

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

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by removing amendment 39-9241 (60 FR 28035, May 30, 1995), and by adding a new airworthiness directive (AD), to read as follows:

Jetstream Aircraft Limited: Docket 96-NM-49-AD. Supersedes AD 95-09-03, Amendment 39-9241.

*Applicability:* Model 4101 airplanes, constructor numbers 41001 through 41073 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 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 request approval for an alternative method of compliance in accordance with paragraph (d) 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 uncommanded retraction of the landing gear, which can adversely affect airplane controllability, accomplish the following:

(a) For airplanes having constructor numbers 41001 through 41046 inclusive, and 41048 through 41052 inclusive; equipped with either landing gear control unit part number 717701-1 or 717701-1 Mod A: Within 8 hours time-in-service after June 14, 1995 (the effective date of AD 95-09-03, amendment 39-9241), perform an inspection to determine the number of hours time-in-service on the landing gear control unit, in accordance with Jetstream Alert Service Bulletin J41-A32-042, dated April 13, 1995.

(1) For those airplanes on which the control unit has accumulated less than 200 hours time-in-service: Prior to further flight, modify the cable (electrical wiring circuit) of the landing gear control unit in accordance with the alert service bulletin.

(2) For those airplanes on which the control unit has accumulated 200 hours or more time-in-service: Within 50 hours time-in-service or within 7 days after June 14, 1995 (the effective date of AD 95-09-03, amendment 39-9241), whichever occurs earlier, modify the cable (electrical wiring circuit) of the landing gear control unit in accordance with the alert service bulletin.

(b) For airplanes having constructor numbers 41001 through 41073 inclusive: Within 6 months after the effective date of this AD, install a new improved landing gear control unit and modify the wiring, in accordance with Jetstream Service Bulletin J41-32-044, dated September 22, 1995.

(c) As of the effective date of this AD, no person shall install a landing gear control unit having part number 717701-1 or 717701-1 Mod A, on any airplane.

(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, 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 Manager, Standardization Branch, ANM-113.

(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 April 23, 1996.

S. R. Miller,

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

[FR Doc. 96-10505 Filed 4-26-96; 8:45 am]

BILLING CODE 4910-13-P

## **14 CFR Part 39**

[Docket No. 95-NM-237-AD]

RIN 2120-AA64

### **Airworthiness Directives; Airbus Model A320 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 Airbus Model A320 series airplanes. This proposal would require an inspection to detect damage to the electrical wiring of the fuel tank of the wings and to verify if the proper P-clip is installed in the electrical wiring. The proposed AD would also require re-fitting any proper P-clip, replacing any improper P-clip with a new P-clip, and repairing damaged electrical wiring. This proposal is prompted by a report that incorrect P-clips were found installed in the electrical wiring of the fuel system on these airplanes. The actions specified by the proposed AD are intended to ensure that the proper P-clips are installed. Improper P-clips could fail to adequately safeguard the fuel tank of the wing against a lightning strike, which could result in electrical arcing and resultant fire.

**DATES:** Comments must be received by June 10, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-237-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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Charles Huber, Aerospace Engineer,

Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2589; 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-237-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-237-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

The Direction G n rale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A320 series airplanes. The DGAC advises that it has received a report that incorrect P-clips were found installed in the electrical wiring of the fuel system on these airplanes. Investigation revealed that, during production, skydrol-resistant ethylene propylene P-clips were installed instead of fuel-resistant P-clips. Skydrol-resistant ethylene propylene P-clips are not suitable for immersion in fuel. Such

immersion causes these clips to swell and lose flexibility. If the skydrol-resistant ethylene propylene P-clips were to bend slightly, they could fracture and deteriorate, which could fail to adequately safeguard the fuel tank of the wing against a lightning strike. This condition, if not corrected, could result in electrical arcing and consequent fire.

##### Explanation of Relevant Service Information

Airbus has issued Service Bulletin A320-28-1052, Revision 1, dated July 7, 1993, and Revision 2, dated September 8, 1994. The service bulletins describe procedures for a one-time inspection to detect damage to the electrical wiring and to verify if the proper P-clip is installed in the electrical wiring at outboard rib 6 in the inner cell of the fuel tank of the wings. The service bulletins also describe procedures for re-fitting proper P-clips, and replacing improper P-clips with a new fuel-resistant P-clip having P/N NSA5515-03NF or NSA5516-03NV. The DGAC classified the service bulletins as mandatory and issued French airworthiness directive 93-191-047(B), dated October 27, 1993, in order to assure the continued airworthiness of these airplanes in France.

##### FAA's Conclusions

This airplane model is manufactured in France 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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.

##### Explanation of the Proposed Rule

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 inspection to detect damage to the electrical wiring and to verify if the proper P-clip is installed in the electrical wiring at outboard rib 6 in the inner cell of the fuel tank of the wings. The proposed AD would also require re-fitting proper P-clips, and replacing improper P-clips with certain new fuel-resistant P-clips. The actions would be required to be accomplished in accordance with the service bulletin

described previously. If any damage is detected to the electrical wiring, the repair would be required to be done in accordance with the Airplane Wiring Manual.

##### Cost Impact

The FAA estimates that 44 Airbus Model A320 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$100 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$12,320, or \$280 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.

##### 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 adding the following new airworthiness directive:

Airbus Industrie: Docket 95–NM–237–AD.

*Applicability:* Model A320 series airplanes, manufacturer's serial numbers 129 through 343 inclusive, 345 through 347 inclusive, and 349 through 363 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 request approval for an alternative method of compliance in accordance with paragraph (b) 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 ensure that the proper P-clips are installed, accomplish the following:

(a) Within 6 months after the effective date of this AD, perform a one-time inspection to detect damage to the electrical wiring and to verify if the proper P-clip is installed in the electrical wiring at outboard rib 6 in the inner cell of the fuel tank of the wings, in accordance with Airbus Service Bulletin A320–28–1052, Revision 2, dated September 8, 1994.

Note 2: Accomplishment of the actions specified in this paragraph in accordance with Airbus Service Bulletin A320–28–1052, Revision 1, dated July 7, 1993, prior to the effective date of this AD is considered acceptable for compliance with this paragraph.

(1) If any damage is detected to the wiring, prior to further flight, repair it in accordance with the Airplane Wiring Manual.

(2) If a P-clip having P/N NSA5515–03NF or NSA5516–03NV is installed, prior to further flight, re-fit it in accordance with the service bulletin.

(3) If a P-clip having P/N NSA5516–03NJ is installed, prior to further flight, replace it with a new fuel-resistant P-clip having P/N NSA5515–03NF or NSA5516–03NV, 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 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.

(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 April 23, 1996.

S.R. Miller,

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

[FR Doc. 96–10504 Filed 4–26–96; 8:45 am]

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### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 52**

[W157–01–7105b, W158–01–7106b, W159–01–7107b; FRL–5424–3]

#### **Proposed Approval of State Implementation Plan; Wisconsin Gasoline Storage Tank Vent Pipe, Traffic Marking Materials, and Solvent Metal Cleaning SIP Revisions**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve, through the direct final procedure, a revision to the Wisconsin State Implementation Plan (SIP) for ozone that was submitted on June 14, 1995. This revision consists of a volatile organic compound (VOC) regulation to control emissions from the following sources: gasoline storage tanks, traffic marking materials, and solvent metal cleaning operations. These regulations were submitted to generate reductions in VOC emissions, which the State will use to fulfill the 15 percent requirement of the amended Clean Air Act. In the final rules of this Federal Register, the EPA is approving this action as a direct final without prior proposal because EPA views this as a noncontroversial action and anticipates no adverse comments. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be

addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this proposed action must be received by May 29, 1996.

**ADDRESSES:** Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Toxics and Radiation Branch (AT–18J), EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590.

**FOR FURTHER INFORMATION CONTACT:** Douglas Aburano (312) 353–6960.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is located in the Rules section of this Federal Register. Copies of the request and the EPA's analysis are available for inspection at the following address: (Please telephone Douglas Aburano at (312) 353–6960 before visiting the Region 5 office.) EPA, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590.

Authority: 42 U.S.C. 7401–7671q.

Dated: November 6, 1995.

Valdas V. Adamkus,

*Regional Administrator.*

[FR Doc. 96–10450 Filed 4–26–96; 8:45 am]

BILLING CODE 6560–50–P

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[MM Docket No. 96–78; RM–8778]

#### **Radio Broadcasting Services; Hicksville, OH**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Lake Cities Broadcasting Corporation seeking the allotment of Channel 294A to Hicksville, Ohio, as the community's first local aural transmission service. Channel 294A can be allotted to Hicksville in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.4 kilometers (3.4 miles) northeast, at coordinates 41–19–35 NL and 84–43–03 WL, to avoid a short-spacing to Station WMRI, Channel 295B, Marion, Indiana. Canadian concurrence in the allotment is required