and such were specifically relied upon by
Contractor is found to contain false material
clause) may be terminated at the discretion
any retention of rights pursuant thereto by
authorizing the use of this clause (including
Officer.
and all past due confirmatory instruments,
paragraph (f)(7)(ii) of this clause, an acceptable final report
inventions required by paragraph (c)(1) of
paragraph: "or grants".
Communications as follows:
All reports and notifications required by
paragraph (m) add to end of
"(s) Forfeiture with respect to
Background Patents, above."
(15) In paragraph (n)(4) substitute
"conducted in such a manner as" for "subject to
appropriate conditions."
(16) In paragraph (o) add at the end of
the parenthetical phrase in the heading to the
paragraph: "or grants."
(17) In paragraph (o) add paragraph
(o)(1)(v) as follows:
(v) Convey to the Government, using a
DOE-approved form, the title and/or rights of
the Government in each subject invention as
required by this clause.
(18) In paragraph (o), substitute the
following for (o)(3):
(3) Final payment under this contract shall
not be made before the Contractor delivers to
the Patent Counsel all disclosures of subject
inventions required by paragraph (c)(2) of
this clause, an acceptable final report
pursuant to paragraph (f)(7)(ii) of this clause,
and all past due confirmatory instruments,
and the Patent Counsel has issued a patent
 clearance certification to the Contracting
Officer.
(19) Add paragraphs (p), (q), (r), and (s) as
follows:
(p) Waiver Terminations.
Any waiver granted to the Contractor
authorizing the use of this clause (including
any retention of rights pursuant thereto by
the Contractor under paragraph (b) of this
clause) may be terminated at the discretion
of the Secretary or his designee in whole or
in part, if the request for waiver by the
Contractor is found to contain false material
statements or nondisclosure of material facts,
and such were specifically relied upon by
DOE in reaching the waiver determination.
Prior to any such termination, the Contractor
will be given written notice stating the extent
of such proposed termination and the reasons
therefor, and a period of 30 days, or such
longer period as the Secretary or his designee
shall determine for good cause shown in
writing, to show cause why the waiver of
rights should not be so terminated. Any
waiver termination shall be subject to the
Contractor's minimum license as provided in
paragraph (e) of this clause.
(q) Atomic Energy.
No claim for pecuniary award or
compensation under the provisions of the Atomic
Energy Act of 1954, as amended,
shall be asserted by the Contractor or its
employees with respect to any invention or
discovery made or conceived in the course of
or under this contract.
(r) Publication.
It is recognized that during the course
of work under this contract, the Contractor or
its employees may from time to time desire
to release or publish information regarding
scientific or technical developments
conceived or first actually reduced to
practice in the course of or under this
contract. In order that public disclosure of
such information will not adversely affect
the patent interests of DOE or the Contractor
approval for release of publication shall be
secured from Patent Counsel prior to any
such release or publication. In appropriate
circumstances, and after consultation with
the Contractor, Patent Counsel may waive
the right of prepublication review.
(2) However, the Contractor shall not
forfeit rights in a subject invention if, within
the time specified in paragraph (m)(1) of this
clause, the Contractor:
(i) Prepares a written decision based upon
a review of the record that the invention was
neither conceived nor first actually reduced
to practice in the course of or under
the contract and delivers the decision to
Patent Counsel, with a copy to the Contracting
Officer; or
(ii) Contending that the subject invention
is not a subject invention, the Contractor
nevertheless discloses the subject invention
and all facts pertinent to this contention
to the Patent Counsel, with a copy to the
Contracting Officer, or
(iii) Establishes that the failure to disclose
did not result from the Contractor's fault or
negligence.
(3) Pending written assignment of
the patent application and patents on a subject
invention determined by the Contracting
Officer to be forfeited (such determination to
be a Final Decision under the Disputes clause
of this contract), the Contractor shall be
deemed to hold the invention and the patent
applications and patents pertaining thereto
in trust for the Government. The forfeiture
provision of this paragraph shall be in
addition to and shall not supersede any other
rights and remedies which the Government
may have with respect to subject inventions.
§ 784.13 Effective dates.
Waivers shall be effective on the
following dates:
(a) For advance waivers of identified
inventions, i.e., inventions conceived
prior to the effective date of the
contract, on the effective date of the
contract, even though the advance
waiver may have been requested after
that date;
(b) For identified inventions under
advance waivers, i.e., inventions
conceived or first actually reduced to
practice after the effective date of the
contract, on the date the invention is
reported with the election to retain
rights as to that invention; and
(c) For waivers of identified
inventions (other than under an advance
waiver), on the date of the letter from
Patent Counsel notifying the requestor
that the waiver has been granted.
[FR Doc. 96–17431 Filed 7–11–96; 8:45 am]
BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–ANE–10; Amendment 39–9676; AD 96–13–08]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Pratt & Whitney (PW) PW4000 series turbofan engines. This action requires initial and repetitive inspections of the aft cascade support frame assembly of thrust reverser for cracks, and replacement, if necessary, with serviceable parts; or lockout of the thrust reversers. This amendment is prompted by reports of aft cascade support frame assembly failures. The actions specified in this AD are intended to prevent aft cascade support frame assembly failure due to cracks, which can result in thrust reverser
hardware liberation and ejection from the aircraft during thrust reverser operation, which can contaminate the runway with debris, causing an operational hazard to other aircraft during takeoff and landing.

DATES: Effective August 1, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 1, 1996.

Comments for inclusion in the Rules Docket must be received on or before September 10, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-ANE-10, 12 New England Executive Park, Burlington, MA 01803-5299.

Comments may also be submitted to the Rules Docket by using the following Internet address: “epd-adcomments@mail.hq.faa.gov”. All comments must contain the Docket No. in the subject line of the comment.

The service information referenced in this AD may be obtained from Pratt & Whitney, 100 Housatonic Ave., East Hartford, CT 06108; telephone (860) 565-6600, fax (860) 565-4503. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register 800 North Capitol Street, NW., suite 700, Washington, DC.


SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) has received reports of thrust reverser failure on Pratt & Whitney (PW) PW4400 series turbofan engines. The thrust reverser aft cascade support frame assembly can develop cracks due to high cycle fatigue that could propagate to failure. To date, there have been a total of 38 aft cascade support frame assemblies that were found either cracked or failed. Failure of the cascade support assembly allows thrust reverser hardware to be liberated and ejected from the aircraft during thrust reverser operation. Seven of the failed assemblies caused liberations of thrust reverser hardware. It is possible that other aircraft, either departing or arriving on the same runway, may not see debris left on the runway after a failure of the thrust reverser aft cascade support frame assembly. This debris, therefore, could cause a serious unsafe condition for departing and arriving aircraft. This condition, if not corrected, could result in aft cascade support frame assembly failure due to cracks, which can result in thrust reverser hardware liberation and ejection from the aircraft during thrust reverser operation, which can contaminate the runway with debris, causing an operational hazard to other aircraft during takeoff and landing.

The FAA has reviewed and approved the technical contents of PW Service Bulletin (SB) No. PW4NAC 78-78, Revision 6, dated March 6, 1996, and SB No. PW4MD11 78-67, Revision 5, dated March 6, 1996, that describe procedures for inspection of the aft cascade support frame assembly.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of the same type design, this AD is being issued to prevent aft cascade support frame assembly failure. This AD requires initial and repetitive inspections of the aft cascade support frame assembly for cracks, and replacement, if necessary, with serviceable parts; or lockout of the thrust reversers in accordance with the applicable Aircraft Maintenance Manual for a time period not to exceed 10 days. The actions are required to be accomplished in accordance with the SB’s described previously.

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 should 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 notice must submit a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket Number 96-ANE-10.” 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 significant 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 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

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


Applicability: Pratt & Whitney (PW) PW4000 series turbofan engines, with thrust reverser, Supplemental Type Certificate (STC) No. SJ514NE, installed on Airbus A300-600 and A310 series aircraft, and thrust reverser, STC No. SE744NE, installed on McDonnell Douglas MD-11 series aircraft. These thrust reversers incorporate aft cascade support frame assemblies, Part Numbers (P/N’s) 221-0516-503 and 221-0516-504.

Note: This airworthiness directive (AD) applies to each engine with affected thrust reversers 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 engines with affected thrust reversers 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 (c) to request approval from the Federal Aviation Administration (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. In no case does the presence of any modification, alteration, or repair remove any engine with affected thrust reversers from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

(a) To prevent aft cascade support frame assembly failure due to cracks, which can result in thrust reverser hardware lubrication and ejection from the aircraft during thrust reverser operation, which can contaminate the runway with debris, causing an operational hazard to other aircraft during takeoff and landing, accomplish the following:

(i) For engines with affected thrust reversers installed on Airbus A300-600 and A310 series aircraft, accomplish the following:

(1) Initially inspect aft cascade support frame assemblies for cracks within 250 flight hours after the effective date of this AD, in accordance with the Accomplishment Instructions, Part 1—Interim Inspection, of PW Service Bulletin (SB) No. PW4NAC 78-78, Revision 6, dated March 6, 1996.

(2) Thereafter, inspect aft cascade support frame assemblies for cracks at intervals not to exceed 450 flight hours since the last inspection, in accordance with the Accomplishment Instructions, Part 1—Interim Inspection, of PW SB No. PW4MD11 78-67, Revision 5, dated March 6, 1996.

(b) For engines with affected thrust reversers installed on McDonnell Douglas MD-11 series aircraft, accomplish the following:

(1) Initially inspect aft cascade support frame assemblies for cracks within 250 flight hours after the effective date of this AD, in accordance with the Accomplishment Instructions, Part 1—Interim Inspection, of PW SB No. PW4MD11 78-67, Revision 5, dated March 6, 1996.

(2) Thereafter, inspect aft cascade support frame assemblies for cracks at intervals not to exceed 450 flight hours since the last inspection, in accordance with the Accomplishment Instructions, Part 1—Interim Inspection, of PW SB No. PW4MD11 78-67, Revision 5, dated March 6, 1996.

(c) For aft cascade support frame assemblies that do not meet the return to service criteria stated in the Accomplishment Instructions, Part 1—Interim Inspection, of PW SB No. PW4NAC 78-78, Revision 6, dated March 6, 1996, prior to further flight, accomplish either of the following:

(i) Remove from service cracked aft cascade support frame assemblies, and replace with a serviceable part; or

(ii) Lockout the thrust reverser in accordance with the Airbus A300-600 and A310 series Aircraft Maintenance Manuals, as applicable, for a time period not to exceed 10 days. At the conclusion of the 10-day lockout period, prior to further flight remove any cracked aft cascade support frame assemblies and replace with serviceable parts.

(d) Special flight permits may be issued in accordance with the McDonnell Douglas MD-11 series Aircraft Maintenance Manual, and the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

2. This amendment becomes effective on August 1, 1996.

3. Issued in Burlington, Massachusetts, on July 2, 1996.

Jay J. Pardee,
Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 96-17533 Filed 7-11-96; 8:45 am]
BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 94-ANE-39; Amendment 39-9672; AD 96-13-04]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce, plc RB211 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.