

**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 39-9634 (61 FR 26427, May 28, 1996), and by adding a new airworthiness directive (AD), Amendment 39-9900, to read as follows:

AD 97-02-15 Robinson Helicopter Company: Amendment 39-9900. Docket No. 96-SW-15-AD. Supersedes AD 96-11-09, Amendment 39-9634.

*Applicability:* Model R44 helicopters, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters 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 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 helicopter from the applicability of this AD.

*Compliance:* Required within 30 days after the effective date of this AD, unless accomplished previously.

To minimize the possibility of pilot mismanagement of the main rotor (M/R) RPM, which could result in unrecoverable M/R stall and subsequent loss of control of the helicopter, accomplish the following:

(a) Adjust the A569-6 low RPM warning unit so that the warning horn and caution light activate when the M/R RPM is between 96% and 97% rotor RPM in accordance with the procedures contained in the Model R44 maintenance manual.

(b) Revise the FAA-approved Robinson Helicopter Company R44 Rotorcraft Flight Manual (RFM) to include the following statement in the Limitations Section:

"Flight prohibited with governor selected off, with exceptions for inflight system malfunction or emergency procedures training."

This may be accomplished by inserting a copy of this AD or the FAA-approved Robinson Helicopter Company R44 RFM revision dated July 25, 1996 into the RFM.

(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, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector,

who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

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

(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 helicopter to a location where the requirements of this AD can be accomplished.

(e) This amendment becomes effective on March 4, 1997.

Issued in Fort Worth, Texas, on January 14, 1997.

Mark R. Schilling,

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

[FR Doc. 97-1704 Filed 1-27-97; 8:45 am]

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**14 CFR Part 39**

[Docket No. 96-CE-43-AD; Amendment 39-9907; AD 97-03-01]

RIN 2120-AA64

**Airworthiness Directives; Raytheon Aircraft Company (Formerly Beech Aircraft Corporation) Model 1900D Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Model 1900D airplanes (formerly referred to as Beech Model 1900D airplanes). This action requires replacing the right-hand exhaust stack for both the left and right engines. This action results from reports of wing skin damage (with associated fuel seepage) and cabin window damage caused by the heat of the right-hand exhaust stacks on the affected airplanes. The actions specified by this AD are intended to prevent wing skin debonding or warping of the cabin windows because of the heat generated by the engines' right-hand exhaust stacks.

**DATES:** Effective March 14, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 14, 1997.

**ADDRESSES:** Service information that applies to this AD may be obtained from the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. This information may also be examined

at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-43-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. Karl Schletzbaum, Aerospace Safety Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4146; facsimile (316) 946-4407.

**SUPPLEMENTARY INFORMATION:****Events Leading to This AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Raytheon Model 1900D airplanes (formerly referred to as Beech Model 1900D airplanes) was published in the Federal Register on September 30, 1996 (61 FR 51060). The action proposed to require replacing the right-hand exhaust stack for both the left and right engines. Accomplishment of the proposed replacement as specified in the notice of proposed rulemaking (NPRM) would be in accordance with the INSTALLATION INSTRUCTIONS to Raytheon Kit No. 129-9013-1, as referenced in Raytheon Mandatory Service Bulletin No. 2686, dated June 1996.

The NPRM resulted from reports of wing skin damage (with associated fuel seepage) and cabin window damage on the affected airplanes, which was determined to be caused by the heat of the right-hand exhaust stacks.

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's Determination**

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 minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

**Cost Impact**

The FAA estimates that 199 airplanes in the U.S. registry will be affected by this AD, that it will take approximately

10 workhours per airplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Parts will be provided at no cost to the owners/operators of the affected airplanes until June 1997 (after that the cost will be \$6,452). Based on these figures and utilizing the assumption that all owners/operators of the affected airplanes will obtain parts prior to June 1997, the total cost impact of the AD on U.S. operators is estimated to be \$119,400. This figure is based upon the assumption that no affected airplane owner/operator has already accomplished this action.

#### 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 copy of the final 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, 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 a new airworthiness directive (AD) to read as follows:

97-03-01 Raytheon Aircraft Company (formerly Beech Aircraft Corporation): Amendment 39-9907; Docket No. 96-CE-43-AD.

*Applicability:* Model 1900D airplanes (serial numbers UE-1 through UE-225), 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 within the next 1,000 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent wing skin de-bonding or warping of the cabin windows because of the heat generated by the engines' right-hand exhaust stacks, accomplish the following:

(a) Replace the right-hand exhaust stack for both the left and right engines in accordance with the INSTALLATION INSTRUCTIONS included in Raytheon Kit No. 129-9013-1, as referenced in Raytheon Mandatory Service Bulletin No. 2686, dated June 1996.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(d) The replacement required by this AD shall be done in accordance with the INSTALLATION INSTRUCTIONS to Raytheon Kit No. 129-9013-1, as referenced in Raytheon Mandatory Service Bulletin No. 2686, dated June 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 the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. 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.

(e) This amendment (39-9907) becomes effective on March 14, 1997. Issued in Kansas City, Missouri, on January 16, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-1964 Filed 1-27-97; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

[PA 091-4050; FRL-5679-9]

#### **Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Enhanced Motor Vehicle Inspection and Maintenance Program**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Interim final rule.

**SUMMARY:** EPA is granting conditional interim approval of a State Implementation Plan (SIP) revision submitted by Pennsylvania. This revision establishes and requires the implementation of an enhanced inspection and maintenance (I/M) program in twenty-five Pennsylvania counties. The intended effect of this action is to conditionally approve the Commonwealth's proposed enhanced I/M program for an interim period to last 18 months, based upon the Commonwealth's good faith estimate of the program's performance. This action is being taken under section 110 of the Clean Air Act and section 348 of the National Highway Systems Designation Act.

**EFFECTIVE DATE:** This final rule is effective on February 27, 1997.

**ADDRESSES:** Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. They are also available for inspection at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105. **FOR FURTHER INFORMATION CONTACT:** Brian Rehn, by telephone at: (215) 566-2176, or via e-mail at: Rehn.Brian@epamail.epa.gov. The