Dated: April 24, 1997.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 97–11316 Filed 5–1–97; 8:45 am]

BILLING CODE 3410–15–C

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–150–AD; Amendment 39–10010; AD 97–09–14]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–100, –200, –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 all Boeing Model 737–100, –200, –300, –400, and –500 series airplanes, that requires an inspection of reworked aileron/elevator power control units (PCU's) and rudder PCU's to determine if reworked PCU manifold cylinder bores containing chrome plating are installed, and replacement of the cylinder bores with bores that have been reworked using the oversize method or the steel sleeve method, if necessary. This amendment is prompted by a review of the design of the flight control systems on Model 737 series airplanes. The actions specified by this AD are intended to prevent a reduced rate of movement of the elevator, aileron, or rudder due to contamination of hydraulic fluid from chrome plating chips; such reduced rate of movement, if not corrected, could result in reduced controllability of the airplane.

DATES: Effective June 6, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 6, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Don Kurle, Senior Engineer, Systems and Equipment Branch, ANM–130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2798; fax (206) 227–1181.

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 all Boeing Model 737–100, –200, –300, –400, and –500 series airplanes was published in the **Federal Register** on August 28, 1996 (61 FR 44241). That action proposed to require an inspection of the aileron/elevator power control units (PCU) and the rudder PCU to determine if reworked PCU manifold cylinder bores containing chrome plating are installed, and replacement of the cylinder bores with bores that have been reworked using the oversize method or the steel sleeve method, 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 proposed rule.

Request to Revise Statement of Findings of Critical Design Review Team

One commenter requests the second paragraph of the Discussion section that appeared in the preamble to the proposed rule be revised to accurately reflect the findings of the Critical Design Review (CDR) team. The commenter asks that the FAA delete the one sentence in that paragraph, which read: ''The recommendations of the team include various changes to the design of the flight control systems of these airplanes, as well as correction of certain design deficiencies.'' The commenter suggests that the following sentences should be added: ''The team did not find any design issues that could lead to a definite cause of the accidents that gave rise to this effort. The recommendations of the team include various changes to the design of the flight control systems of these airplanes, as well as incorporation of certain design improvements in order to enhance its already acceptable level of safety.''

The FAA does not find that a revision to this final rule in the manner suggested by the commenter is necessary, since the Discussion section of a proposed rule does not reappear in a final rule. The FAA acknowledges that the CDR team did not find any design issue that could lead to a definite cause of the accidents that gave rise to this effort. However, as a result of having conducted the CDR of the flight control systems on Boeing Model 737 series airplanes, the team indicated that there are a number of recommendations that should be addressed by the FAA for each of the various models of the Model 737. In reviewing these recommendations, the FAA has concluded that they address unsafe conditions that must be corrected through the issuance of AD's. Therefore, the FAA does not concur that these design changes merely ''enhance [the Model 737's] already acceptable level of safety.''

Requests To Withdraw the Proposal: No Supporting Data

One commenter contends that the proposal is not justified since it cannot be supported by data. The commenter does not consider that the proposal contributes to improving the safety aspects of Model 737 airplanes. The commenter states that the CDR team's report does not indicate that there is any evidence to tie the referenced service documents to any in-service problems or accidents. The commenter adds that the FAA has not indicated it has reviewed any routine component tear-down reports that would support the proposed actions. The commenter concludes that the FAA does not understand the enormity of the proposed action. A second commenter states that it has incorporated the repair on several PCU's and has not witnessed a single failure of the chrome plating of the cylinder bore. The FAA infers from these remarks that the commenters request the proposed rule be withdrawn.

In support of its request to withdraw the proposal, the Air Transport Association (ATA) of America, points out that any performance degradation that might result from chrome plate separation would be determined readily by flight crews prior to departure. The ATA also indicates that if the plating repair were suspect, an incident involving separation would have been identified early in the service life of the units. The ATA contends that service experience and tests conducted by the National Transportation Safety Board (NTSB) confirm that there is no justification to consider this issue as an existing airworthiness concern.

The FAA does not concur with the requests of these commenters to withdraw the proposal. The FAA has received at least five reports from operators of Model 737 series airplanes indicating that the chrome plating separated from reworked cylinder bores of the aileron/elevator PCU's. A number of aileron/elevator and rudder PCU's were repaired using chrome plating on the aluminum cylinder bores. Separation of the chrome plating could result in contamination of hydraulic fluid from chrome plating chips. Such

contamination can result in a reduced rate of movement of the elevator, aileron, or rudder, and consequent reduced controllability of the airplane. The FAA's position is that this condition is a potential unsafe condition that must be corrected in order to ensure the safety of the affected fleet.

The FAA acknowledges that in some cases (depending on when chrome plate separation occurred), prior to departure, flight crews could determine any performance degradation that might result from chrome plate separation. However, if the separation occurred during flight, the flight crew may be unaware of the occurrence and, when the flight crew's workload is heavy, the crew's ability to control the airplane may be reduced. The FAA considers that this presents a potential unsafe condition that must be corrected.

No commenter presented evidence that would indicate chrome separation occurs early in the life of the unit. Further, the FAA assumes the NTSB testing discussed by one commenter refers to chip shear testing accomplished by the NTSB on the rudder PCU. While it appears that a chrome chip should be able to be sheared by the hydraulic action of the PCU and not cause a PCU jam, chrome chips can still contaminate the interior of the rudder, aileron, and elevator PCU's, which could cause sluggish flight control operation.

Request To Withdraw the Proposal: Revise Component Maintenance/ Overhaul Manuals

One commenter recommends revising the proposal to require a Component Maintenance Manual (CMM) revision to require inspection at the next shop visit to identify any units with chrome bores and rework those in accordance with the service letter in order to eliminate what the commenter finds to be an enormous financial and operational impact that would be imposed on operators if the proposed rule is issued.

One commenter, Boeing, indicates that separation of chrome plating from aluminum cylinder bores has not been a significant in-service problem; in fact, there have been no reports of chrome plating separation since 1985. Boeing asserts that since no direct safety hazard related to chrome plating has been established, the proposal should be withdrawn and, instead, removal of chrome plating should be required through a revision to the PCU overhaul manuals for the rudder and aileron/ elevator.

The FAA does not concur with the commenters' requests to withdraw this AD and revise the component maintenance or overhaul manuals instead. The FAA considers issuance of an AD necessary in this instance since an unsafe condition has been identified, and AD's are the means by which accomplishment of procedures and adherence to specific compliance times are made mandatory to correct that unsafe condition. While the FAA has no objection to Boeing revising the component maintenance or overhaul manuals to provide a procedure for an inspection to identify any units with chrome bores and rework of those units in accordance with the service letter, or for removal of chrome plating, such revision will not affect the requirements of this AD.

Requests To Limit Applicability to Certain PCU's

In lieu of withdrawing the proposal, several commenters suggest limiting the applicability of the proposed AD to certain PCU's:

One commenter states that no PCU's containing chrome plated manifold cylinder bores were produced or reworked after April 1, 1985 (the date of issuance of Boeing Service Letter 737–SL–27–30); therefore, only those PCU's manufactured or reworked prior to that date should be subject to the requirements of the proposal.

Two other commenters state that, as of June 5, 1985, the chrome plating procedure was removed from the PCU overhaul manuals. One of these commenters asserts that any PCU's manufactured after that date would not have been reworked or manufactured with chrome plating in the cylinder bores; therefore, those PCU's should be excluded from the applicability of the proposal.

Another commenter states that the applicability of the proposal should be limited only to those units manufactured prior to 1980. The commenter does not provide justification for selecting 1980 as a cutoff date. This commenter adds that a records search should be allowed to confirm that no chrome plate repairs to the bore have been accomplished.

One commenter states that inspection should be required only for valve bodies made from 2024 aluminum, since the repair procedures were changed in 1987 and there have been no problems since the original issue of the service letter. The only reported problems have been with the old-style valve bodies made from 2024 aluminum. (Production of the 7075 aluminum valve body started in the late 1970's.)

Boeing suggests that only those PCU's manufactured prior to June 1984 should be included in the applicability of the proposal. This date is one year prior to the revisions of the overhaul manual, which eliminated chrome plating as a repair procedure. (Since the average overhaul interval is approximately 15,000 flight hours, it is conservative to assume that no overhauls would occur within one year of manufacture.) Boeing indicates that only serial numbers prior to 1252A (for the rudder PCU) and those prior to 5360A (for the aileron/elevator PCU) would need to be inspected. In addition, Boeing recommends that any aileron/elevator actuators having a part number that includes an ''ss'' should be eliminated from the applicability of the proposal since those PCU's have a steel sleeve (i.e., those PCU's could not have chrome plating on aluminum).

One commenter states that the proposed rule should include an exemption for PCU's that have been inspected previously and found to have no chrome, or units on which the steel sleeve repair has been incorporated.

The FAA concurs that the applicability of the final rule should be revised. At the time the proposal was issued, the part and serial numbers of PCU's that have been overhauled or repaired were not available; therefore, the FAA was unable to include them in the applicability of the proposal. However, Boeing has provided this information in its comments to the proposed rule. The FAA has revised the applicability of the final rule by specifying the part and serial numbers of affected PCU's. In effect, such revision limits the applicability of this AD to those PCU's manufactured prior to June 1984, and specifically excludes those aileron and elevator PCU's having a part number that contains an ''ss'' (i.e., those that have been reworked with a steel sleeve). In addition, paragraph (a) of the final rule has been revised to specify the part and serial numbers of affected PCU's.

As for allowing a records search to confirm that no chrome plate repairs to the bore have been accomplished, the FAA finds that no change to the final rule is necessary. The applicability of this final rule specifies that the AD applies only to certain Model 737 series airplanes that are equipped with an aileron, elevator, or rudder PCU having a particular part and serial number. This AD does not preclude an operator from performing a records search to determine if an airplane in its fleet is subject to the requirements of this AD.

Request To Limit Applicability of Proposal to Rudder PCU's

One commenter requests that the requirements of the proposal be limited to rudder PCU's only, rather than

aileron, elevator, and rudder PCU's. The commenter states that the adoption of the proposed rule would overburden existing competent repair facilities and would expose the airlines and the public to a hazardous condition far greater than any condition that exists presently from the identified unsafe condition. This commenter believes the proposal implies that a simple inspection can determine the status of chrome plated bores on the affected units; however, the commenter indicates that, due to the fact that the chrome sleeving process was used in both manufacturing and repair of the units, that implication is incorrect. The commenter states that limiting the inspection to rudder PCU's—especially those manufactured before chrome sleeving was discontinued—would reduce the risk of unintended consequences resulting from the overburdening of competent repair facilities.

The FAA does not agree that the applicability of the AD should be revised to include only rudder PCU's. The FAA has determined that sluggish ailerons and elevators pose a potential unsafe condition similar to that of the rudder. Therefore, the FAA finds that it is appropriate to address this potential unsafe condition as it applies to aileron and elevator PCU's, as well as rudder PCU's.

Requests To Extend Compliance Time

The ATA, on behalf of several of its members, requests that the proposed compliance time be extended from 18 months to at least five years.

One ATA member states that it would be physically impossible and unnecessary for operators to accomplish the required actions within the proposed compliance time of 18 months. This commenter indicates that a review of its maintenance records for the past 15 years showed that it has never repaired either an aileron or rudder cylinder due to a worn bore.

One ATA member states that it is important that ample time be provided to accomplish the intent of the proposal because such accomplishment requires the removal of PCU's from airplanes and partial disassembly of PCU's in order to determine the type of rework of the cylinder bore, which requires scheduling, airplane downtime, unit turnaround time, and availability of spare PCU's. Another ATA member states that removal of all PCU's would require industry to process almost 750 PCU's per month for the next 18 months.

One commenter asks that the compliance time be extended to the next shop overhaul in light of the fact that there is no documented unsafe condition or in-service concern.

Boeing suggests an extension of the compliance time to five years or 15,000 flight hours so that the majority of PCU's can be inspected as a part of normal maintenance actions. Boeing adds that the possibility of maintenance errors during PCU replacement will result in a net degradation in airplane safety as a result of the inspection schedule established by the proposed rule.

The FAA concurs with the commenters' requests to extend the compliance time. In light of the information presented by the commenters, the FAA finds that extending the compliance time to within five years or 15,000 flight hours after the effective date of the AD, or at the next time the PCU is sent to a repair facility (whichever of these times occurs first), will not adversely affect safety. In addition, this revised compliance time will allow the inspection to be performed at a base during regularly scheduled maintenance where special equipment and trained maintenance personnel will be available if necessary. Paragraph (a) of the final rule has been revised to specify this revised compliance time.

Request To Revise Cost Impact Information

Two commenters believe that the cost impact information presented in the proposal has been underestimated greatly, and that the proposal places an unreasonable financial burden on operators.

One of these commenters indicates that the inspection of the PCU cylinder bores requires removal of PCU's from the airplane and disassembly of those units. The commenter presents the following cost estimates:

- 28 work hours for removal and reinstallation of five PCU's per airplane;
- 20 work hours (per PCU) for disassembly, inspection, assembly, and testing; and
- $1,100 (per PCU) for parts required for reassembly of the units after inspection. Using these figures, the commenter estimates the cost impact on U.S. operators to be approximately $14.3 million, or $13,180 per airplane.

The other commenter states that the proposal does not account for any return-to-service checks after the units have been changed, overhaul costs once the units are in the shop, or costs of frequent repetitive checks and short compliance periods for changing the units.

The FAA infers from these remarks that the commenters request the cost impact information, below, be revised.

The FAA does not concur. The cost impact information, below, describes only the ''direct'' costs of the specific actions required by this AD. The number of work hours necessary to accomplish the required action (i.e., the inspection), specified as 5 in the cost impact information, was provided to the FAA by the manufacturer based on the best data available to date. This number represents the time necessary to perform only the action (inspection) that is actually required by this AD. The FAA recognizes that, in accomplishing the requirements of any AD, operators may incur ''incidental'' costs in addition to the ''direct'' costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental costs, such as the time required to gain access and close up; planning time; or time necessitated by other administrative actions. Because incidental costs may vary significantly from operator to operator, they are almost impossible to calculate.

Additionally, the revised compliance time presented in this AD should coincide with normal overhaul schedules (within 5 years or 15,000 flight hours). The FAA estimates that the PCU inspections (and any ''on condition'' replacements) will be accomplished during normal overhauls, which will minimize the economic impact on operators and accomplish the safety objectives addressed in this AD.

Request To Clarify Inspection of Reworked or Overhauled PCU's

One commenter requests that the FAA revise the proposal to clarify that only reworked or overhauled PCU's must be inspected. The commenter suggests the following wording for the Summary section of the preamble to the proposal: ''* * * This proposal would require an inspection of reworked aileron/elevator PCU's and rudder PCU's to determine * * *.'' The commenter asks that paragraph (a) of the proposal be revised to state clearly that ''reworked'' or ''overhauled'' PCU's must be inspected. The commenter considers that foreign operators and airworthiness authorities may misinterpret the intent of this AD as proposed.

The FAA concurs with the commenter's request. The intent of this final rule is that operators inspect only reworked or overhauled PCU's to determine if chrome plating is applied in the cylinder bores. The Summary section of the preamble to the final rule has been revised to clarify this intent. Additionally, paragraph (a) of the final

rule has been revised to specify that only reworked or overhauled PCU's must be inspected.

Request To Address Cause of Chrome Plating Separation

One commenter contends that chrome plating on aluminum is successful (the component will have the required integrity for airworthiness) when the base metal has been subjected to the proper pretreatment (cleaned), proper chrome plating, and properly executed post plating operations such as finish grinding and nondestructive testing. The commenter states that poor maintenance techniques, environmental factors, or overlooked design parameters present a more relevant and detrimental concern to flight safety than a properly applied chrome on aluminum repair. The commenter believes that removal of the chrome repair is treating the effect without fully understanding the cause and addressing the underlying issues.

The FAA infers from these remarks that the commenter requests that the FAA address the cause for chrome plating separation, rather than remove the chrome plating repair as an option.

The FAA agrees that if the repair is done properly, it could provide satisfactory service. In any event, the FAA is aware of instances of failure of the repair. The FAA finds that issuance of this AD is necessary to ensure that all chrome plating repairs are removed from the affected Model 737 fleet so that an acceptable level of safety for these airplanes is attained. However, the FAA would consider a request for approval of an alternative method of compliance, provided that a satisfactory repeatable repair procedure using chrome plating can be developed.

Request To Revise Preamble of Proposal

Boeing requests that the wording of the ''Reports Received by FAA'' section of the preamble to the proposed rule be revised. The commenter notes that this section of the preamble states that chrome plating chips could block or jam the rudder PCU control valve and thereby cause partial or full rudder deflection. Boeing indicates that this statement is incorrect. Boeing remarks that testing conducted by the NTSB systems group showed that a chrome chip in the control valve could be sheared by a force of six pounds. This force would be provided by the rudder feel and centering unit (in combination with system friction) before any significant rudder deflected had occurred.

The commenter also states that this section of the preamble refers only to the rudder PCU, but also should refer to the aileron and elevator PCU's.

The FAA concurs with the remarks submitted by the commenter. However, the section of the preamble to the proposed rule referenced by the commenter does not reappear in this final rule. Therefore, no change to the final rule is necessary.

Request To Correct PCU Part Number

One commenter requests that the part number referenced in the proposal for the rudder PCU be corrected to 65–44861. The FAA concurs with this request. The FAA has revised paragraphs (a) and (c) of this final rule to correct this inadvertent typographical error.

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 2,675 Model 737 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,091 airplanes of U.S. registry will be affected by this AD, that it will take approximately 5 work hours per airplane to accomplish the required inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $327,300, or $300 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.

Should an operator be required to accomplish the necessary replacement, it would take approximately 18 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will cost approximately $15,800 per airplane. Based on these figures, the cost impact of any necessary replacement action is estimated to be $16,880 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 adding the following new airworthiness directive:

97–09–14 Boeing: Amendment 39–10010. Docket 96–NM–150–AD.

Applicability: Model 737–100, –200, –300, –400, and –500 series airplanes equipped with a rudder power control unit (PCU) having part number (P/N) 65–44861–( ) and a serial number less than 1252A; or an aileron or elevator PCU having P/N 65–44761–( ) (except those having P/N's that contain an ''ss'') and a serial number less than 5360A; 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 (d) 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 a reduced rate of movement of the elevator, aileron, or rudder, which, if not corrected, could result in reduced controllability of the airplane, accomplish the following:

(a) Perform an inspection of reworked or overhauled aileron and elevator PCU's having P/N 65–44761–( ) (except those having P/N's that contain an ''ss'') and a serial number less than 5360A; and rudder PCU's having part number (P/N) 65–44861–( ) and a serial number less than 1252A; to determine if reworked PCU manifold cylinder bores containing chrome plating are installed, in accordance with Boeing Service Letter 737–SL–27–30, dated April 1, 1985. Accomplish the inspection at the earlier of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Within 5 years or 15,000 flight hours after the effective date of this AD, whichever occurs first.

(2) At the next time the PCU is sent to a repair facility.

(b) If any reworked PCU manifold cylinder bores containing chrome plating are installed: Prior to further flight, replace the cylinder bores with bores that have been reworked using the oversize method or the steel sleeve method specified in Boeing Service Letter 737–SL–27–30, dated April 1, 1985. Accomplish the replacement in accordance with the service letter.

(c) As of the effective date of this AD, no person shall install a reworked PCU manifold cylinder bore containing chrome plating on an aileron or elevator PCU having P/N 65–44761–( ), or on a rudder PCU having P/N 65–44861–( ), of any airplane unless the cylinder bore has been reworked using the oversize method or the steel sleeve method specified in Boeing Service Letter 737–SL–27–30, dated April 1, 1985.

(d) 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.

(e) 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.

(f) The inspection and repair shall be done in accordance with Boeing Service Letter 737–SL–27–30, dated April 1, 1985. 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, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on June 6, 1997.

Issued in Renton, Washington, on April 24, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–11200 Filed 5–1–97; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–190–AD; Amendment 39–10008; AD 97–09–12]

RIN 2120–AA64

Airworthiness Directives; Raytheon Model DH 125–1A, –3A, and –400A Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Raytheon Model DH 125–1A, –3A, and –400A series airplanes, that requires a one-time inspection to detect scoring of the upper fuselage skin around the periphery of the cockpit canopy blister interface, and repair, if necessary. This amendment is prompted by reports indicating that scoring of the upper fuselage skin had been detected in that area. The actions specified by this AD are intended to detect and correct scoring of the upper fuselage skin around the periphery of the cockpit canopy blister interface, which could result in reduced structural integrity of the fuselage, and consequent cabin depressurization.

DATES: Effective June 6, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 6, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Raytheon Aircraft Company, Commercial Service Department, P.O. Box 85, Wichita, Kansas 67201–0085. 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, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Larry Engler, Aerospace Engineer, Airframe Branch, ACE–120W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4122; fax (316) 946–4407.

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 all Raytheon Model DH 125–1A, –3A, and –400A series airplanes was published in the **Federal Register** on February 20, 1997 (62 FR 7731). That action proposed to require a one-time detailed visual inspection to detect scoring of the upper fuselage skin around the periphery of the cockpit canopy blister interface, and repair, if necessary.

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

There are approximately 200 Model DH 125–1A, –3A, and –400A series airplanes of the affected design in the worldwide fleet. The FAA estimates that 115 airplanes of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $27,600, or $240 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.