(b) If no insulation blanket has been repaired or changed, no further action is required by this AD.  
(c) If any insulation blanket has been repaired or changed, prior to further flight, perform a visual inspection to detect black film insulation of the air conditioning system, in accordance with de Havilland Service Bulletin S.B. 7–21–30, dated July 6, 1994.  
(1) If any black film insulation is detected, prior to further flight, perform a review of the airplane modification records to determine if any kit listed in “Table 1—Modification List” has been installed, in accordance with the service bulletin.  
(i) If no kit listed in “Table 1—Modification List” is found to be installed, no further action is required by this AD.  
(ii) If any kit listed in “Table 1—Modification List” is found to be installed, prior to further flight, perform the various follow-on actions in accordance with the service bulletin. (The follow-on actions include an inspection to detect black film insulation, removal of any black film insulation, an inspection to detect corrosion, repair of corroded structure, and installation of new silver blankets.) However, in lieu of repairing corroded structure in accordance with service bulletin, the repair of any corrosion shall be done in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate.  
(2) If any black film insulation is detected, prior to further flight, perform the follow-on actions in accordance with the service bulletin. (The follow-on actions include removal of any black film insulation, an inspection to detect corrosion, repair of any corroded structure, and installation of new silver blankets.) However, in lieu of repairing corroded structure in accordance with service bulletin, the repair of any corrosion shall be done in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate.  
(d) As of the effective date of this AD, no person shall install black Orcon film insulation, part number AN46B/AN36B, on any airplane.  
(e) 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 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.  
(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR parts 21 and 199) to operate the airplane to a location where the requirements of this AD can be accomplished.  
(g) The actions shall be done in accordance with de Havilland Service Bulletin S.B. 7–21–30, dated July 6, 1994. 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, 800 North Capitol Street, NW., suite 700, Washington, DC.  
(h) This amendment becomes effective on February 3, 1997.  
Issued in Renton, Washington, on December 5, 1996.  
S. R. Miller,  
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.  
[FR Doc. 96–31525 Filed 12–27–96; 8:45 am]  
BILLING CODE 4910–13–U  
14 CFR Part 39  
[Docket No. 96–NM–23–AD; Amendment 39–9860; AD 96–25–17]  
RIN 2120–AA64  
Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes  
AGENCY: Federal Aviation Administration, DOT.  
ACTION: Final rule.  
SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737–300, –400, and –500 series airplanes, that requires inspections to detect bent or damaged tie links of the elevator feel and centering unit, and replacement of the elevator centering unit with a new or serviceable unit, if necessary.  
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  
One commenter supports the rule.  

Request to Extend the Initial Inspection Compliance Time  
Several commenters request that the proposed compliance time of 6 months for the initial inspection be extended to at least 12 or 15 months. The commenters express concern that there may be a shortage of available tie link units to use as replacement units since the proposed rule would require replacement of damaged tie links with new or serviceable parts prior to further flight.  
The FAA does not concur with the commenters’ request to extend the compliance time. Replacement of the tie link units is required only if the tie links have damage that exceeds the limits as specified in Boeing Alert Service Bulletin 737–27A1194. The manufacturer specifically devised the inspection plan described in the service bulletin to address the concern of the availability of an ample number of replacement tie link units. Damage found to be within the service bulletin’s specified limits requires certain repetitive inspections until the elevator...
feel and centering unit can be serviced or replaced. This is intended to allow relief for the operators if a spare feel and centering unit is not readily available. In developing an appropriate compliance time for this proposal, the FAA considered the safety implications and the parts availability, and finds no basis to extend the 6-month compliance time. However, paragraph (f) of the final rule does provide affected operators the opportunity to request an adjustment of the compliance time if data are presented to justify such an extension.

Request to Revise Inspection Times and Mandate the Terminating Action

Another commenter requests that:
1. The compliance time for the initial inspection be extended to 12 months,
2. Repetitive inspections be required every 12 months thereafter, and
3. "the modification" specified in Boeing Alert Service Bulletin 737-27A1194 should be required to be installed within 2 years.

This commenter states that changing the elevator feel and centering unit is labor-intensive and would require at least 8 hours to accomplish. However, this commenter offered no data or technical basis for revising the compliance times or for mandating the terminating action provided in paragraph (e) of the proposed rule.

As for the commenter’s request to extend the compliance time to extend the compliance time of the initial and repetitive inspections, the FAA does not concur. As previously explained, the FAA considered the safety implications, parts availability, and maintenance schedules when developing the compliance time. The commenter has offered no new technical data that would indicate a need to revise the compliance times. However, paragraph (f) of the final rule does provide affected operators the opportunity to request an adjustment of the compliance time if data are presented to justify such an extension.

As for the commenter’s request to mandate “the modification,” the FAA infers that the modification the commenter is referring to is that of the feel and centering unit. (The referenced Boeing alert service bulletin actually describes two different modifications: modification of the supports and stop-bolt, and modification of the feel and centering unit.) The FAA does not concur with this request. The commenter offered no data to justify a compliance time of 2 years for mandating the installation of this modification. The FAA considers that, by providing the modification as an optional terminating action for this AD, prudent operators may accomplish that action at a time of their own discretion. Additionally, the optional terminating action does not preclude any operator from installing the modification before an arbitrary 2-year period, as suggested by the commenter. Further, the FAA finds that the required inspections, and replacement action as necessary, are both adequate and appropriate in addressing the subject damage associated with the elevator feel and centering unit.

Request to Extend the Repetitive Inspection Interval

Two commenters state that, when the stop bolt and support are installed, they will prevent excessive travel of the elevator feel actuator and preclude further damage to the tie links. Therefore, one of these commenters requests that, once the stop bolt and support are installed, the repetitive inspection intervals be extended from those intervals specified in proposed paragraph (c) (and specified in Figure 1 of Boeing Alert Service Bulletin 737-27A1194). This commenter, an operator, proposes that the inspection intervals be increased to coincide with the current maintenance schedules established for its fleet of airplanes.

The FAA does not concur. The commenter provided no substantiating evidence to justify extending the repetitive inspection intervals and the FAA does not consider it appropriate to revise provisions in an AD to accommodate a single operator’s maintenance schedule. The FAA has determined that the repetitive inspection interval described in Boeing Alert Service Bulletin 737-27A1194 (the appropriate service information for this AD) will ensure that any damage to the tie links is identified and corrected in a timely manner. However, paragraph (f) of the final rule does provide affected operators the opportunity to request an adjustment of the compliance time if data are presented to justify such an extension.

Request to Clarify Damage Limits

One commenter, the manufacturer, states that the phrase “* * * and damage is within limits specified in Figure 1 * * *”, as used in paragraphs (c) and (d) of the proposal is confusing. The manufacturer notes that Figure 1 of Boeing Alert Service Bulletin 737-27A1194, which is referenced as the appropriate source of service information in the proposal, has two action paths: One path depicts actions to follow if damage is within acceptable limits (which starts an inspection program); the other path depicts actions to follow if damage is outside the acceptable limits (which specifies replacement of the unit). The manufacturer requests that the phrase be clarified to read “* * * and damage is within acceptable limits as specified in Figure 1 * * *”. The FAA concurs and has revised paragraphs (c) and (d) of the AD accordingly.

Request to Clarify the Unsafe Condition

The manufacturer also suggests that wording “Since an unsafe condition has been identified that is likely to exist or develop * * *,” which appeared in the preamble to the notice, be changed. The manufacturer requests that this language be revised to specify that a “possible unsafe condition” has been identified. The manufacturer states that this change of wording is warranted, since the worst scenario that has been identified is “high control column forces” and, even in that situation, an airplane still would be controllable. The FAA does not concur with the commenter’s suggestion. First, all unsafe conditions are “possible” events that “could occur.” In fact, they are described in the regulations as conditions that are “likely to exist or develop” in aircraft. Second, as for this specific AD, in the event that the tie links were to become bent, it could lead to the elevator control forces being higher than normal, thus restricting the elevator control. This would be especially noticeable when larger elevator inputs are necessary, such as during takeoff, climb, and landing. The FAA considers this restriction of elevator control during these critical flight regimes to be an unsafe condition. (Further, since that language is not repeated in this final rule, no change is necessary.)

Request to Refer to Terminating Action

The manufacturer requests that reference to “see paragraph (e) for terminating action” be added to paragraph (c)(2) of the proposed rule. The FAA does not concur. The FAA finds that it is unnecessary to reference paragraph (e) for operators who may be required to accomplish paragraph (c)(2) of the AD, since the terminating action specified in paragraph (e) of this AD is not a required terminating action.

Request to Change the Date of the Referenced Alert Service Bulletin

Additionally, the manufacturer requests that the release date of Boeing Alert Service Bulletin 737-27A1194 be changed from February 1, 1996, as specified in the proposed rule, to the actual release date of February 8, 1996.
The FAA concurs. The FAA notes that the subject alert service bulletin dated February 1, 1996, has been replaced with the February 8, 1996, version. The FAA has revised the final rule accordingly.

**Additional Sources of Service Information**

Since the issuance of the proposed rule, the FAA has reviewed and approved Boeing Notices of Status Change (NSC) 737–27A1194 NSC 01, dated March 7, 1996, and 737–27A1194 NSC 02, dated April 4, 1996; and Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 1996. The NSC’s and service bulletin revision provide further clarification of the inspection and modification procedures required by this AD. Therefore, the FAA has revised the AD to cite those documents as additional sources of service information.

**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 with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

**Cost Impact**

There are approximately 1,618 Boeing Model 737–300, –400, and –500 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 684 airplanes of U.S. registry will be affected by this AD, that it will take approximately 3 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $140 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $218,880, or $320 per airplane.

The cost impact figure 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 U.S.C. 106(g), 40113, 44701.

§39.13 [Amended]

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


   Docket 96–NM–23–AD.

   Applicability: Model 737–300, –400 and –500 series airplanes through line position 2764, 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 (f) 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 restriction of elevator control during takeoff, climbout, and landing, due to higher than normal elevator control forces caused by damaged tie links in the elevator centering unit, accomplish the following:

   (a) Within 6 months after the effective date of this AD: Perform a visual inspection to detect any bent or damaged tie links of the elevator feel and centering unit, in accordance with Boeing Alert Service Bulletin 737–27A1194, dated February 8, 1996, as revised by Boeing Notice of Status Change 737–27A1194 NSC 01, dated March 7, 1996, and Boeing Notice of Status Change 737–27A1194 NSC 02, dated April 4, 1996; or Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 1996.

   (b) If no tie link is found to be bent, or damaged during the inspection required by paragraph (a) of this AD: Accomplish either paragraph (b)(1) or (b)(2) of this AD, in accordance with Boeing Alert Service Bulletin 737–27A1194, dated February 8, 1996, as revised by Boeing Notice of Status Change 737–27A1194 NSC 01, dated March 7, 1996, and Boeing Notice of Status Change 737–27A1194 NSC 02, dated April 4, 1996; or Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 1996.

   (1) Prior to further flight, install supports and a stop-bolt on the elevator centering unit. Once this installation is accomplished, no further action is required by this AD. Or

   (2) Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 1,000 flight cycles. Installation of supports and a stop-bolt in accordance with the alert service bulletin, constitutes terminating action for the repetitive inspections required by this AD, provided that no damage is detected during any inspection required by paragraph (a) of this AD.

   (c) If any tie link is found to be bent or damaged during the inspection required by paragraph (a) of this AD, and damage is within acceptable limits as specified in Figure 1 of Boeing Alert Service Bulletin 737–27A1194, dated February 8, 1996, Boeing Notice of Status Change 737–27A1194 NSC 01, dated March 7, 1996, and Boeing Notice of Status Change 737–27A1194 NSC 02, dated April 4, 1996; or as specified in Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 1996: Accomplish paragraphs (c)(1) and (c)(2) of this AD in accordance with the alert service bulletin:

   (1) Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed those specified in Figure 1 of the alert service bulletin. And

   (2) Within 6 months after the effective date of this AD, install supports and a stop-bolt on the elevator centering unit. This installation does not terminate the repetitive inspection requirements of this paragraph.

   (d) If any tie link is found to be bent or damaged during any inspection required by this AD, and the damage is beyond the acceptable limits as specified in Figure 1 of Boeing Alert Service Bulletin 737–27A1194, dated February 8, 1996, Boeing Notice of Status Change 737–27A1194 NSC 01, dated...
March 7, 1996, and Boeing Notice of Status Change 737–27A1194 NSC 02, dated April 4, 1996; or Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 1996: Prior to further flight, replace the elevator centering unit with a new or serviceable unit and accomplish either paragraph (d)(1) or (d)(2) of this AD in accordance with the alert service bulletin:

(1) Install supports and a stop-bolt on the elevator centering unit; or

(2) Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 1,000 flight cycles until the installation specified in paragraph (d)(1) of this AD is accomplished.

(e) Replacement of the elevator centering unit with a unit in which the tie links have been inspected and determined to be acceptable and in which supports and a stop-bolt have been installed, in accordance with Boeing Alert Service Bulletin 737–27A1194, dated February 8, 1996, as revised by Boeing Notice of Status Change 737–27A1194 NSC 01, dated March 7, 1996, and Boeing Notice of Status Change 737–27A1194 NSC 02, dated April 4, 1996; or Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 1996, constitutes terminating action for the requirements of this AD.

(f) 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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

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

(g) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR parts 21 and 23) to operate the airplane to a location where the requirements of this AD can be accomplished.

(h) The actions shall be done in accordance with Boeing Alert Service Bulletin 737–27A1194, dated February 8, 1996, as revised by Boeing Notice of Status Change 737–27A1194 NSC 01, dated March 7, 1996, and Boeing Notice of Status Change 737–27A1194 NSC 02, dated April 4, 1996; or in accordance with Boeing Alert Service Bulletin 737–27A1194, Revision 1, dated September 26, 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, S.W., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, N.W., suite 700, Washington, D.C.

(i) This amendment becomes effective on February 3, 1997.

Issued in Renton, Washington, on December 11, 1996.

James V. Devany,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–32053 Filed 12–27–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39
[Docket No. 95–NM–257–AD; Amendment 39–9859; AD 96–25–16]
RIN 2120–AA64

Airworthiness Directives; de Havilland Model DHC–7 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain de Havilland Model DHC–7 series airplanes, that requires modification of the power control relay installation of the emergency lights. This amendment also requires revising the FAA-approved Airplane Flight Manual to include procedures for turning off and on the emergency lights switch in certain conditions. This amendment is prompted by a report that the emergency lights do not automatically illuminate when generated electrical power on the airplane is lost and the power to the left essential bus is maintained from the aircraft batteries. The actions specified by this AD are intended to ensure that the emergency lights illuminate when needed in an emergency situation.


The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 3, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, S.W., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; or at the Office of the Federal Register, 800 North Capitol Street, N.W., suite 700, Washington, D.C.


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 de Havilland Model DHC–7 series airplanes was published in the Federal Register on September 11, 1996 (61 FR 47834). That action proposed to require modification of the power control relay installation of the emergency lights. Following accomplishment of the proposed modification, that action also proposed to require revising the limitations section of the FAA-approved Airplane Flight Manual to include procedures for turning off and on the emergency lights switch.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA’s determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 47 de Havilland Model DHC–7 series airplanes of U.S. registry will be affected by this AD.

It will take approximately 4 work hours per airplane to accomplish the required modification, at an average labor rate of $60 per work hour. Required parts will cost approximately $2,713 per airplane. Based on these figures, the cost impact of the modification required by this AD on U.S. operators is estimated to be $138,791, or $2,953 per airplane.

It will take approximately 1 work hour per airplane to accomplish the required AFM revision, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the AFM revision required by this AD on U.S. operators is estimated to be $2,820, or $60 per airplane.

The cost impact figures discussed above are 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.