedures concerning operations in the event of a rejected takeoff (RTO). That action was prompted by an accident in which a transport category airplane executed an RTO and was unable to stop on the runway due to worn brakes; and the subsequent review of allowable brake wear limits for all transport category airplanes. The requirements of that AD are intended to prevent the loss of brake effectiveness during a high energy RTO.

Actions Since AD 94-06-06 Was Issued

Since the issuance of that AD, additional brake unit part numbers, that were not addressed in the existing rule, have been evaluated and the maximum allowable brake wear limits for these brake units have been determined in accordance with a methodology approved by the FAA. The FAA has determined that both Model F28 Mark 0100 and F28 Mark 0070 series airplanes equipped with these brake units are currently subjected to the same unsafe condition addressed in the existing AD, and that the newly identified maximum brake wear limits must be applied to these brake configurations in order to ensure their braking effectiveness.

In addition, the FAA has reviewed the results of 100% worn brake RTO testing on the subject brake units as installed on Model F28 Mark 0100 and 0070 series airplanes. Based on the successful results of these laboratory tests, the FAA finds that the main landing gear sliding member on these airplanes will not overheat beyond approved limits after an RTO. Therefore, the FAA has determined that the AFM revision currently required by paragraphs (b) and (c) of AD 94-06-06 is no longer necessary.

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. The FAA has determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Proposed New Requirements

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes that are of the same type design, that are equipped with the subject brake configurations, and that are registered in the United States, the proposed AD would supersede AD 94-06-06. It would continue to require that maximum brake wear limits for certain brake units be incorporated into the FAA-approved maintenance program. The proposed AD would require that new maximum brake wear limits and alternate wear measurements (AWM*) for additional brake units be incorporated into the FAA-approved maintenance program.

(*An AWM is a measurement of the brake stack that determines stack wear. This measurement is used for any brake assembly without a wear indicator pin, or any brake assembly having a damaged wear indicator pin. The brake wear can be determined by measuring the distance from the back of the pressure plate subassembly to the inboard face of the brake housing at the wear indicator location.)

Cost Impact

There are approximately 124 Model F28 Mark 0100 and 0070 series airplanes of U.S. registry and 5 U.S. operators that would be affected by this proposed AD. The actions that are currently required by AD 94-06-06 take approximately 20 work hours per operator to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$6,000, or \$1,200 per operator.

The new actions that are proposed in this AD action would take approximately 20 work hours per operator to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact on U.S. operators of the proposed requirements of this AD is estimated to be \$6,000, or \$1,200 per operator.

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.

Regulatory Impact

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), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-8854 (59 FR 11713, March 14, 1994), and by adding a new airworthiness directive (AD), to read as follows:

Fokker: Docket 95-NM-224-AD. Supersedes AD 94-06-06, Amendment 39-8854.

Applicability: Model F28 Mark 0100 and F28 Mark 0070 series airplanes, equipped with Aircraft Braking Systems Corp. brakes having part number (P/N) 5008132-2, -3, -4, -5, -6, -7, or 5011809; 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 request approval for an alternative method of compliance in accordance with paragraph (c) 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 as indicated, unless accomplished previously.

To prevent loss of brake effectiveness during a high energy rejected take off (RTO), accomplish the following:

Note 2: An alternate wear measurement (AWM) is a measurement of the brake stack that determines stack wear. This measurement is used for any brake assembly without a wear indicator pin, or any brake assembly having a damaged wear indicator pin. The brake wear can be determined by measuring the distance from the back of the pressure plate subassembly to the inboard face of the brake housing at the wear indicator location.

(a) For Model F28 Mark 0100 series airplanes: Within 180 days after April 13, 1994 (the effective date of AD 94-06-06, amendment 39-8854), accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD:

(1) Incorporate the maximum brake wear limits specified in the following tables into the FAA-approved maintenance inspection program and comply with these measurements thereafter.

**BRAKE MANUFACTURER AIRCRAFT BRAKING SYSTEMS CORP. (ABS)
TABLE 1.—MAXIMUM SETTINGS—NON REFURBISHED BRAKES**

Brake P/N	Maximum wear pin measurement (inch/mm)	Alternate wear measurement (inch/mm)
5008132-2	1.85" (47 mm)	4.00" (101.6 mm)
5008132-3	1.85" (47 mm)	4.00" (101.6 mm)
5008132-4	2.10" (53.3 mm)	4.25" (107.9 mm)
5008132-5	2.10" (53.3 mm)	4.25" (107.9 mm)
5008132-6	2.10" (53.3 mm)	4.25" (107.9 mm)
5008132-7	2.10" (53.3 mm)	4.25" (107.9 mm)

Note 3: Measuring instructions for non refurbished brakes can be found in the ABS Component Maintenance Manual with

Illustrated Parts List AP-652 (Fokker Manual No. 32-43-77) or in ABS Service Bulletin Fo100-32-35. ABS Service Bulletin Fo100-

32-35 does not contain measurement information relative to brake P/N's 5008132-2 and -3.

TABLE 2.—MAXIMUM SETTINGS—REFURBISHED BRAKES

Brake P/N	Maximum wear pin measurement (inch/mm)	Alternate wear measurement (inch/mm)
5008132-2	1.85" (47 mm)	4.00" (101.6 mm)
5008132-3	1.85" (47 mm)	4.00" (101.6 mm)
5008132-4	2.20" (55.9 mm)	4.35" (110.5 mm)
5008132-5	2.20" (55.9 mm)	4.35" (110.5 mm)
5008132-6	2.20" (55.9 mm)	4.35" (110.5 mm)
5008132-7	2.20" (55.9 mm)	4.35" (110.5 mm)

Note 4: Refurbished brakes will have "R11-3" etched on the brake housing adjacent to the shuttle valve.

Note 5: Measuring instructions for refurbished brakes can be found in the ABS Component Maintenance Manual with Illustrated Parts List AP-652 (Fokker Manual No. 32-43-77) or in ABS Service Bulletin Fo100-32-38.

(2) For brakes on which a heat stack kit having an "R" after the P/N (i.e., 5010322-2R, also called short stacks) have been installed:

Operators must use the maximum wear pin length which is based on the measured wear of the thinnest disk in the stack and is specified on the Airworthiness Tag that accompanies each heat stack kit (i.e., for airplanes having brakes with short stacks installed, do not use either the standard maximum wear pin measurements or the alternate brake wear measurements specified in either Table 1 or Table 2 of this AD to determine brake wear.)

(b) Within 180 days after the effective date of this AD, incorporate the maximum brake

wear pin limits specified in paragraphs (b)(1) and (b)(2) of this AD, as applicable, into the FAA-approved maintenance program and comply with these measurements thereafter. If any brake has measured wear beyond the maximum wear limits specified in those paragraphs, prior to further flight, replace it with a brake that is within the wear limits specified in the applicable paragraph.

(1) For Model F28 Mark 0100 and 0070 series airplanes:

TABLE 3.—MAXIMUM SETTINGS—NON-REFURBISHED BRAKES (ORIGINAL EQUIPMENT MANUFACTURER)

Brake unit part number	Maximum wear pin measurement	Alternate brake wear measurement	Measure in accordance with aircraft braking systems (ABS) component maintenance manual with illustrated parts list number
5008132-2	1.85" (47 mm)	4.00" (101.6 mm)	AP-652(32-43-77) CMM w/IPL
5008132-3	1.85" (47 mm)	4.00" (101.6 mm)	AP-652(32-43-77) CMM w/IPL
5008132-4	2.10" (53.3 mm)	4.25" (107.9 mm)	AP-652(32-43-77) CMM w/IPL
5008132-5	2.10" (53.3 mm)	4.25" (107.9 mm)	AP-652(32-43-77) CMM w/IPL
5008132-6	2.10" (53.3 mm)	4.25" (107.9 mm)	AP-652(32-43-77) CMM w/IPL
5008132-7	2.10" (53.3 mm)	4.25" (107.9 mm)	AP-652(32-43-77) CMM w/IPL
5008132-8	2.20" (55.9 mm)	4.35" (110.5 mm)	AP-652(32-43-77) CMM w/IPL

TABLE 4.—MAXIMUM SETTINGS—REFURBISHED BRAKES (R11-3 ON BRAKE HOUSING)

Brake unit part number	Maximum wear pin measurement	Alternate brake wear measurement	Measure in accordance with aircraft braking systems (ABS) Component maintenance manual with illustrated parts list
5008132-2	1.85" (47 mm)	4.00" (101.6mm)	AP-625 (32-43-77) CMM w/IPL
5008132-3	1.85" (47 mm)	4.00" (101.6mm)	AP-625 (32-43-77) CMM w/IPL
5008132-4	2.20" (55.9 mm)	4.35" (110.5mm)	AP-625 (32-43-77) CMM w/IPL
5008132-5	2.20" (55.9 mm)	4.35" (110.5mm)	AP-625 (32-43-77) CMM w/IPL
5008132-6	2.20" (55.9 mm)	4.35" (110.5mm)	AP-625 (32-43-77) CMM w/IPL
5008132-7	2.20" (55.9 mm)	4.35" (110.5mm)	AP-625 (32-43-77) CMM w/IPL
5008132-8	2.20" (55.9 mm)	4.35" (110.5 mm)	AP-625 (32-43-77) CMM w/IPL

(2) For Model F28 Mark 0100 and 0070 series airplanes having a brake unit with P/ N 5011809, A5011809, or B5011809: The maximum wear pin measurement is 2.50" (63.5 mm), with an alternate brake wear measurement of 4.35" (110.5 mm). The measurement shall be done in accordance with Aircraft Braking Systems (ABS) AP-747 (32-43-65) Component Maintenance Manual (CMM) with Illustrated Parts List (IPL).

(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 6: 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 February 6, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-3000 Filed 2-9-96; 8:45 am]

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14 CFR Part 39

[Docket No. 95-NM-188-AD]

Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes, and Model MD-88 and MD-90 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 McDonnell Douglas Model DC-9-80 series airplanes, and Model MD-88 and MD-90 airplanes. This proposal would require a one-time measurement of the length of the oxygen mask lanyards of the passenger service unit (PSU), and modification of lanyards that are longer than the proper length. This proposal is prompted by a report that the length of the oxygen mask lanyards of the PSU were found to be too long, apparently due to improper installation during production. The actions specified by the proposed AD are intended to ensure that the length of these oxygen mask lanyards is correct, so that the oxygen canister will be properly activated when needed during an emergency.

DATES: Comments must be received by April 9, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-188-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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Walter Eierman, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5336; fax (310) 627-5210.

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-188-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-188-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received a report that, during an inspection of an oxygen installation on a Model MD-90 airplane, the length of the oxygen mask lanyards of the passenger service unit (PSU) was found to be too long. The cause has been attributed to the apparent improper installation of the oxygen mask lanyards of the PSU during production of the airplane. An oxygen mask lanyard that is too long, if not corrected, may not activate the oxygen canister and,

subsequently, could render the oxygen mask inoperative during an emergency.

The oxygen mask installations on certain Model DC-9-80 series airplanes and Model MD-88 airplanes are identical to those installed on certain Model MD-90 airplanes. Therefore, all of these models may be subject to the same unsafe condition.

The FAA has reviewed and approved McDonnell Douglas Service Bulletin MD90-35-001, dated August 29, 1995 (for Model MD-90 airplanes), and McDonnell Douglas Service Bulletin MD80-35-022, dated August 29, 1995 (for Model DC-9-80 series airplanes and Model MD-88 airplanes). These service bulletins describe procedures for a one-time measurement of the length of the oxygen mask lanyards of the PSU from the loop on the firing pin or aluminum ring to the mask. These service bulletins also describe procedures for modification of oxygen mask lanyards that are found to be longer than the proper length. The modification involves correcting the length of the lanyard by retying the knot of the lanyard and trimming the excess. Accomplishment of the modification will minimize the possibility of an inoperative oxygen mask during an emergency.

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 require, for Model DC-9-80 series airplanes and Model MD-88 airplanes, a one-time measurement of the length of the oxygen mask lanyards of the PSU, and modification, if necessary. For Model MD-90 airplanes, the proposed AD would require modification of the oxygen mask lanyards of the PSU. The actions would be required to be accomplished in accordance with the service bulletins described previously.

There are approximately 1,200 McDonnell Douglas Model DC-9-80 series airplanes, Model MD-88 airplanes, and MD-90 airplanes of the affected design in the worldwide fleet. The FAA estimates that 650 airplanes of U.S. registry would be affected by this proposed AD.

For airplanes on which inspection of the lanyard is required, it would take approximately 81 work hours per airplane to accomplish the proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection proposed by this AD on U.S. operators is estimated to be \$4,860 per airplane.

For airplanes on which modification of the lanyard is required, it would take approximately 121 work hours per airplane to accomplish the proposed