

of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (f) of this AD to request approval from the 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. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct fatigue cracking, which could result in reduced structural integrity of the outboard chords, and subsequent rapid decompression of the airplane, accomplish the following:

(a) For airplanes on which the body station (BS) 727 frame upper outboard chord has been replaced in accordance with Boeing Service Bulletin 737-53-1088: Prior to the accumulation of 50,000 flight cycles since replacement of the upper outboard chord, or within 4,500 flight cycles after the effective date of this AD, whichever occurs later, perform close visual, pulse echo shear wave (PESW), and high frequency eddy current (HFEC) inspections to detect cracks in the outboard chord of the frame at BS 727 and in the outboard chord of stringer 18A. Perform the inspections in accordance with Part I of the Accomplishment Instructions of either Boeing Alert Service Bulletin 737-53A1166, dated June 30, 1994; or Boeing Service Bulletin 737-53A1166, Revision 1, dated May 25, 1995. Thereafter, repeat these inspections at intervals not to exceed 4,500 flight cycles.

(b) For airplanes on which the BS 727 frame outboard chord has not been replaced or on which only the lower outboard chord has been replaced in accordance with Boeing Service Bulletin 737-53-1088: Prior to the accumulation of 50,000 total flight cycles, or within 4,500 flight cycles after the effective date of this AD, whichever occurs later, perform close visual, PESW, and HFEC inspections to detect cracks in the outboard chord of the frame at BS 727 and in the outboard chord of stringer 18A. Perform the inspections in accordance with Part I of the Accomplishment Instructions of either Boeing Alert Service Bulletin 737-53A1166, dated June 30, 1994; or Boeing Service Bulletin 737-53A1166, Revision 1, dated May 25, 1995. Thereafter, repeat these inspections at intervals not to exceed 4,500 flight cycles.

(c) If any crack is found in the outboard chord of stringer 18A during any inspection required by this AD, prior to further flight, repair in accordance with either paragraph (c)(1) or (c)(2) of this AD.

(1) Repair in accordance with Boeing Service Bulletin 737-53A1166, Revision 1, dated May 25, 1995; or

(2) Repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office, (ACO) FAA, Transport Airplane Directorate.

(d) If any crack is found in the outboard chord of the frame at BS 727 during any

inspection required by this AD: Accomplish paragraph (d)(1) or (d)(2) of this AD, as applicable, in accordance with either Boeing Alert Service Bulletin 737-53A1166, dated June 30, 1994; or Boeing Service Bulletin 737-53A1166, Revision 1, dated May 25, 1995. Thereafter, repeat the inspections required by either paragraph (a) or (b) of this AD, as applicable, at intervals not to exceed 4,500 flight cycles.

(1) If any crack extends from the forward edge of the chord or from the forward fastener hole, but does not extend past the second fastener hole, accomplish either paragraph (d)(1)(i) or (d)(1)(ii) of this AD.

(i) Prior to further flight, install the time-limited repair. Prior to the accumulation of 4,500 flight cycles or within 18 months after accomplishment of the repair, whichever occurs first, replace the outboard chord. Or

(ii) Prior to further flight, replace the outboard chord.

Note 2: Boeing Alert Service Bulletin 737-53A1166 references Boeing Service Bulletin 737-53-1088 as an additional source of service information for procedures to replace the chord.

(2) If any crack extends from the forward edge of the chord, or from the forward fastener hole, and extends past the second fastener hole, prior to further flight, replace the outboard chord in accordance with either the original issue or Revision 1 of the service bulletin.

(e) Accomplishment of the following actions in accordance with either Boeing Alert Service Bulletin 737-53A1166, dated June 30, 1994, or Boeing Service Bulletin 737-53A1166, Revision 1, dated May 25, 1995, constitutes terminating action for the requirements of this AD.

(1) For airplanes on which no crack is found: Install the preventative modification in accordance with either the original issue or Revision 1 of the service bulletin.

(2) For airplanes on which any crack is found: Prior to further flight, replace the cracked chord and install the preventative modification in accordance with either the original issue or Revision 1 of the service bulletin.

(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 ACO. 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 3: 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 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 December 31, 1996.

S. R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-254 Filed 1-6-97; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-207-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-300, -400, and -500 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 Boeing Model 737-300, -400, and -500 series airplanes. This proposal would require interchanging the location of the hydraulic fuse and the flow limiter of the standby hydraulic system of the leading edge. The proposed AD also would require replacing the existing hydraulic fuses in the standby hydraulic system with new fuses. This proposal is prompted by reports of a performance test of the hydraulic fuses, which revealed that the positioning of the flow limiter in the existing configuration, and excessive fusing volumes of some of the fuses, can adversely affect the operation of the fuse. The actions specified by the proposed AD are intended to prevent such adversely affected operation of the fuse, which could result in the loss of all hydraulic system pressure and consequent severely reduced controllability of the airplane.

DATES: Comments must be received by February 18, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-207-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport

Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Kenneth W. Frey, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2673; fax (206) 227-1181.

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-207-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-207-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA received a report indicating that a performance test of the fuses in the hydraulic systems of certain Boeing Model 737 series airplanes was conducted. Results of that performance test revealed that, in the existing configuration, the flow limiter of the standby hydraulic system of the leading edge is positioned upstream of the hydraulic fuse. Such positioning of the flow limiter can adversely affect the operation of the fuse.

The FAA also received a report indicating that certain fuses installed in the standby hydraulic system exceed specified "fusing volumes" (the fluid volume allowed to pass through the fuse before it shuts off) at low hydraulic fluid temperatures. This condition also can adversely affect the operation of the fuse. The fuses in hydraulic systems A and B are not affected by this condition. However, the fuses in the standby hydraulic system are affected, since they are exposed to low temperatures because of the intermittent operation of the standby system.

The standby hydraulic system provides a backup system after the pressure of either (or both) the A or B hydraulic system drops below a minimum pressure setting. The hydraulic fuse is designed to prevent total loss of the hydraulics systems after a certain volume of fluid passes through the fuse within a specified time following the development of a leak downstream of the fuse. The hydraulic fuse also allows part of the hydraulic system to remain pressurized if such a leak develops. If the A and B hydraulic systems fail, and the standby hydraulic system develops a leak downstream of a failed fuse, the airplane could lose all hydraulic system pressure. This condition, if not corrected, could result in severely reduced controllability of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 737-29-1070, dated June 8, 1995, which describes procedures for interchanging the location of the hydraulic fuse and the flow limiter of the standby hydraulic system of the leading edge so that the hydraulic fuse is positioned upstream of the flow limiter. Accomplishment of this action will ensure normal operation of the hydraulic fuse.

The FAA also has reviewed and approved Boeing Service Bulletin 737-29-1071, dated May 16, 1996, which describes procedures for replacing the existing hydraulic fuses in the standby hydraulic system with new fuses that are not affected by low temperature operation. Installation of these new fuses will prevent the possible loss of the standby hydraulic system as a result of fluid depletion if a leak occurs downstream of the fuses.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would

require interchanging the location of the hydraulic fuse and the flow limiter of the standby hydraulic system of the leading edge so that the hydraulic fuse is positioned upstream of the flow limiter. The proposed AD also would require replacing the existing hydraulic fuses in the standby hydraulic system with new fuses that are not affected by low temperature operation. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Cost Impact

There are approximately 1,791 Boeing Model 737-300, -400, and -500 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 596 airplanes of U.S. registry would be affected by this proposed AD.

The FAA estimates that it would take approximately 2 work hours per airplane to accomplish the proposed interchange of the hydraulic fuse and the flow limiter, and that the average labor rate is \$60 per work hour. The cost for required parts would be minimal. Based on these figures, the cost impact of the proposed interchange on U.S. operators is estimated to be \$71,520, or \$120 per airplane.

The FAA also estimates that it would take approximately 4 work hours per airplane to accomplish the proposed replacement, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact of the proposed replacement on U.S. operators is estimated to be \$143,040, or \$240 per airplane.

The cost impact figures discussed above are 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

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

Boeing: Docket 95–NM–207–AD.

Applicability: Model 737–300, –400, and –500 series airplanes having line numbers 1001 through 2791, 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 (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 adversely affected operation of the fuse, which could result in the loss of all hydraulic system pressure and consequent severely reduced controllability of the airplane, accomplish the following:

(a) For airplanes listed in Boeing Service Bulletin 737–29–1070, dated June 8, 1995: Within 4,000 flight hours after the effective date of this AD, interchange the location of the hydraulic fuse and the flow limiter of the standby hydraulic system of the leading edge

so that the hydraulic fuse is positioned upstream of the flow limiter, in accordance with Boeing Service Bulletin 737–29–1070, dated June 8, 1995.

(b) For airplanes listed in Boeing Service Bulletin 737–29–1071, dated May 16, 1996: Within 4,000 flight hours after the effective date of this AD, replace the existing hydraulic fuses in the standby hydraulic system with new fuses that are not affected by low temperature operation, in accordance with Boeing Service Bulletin 737–29–1071, dated May 16, 1996.

(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, 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.

(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.

Issued in Renton, Washington, on December 31, 1996.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–253 Filed 1–6–97; 8:45 am]

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14 CFR Part 39

[Docket No. 95–NM–143–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Industrie Model A320 and A321 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 Industrie Model A320 and A321 series airplanes. This proposal would require replacement of two elevator aileron computers (ELAC) with ELAC's that contain new software. This proposal is prompted by reports indicating that some of these airplanes have experienced uncommanded movements of the ailerons. The actions specified by the proposed AD are intended to prevent situations, such as uncommanded rolls during turbulent conditions, which could lead to reduced controllability of the airplane.

DATES: Comments must be received by February 18, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–143–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, stamp postcard on which the following statement is made: "Comments to Docket Number 95–NM–143–AD." The postcard will be date stamped and returned to the commenter.