

equipped with a flight control stick with a wall thickness of .035 inch.

Note 1: All Model S-2A airplanes and some Model S-2S airplanes were equipped with a .035-inch wall thickness flight control stick at manufacture. Models S-1S, S-1T, S-2, S-2B and certain Model S-2S airplanes were manufactured with control sticks with a wall thickness greater than .035 inch, but could have .035-inch flight control sticks installed through FAA-approved field modification.

Note 2: 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 (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 initially upon accumulating 1,000 hours time-in-service (TIS) or within the next 25 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished, and thereafter as indicated in the body of this AD.

To prevent the inability to maneuver the airplane because of a cracked control stick, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Inspect, using dye penetrant methods, the .035-inch wall thickness flight control stick for cracking in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat Service Bulletin (SB) No. 23, dated March 29, 1996.

Note 3: Aviat SB No. 23, dated March 29, 1996, only references the Model S-2A airplanes. The procedures included in this service bulletin should be utilized for all of the airplanes affected by this AD.

(1) If cracking is found, prior to further flight, replace the .035-inch wall thickness flight control stick with one with a .058 inch wall thickness in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 23, dated March 29, 1996.

(2) If no cracks are found, reinspect at intervals not to exceed 50 hours TIS. If cracking is found during any repetitive inspection, prior to further flight, accomplish the replacement specified in paragraph (a)(1) of this AD.

(b) Replacing the .035-inch wall thickness flight control stick with one with a .058-inch wall thickness in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 23, dated March 29, 1996, is considered terminating action for the repetitive inspection requirement of this AD. This replacement may be accomplished at any time, and must be accomplished prior to further flight if cracking is found as required by paragraph (a)(1) of this AD.

(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.

(d) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Denver Aircraft Certification Office, 5440 Roslyn Street, suite 133, Denver, Colorado 80216. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Denver ACO.

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

(e) The inspection and replacement (if necessary) required by this AD shall be done in accordance with Aviat Service Bulletin No. 23, dated March 29, 1996. 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 Aviat Aircraft, Inc., The Airport-Box 1240, South Washington Street, Afton, Wyoming 83110. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-9619) becomes effective on June 7, 1996.

Issued in Kansas City, Missouri, on May 8, 1996.

Henry A. Armstrong,

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

[FR Doc. 96-12137 Filed 5-15-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 95-NM-191-AD; Amendment 39-9623; AD 96-10-16]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas MD-11 Series Airplane

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-11 series airplanes, that requires inspections to detect damage of the sidewall vent box diaphragms, and repair, if necessary. This amendment also requires the eventual installation of stops on the vent box diaphragm, which terminates the inspection requirements of the AD. This amendment is prompted by reports

of damage to sidewall vent box diaphragms, which can result in non-functional diaphragms during a rapid decompression. The actions specified by this AD are intended to prevent buckling of the floor beams due to insufficient air flow of the cabin sidewall vent box diaphragms during rapid decompression, and consequent reduction in the controllability of the airplane.

**DATES:** Effective June 20, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 20, 1996.

**ADDRESSES:** The service information referenced in this AD 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Andrew Gfrerer, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5338; fax (310) 627-5210.

#### SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model MD-11 series airplanes was published in the Federal Register on February 21, 1996 (61 FR 6581). That action proposed to require repetitive inspections to detect damage of the sidewall vent box assemblies. Initially, that action proposed to permit continued flight if only a certain number of assemblies are found to be damaged. However, once that number is exceeded, the damaged assemblies would be required to be modified, prior to further flight, until the remaining number of damaged assemblies does not exceed a certain number. That amendment also proposed to require the eventual installation of stop pads for all vent box diaphragms and reidentification of the assemblies,

which, when accomplished, terminates the requirement for the repetitive inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the two comments received.

Both commenters support the proposed rule.

#### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

There are approximately 123 Model MD-11 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 39 airplanes of U.S. registry will be affected by this AD.

To accomplish the required inspections will take approximately 2 work hours per airplane, per inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required inspections on U.S. operators is estimated to be \$4,680, or \$120 per airplane, per inspection cycle.

To accomplish the required installation and reidentification will take a total of approximately 270 work hours per airplane. This figure represents 3 work hours per vent box, and up to a maximum of 90 vent boxes on an airplane. The average labor rate is \$60 per work hour. The cost of required parts will be negligible; the parts may be fabricated locally. Based on these figures, the cost impact of the required installation on U.S. operators is estimated to be \$631,800, or \$16,200 per airplane.

The cost impact figures discussed above is based on assumptions that no operator has yet accomplished any of the 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 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.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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), 40113, 44701.

##### § 39.13 [Amended]

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

96-10-16 McDonnell Douglas: Amendment 39-9623. Docket 95-NM-191-AD.

*Applicability:* Model MD-11 series airplane, as listed in McDonnell Douglas Alert Service Bulletin MD11-25A181, dated September 28, 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 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 buckling of the floor beams due to insufficient air flow of the cabin sidewalk vent box diaphragms during rapid

decompression, and subsequent loss of airplane control capabilities, accomplish the following:

(a) Within 90 days after the effective date of this AD, perform an inspection to detect damage of the sidewalk vent box diaphragms, in accordance with McDonnell Douglas Alert Service Bulletin MD11-25A181, dated September 28, 1995. Based on the findings of the initial inspection, or any repetitive inspection, accomplish the requirements of paragraph (a)(1), (a)(2), or (a)(3) of this AD, as applicable:

(1) *Condition 1.* If no damage is detected: Repeat the inspection at intervals not to exceed 90 days.

(2) *Condition 2.* If damage is detected, but the number of damaged sidewalk vent box assemblies does not exceed the applicable allowable number specified in Table 1 of the alert service bulletin: Repeat the inspection at intervals not to exceed 90 days.

(3) *Condition 3.* If damage is detected, and the number of damaged vent box assemblies exceeds the applicable number specified in Table 1 of the alert service bulletin: Prior to further flight, install stops on and re-identify as many damaged sidewalk vent box assemblies as necessary so that the total number of damaged vent box assemblies does not exceed the applicable allowable number specified in Table 1 of the alert service bulletin. Accomplish the installation of the stops and reidentification of the assemblies in accordance with the alert service bulletin. The installation of stops on and reidentification of an assembly constitutes terminating action for the repetitive inspections of that assembly only. All other assemblies must continue to be inspected thereafter at intervals not to exceed 90 days.

(b) Within 30 months after the effective date of this AD, install stops on and reidentify all sidewalk vent box assemblies that do not already have stops installed and have not been reidentified in accordance with McDonnell Douglas Alert Service Bulletin MD11-25A181, dated September 28, 1995. Accomplishment of this action constitutes terminating action for the inspection requirements of this AD.

(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, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspectors, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles 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.

(e) The inspections and installations shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD11-25A181, dated September 28, 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(f) This amendment becomes effective on June 20, 1996.

Issued in Renton, Washington, on May 9, 1996.

S.R. Miller,

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

[FR Doc. 96-12148 Filed 5-15-96; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 39

[Docket No. 95-NM-108-AD; Amendment 39-9624; AD 96-10-17]

RIN 2120-AA64

#### **Airworthiness Directives; McDonnell Douglas Model DC-10-10, -15, and -30 Series Airplanes and KC-10 (Military) Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-10-10, -15, and -30 series airplanes and KC-10A (military) airplanes, that requires inspections to detect cracks of the upper aft mating bolt hole of the wing pylon truss fittings, and various follow-on actions. This amendment is prompted by reports of cracks found in the upper aft mating bolt hole of the wing pylon truss fitting located near the engine forward mount on Model DC-10-30 series airplanes, which were caused by fatigue-related stress. The actions specified by this AD are intended to prevent fatigue-related cracking, which could lead to failure of the fitting, separation of a portion of the engine forward mount truss from the pylon, and consequent separation of the engine from the airplane.

**DATES:** Effective June 20, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 20, 1996.

**ADDRESSES:** The service information referenced in this AD 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Maureen Moreland, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5238; fax (310) 627-5210.

**SUPPLEMENTARY INFORMATION:**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC-10-10, -15, and -30 series airplanes and KC-10A (military) airplanes was published in the Federal Register on September 27, 1995 (60 FR 49809). That action proposed to require repetitive ultrasonic or eddy current inspections to detect cracks of the upper aft mating bolt hole of the wing pylon truss fittings, and various follow-on actions.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

#### Support for the Proposal

Two commenters support the proposed rule.

#### Request for Extension of Compliance Time for Initial Inspection

One commenter requests that the compliance time for the initial inspection be extended from the proposed 1,000 landings to 1,200 landings for Model DC-10-30 series airplanes. The commenter states such a compliance time would follow the recommendations of McDonnell Douglas DC-10 Service Bulletin 54-108, dated February 9, 1995. The commenter also questions what data or analysis the FAA used to justify shortening the threshold to 1,000 landings.

The FAA does not agree with the commenter's request to extend the compliance time. The FAA points out

that 1,000 landings is not the inspection "threshold," but a "grace period" that was established to preclude unnecessarily grounding airplanes that have exceeded the 10,000-landing threshold or will exceed it within 1,000 landings. In determining the appropriate "grace period" for this action, the FAA not only considered the degree of urgency associated with addressing the unsafe condition, but the amount of time necessary for operators to accomplish the required inspection and other factors affecting the ability of the operators to comply. In light of all these factors, the FAA finds the 1,000 landing "grace period" for initiating the required inspections to be warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety.

#### Clarification of Requirements for Type of Inspection

One commenter points out that proposed paragraphs (a) and (b) indicate that operators are to perform either ultrasonic or eddy current inspections to detect the subject cracking. However, the commenter states that the initial and repetitive eddy current inspections are not an option if the upper aft and/or middle mating bolt hole(s) have bushings installed from previous rework, in accordance with McDonnell Douglas DC-10 Service Bulletin 54-108, dated February 9, 1995.

The FAA finds that clarification of this point is necessary. As paragraphs (a) and (b) of the proposed rule were worded, operators could incorrectly interpret the requirements as meaning that they have a choice between performing an ultrasonic inspection or an eddy current inspection for all configurations of the bolt holes. However, the intent of those requirements was to require operators to perform either an ultrasonic inspection or an eddy current inspection, as appropriate, depending upon the configuration of the subject area and as specified in the service bulletin. Therefore, the commenter is correct in noting that, for airplanes on which the upper aft and middle mating bolt holes have bushings installed from previous rework (Condition 2), operators must accomplish the inspection by using only the ultrasonic method. In light of this, the FAA has revised the wording of paragraphs (a) and (b) of the final rule to clarify this.

#### Clarification of Requirements for Repetitive Inspections

The same commenter asks if the repetitive ultrasonic inspection intervals