

Each system that performs critical functions must be designed and installed to ensure that the operation and operational capabilities of these critical functions are not adversely affected when the helicopter is exposed to high intensity radiated fields external to the helicopter.

Issued in Fort Worth, Texas, on August 28, 1996.

Eric Bries,

*Aircraft Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

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#### 14 CFR Part 39

[Docket No. 95-NM-266-AD; Amendment 39-9745; AD 88-09-05 R1]

RIN 2120-AA64

#### Airworthiness Directives; De Havilland Model DHC-8-100 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment revises an existing airworthiness directive (AD), applicable to certain de Havilland Model DHC-8 series airplanes, that currently requires clearly marking the location and means of entering the lavatory. That action was prompted by reports of passengers mistaking the airstair door operating handle for the means of gaining access to the lavatory. The actions specified by that AD are intended to prevent inadvertent opening of the airstair door and consequent depressurization of the airplane. This amendment limits the applicability of the rule to fewer airplanes.

**DATES:** Effective October 21, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 21, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. 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, 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:** Marc Goldstein, Aerospace Engineer, Systems and Equipment Branch, ANE-172, FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7513; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by revising AD 88-09-05, amendment 39-5908 (53 FR 15363, April 29, 1988), which is applicable to certain de Havilland Model DHC-8 series airplanes, was published in the Federal Register on July 3, 1996 (61 FR 34767). The action proposed to revise AD 88-09-05 to continue to require clearly marking the location and means of entering the lavatory. The action also proposed to limit the applicability of the existing AD to fewer airplanes.

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

The commenter supports 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 30 de Havilland Model DHC-8-100 series airplanes of U.S. registry that will be affected by this AD.

Since this AD merely deletes airplanes from the applicability of the rule, it adds no additional costs, and requires no additional work to be performed by affected operators. The current costs associated with this AD are reiterated below for the convenience of affected operators:

The actions that are currently required by AD 88-09-05, and retained in this AD, take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts are supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$1,800, or \$60 per airplane.

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

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by removing amendment 39-5908 (53 FR 15363, April 29, 1988), and by adding a new airworthiness directive (AD), amendment 39-9745, to read as follows:

88-09-05 R1 de Havilland, Inc.: Amendment 39-9745. Docket 95-NM-266-AD.

Revises AD 88-09-05, Amendment 39-5908.

*Applicability:* Model DHC-8 series airplanes, serial numbers 3 through 79 inclusive, on which Modification 8/0757 has not been installed; 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 prevent inadvertent opening of the airstair door and consequent depressurization of the airplane, accomplish the following:

(a) Within 60 days after June 10, 1988 (the effective date of AD 88-09-05, amendment 39-5908), replace the labels marking the location and means of opening the lavatory, in accordance with the Accomplishment Instructions of de Havilland Service Bulletin 8-11-14, Revision A, dated July 31, 1987; or Revision B, dated July 1, 1988, or Revision C, dated September 29, 1995.

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

(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) The replacement shall be done in accordance with de Havilland Service Bulletin 8-11-14, Revision A, dated July 31, 1987; or de Havilland Service Bulletin 8-11-14, Revision B, dated July 1, 1988; or de Havilland Service Bulletin 8-11-14, Revision C, dated September 29, 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., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. 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.

(e) This amendment becomes effective on October 21, 1996.

Issued in Renton, Washington, on August 29, 1996.

Bill R. Boxwell,

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

[FR Doc. 96-22598 Filed 9-13-96; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 95-CE-78-AD; Amendment 39-9750; AD 96-19-02]

RIN 2120-AA64

#### Airworthiness Directives; Industrie Aeronautiche E Meccaniche Model Piaggio P-180 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to Industrie Aeronautiche E Meccaniche (I.A.M.) Model Piaggio P-180 airplanes. This action requires modifying the passenger seat cushion next to the emergency exit door handle. Reports of interference between the passenger seat cushion and the emergency exit door handle, preventing the door from opening from the outside, prompted this AD action. The actions specified by the AD are intended to prevent the possibility of not being able to open the emergency exit door during an emergency evacuation of the airplane, which could result in injury to the passengers.

**DATES:** Effective October 28, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 28, 1996.

**ADDRESSES:** Service information that applies to this AD may be obtained from I. A. M. Rinaldo Piaggio, S.p.A., Via Cibrario, 4 16154 Genoa, Italy. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-78-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Tom Rodriguez, Program Manager, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone 32.2.508.27.17; facsimile 32.2.230.68.99; or Mr. Roman T. Gabrys, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6934; facsimile (816) 426-2169.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to

Piaggio Model P-180 airplanes was published in the Federal Register on April 29, 1996 (61 FR 8696). The action proposed to require modifying the passenger seat cushion to prevent the seat cushion trim from interfering with the emergency exit door handle.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

The FAA discovered minor errors in the notice of proposed rulemaking (NPRM) after it was published. In the NPRM, the reference to the service bulletin (SB) that is applicable to this action contained the wrong issue date, September 30, 1993. The correct date for I.A.M. Rinaldo Piaggio SB 80-0043 is July 28, 1993, and is correctly reflected in the final rule AD. In addition, the FAA has changed the designation of the type certificate holder and the airplane model to reflect what is currently included in the type certificate data sheet.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for the above referenced changes and minor editorial corrections. The FAA has determined that these changes and minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

The FAA estimates that 4 airplanes of U.S. registry will be affected by this AD, that it will take approximately 4 workhours per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Parts will be furnished by the manufacturer at no cost to the owners/operators. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$960. This figure is based on the assumption that none of the owners/operators of the affected airplanes have modified the airplanes. I.A.M. has informed the FAA that all 4 of the Model Piaggio P-180 airplanes registered for operation in the United States had the passenger seat cushion modified. Consequently, there is no further cost to U.S. operators for this AD.

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