and the licensee cannot rule out that the use was intentional.

(c) Reports made by licensees in response to the requirement of this section must be made as follows:

(1) Licensees having an installed Emergency Notification System shall make reports to the NRC Operations Center, and

(2) All other licensees shall make reports by telephone to the NRC Operations Center (301–816–5100).

(d) Reporting events under §§ 20.2201 and 20.2202 continue to apply. A report is not required by paragraphs (a) or (b) of this section if a notification has already been made under §§ 20.2201 or 20.2202.

Dated at Rockville, MD, this 19th day of January 1996.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc. 96–1867 Filed 1–30–96; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–CE–60–AD]

Airworthiness Directives; The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation) Models PA31, PA31–300, PA31–325, and PA31–350 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede Airworthiness Directive (AD) 80–22–04, which currently requires the following on The New Piper Aircraft, Inc. (Piper) Models PA31, PA31–300, PA31–325, and PA31–350 airplanes: Repetitively inspecting the upper section of Fuselage Station (FS) 317.75 bulkhead for cracks, and incorporating a certain reinforcement kit if any crack is found. The proposed action would require inspecting (one-time) the upper section of the FS 317.75 bulkhead for cracks, and incorporating one of two reinforcement kits depending on whether cracks are found in the FS 317.75 bulkhead area. Cracks found on airplanes in compliance with the inspection requirements of AD 80–22–04 and the Federal Aviation Administration's policy on aging commuter-class aircraft prompted the proposed action. The actions specified in the proposed AD are intended to prevent structural failure of the vertical fin forward spar caused by cracks in the FS 317.75 bulkhead, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Comments must be received on or before April 7, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90–CE–60–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that relates to the proposed AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7362; facsimile (404) 305–7348.

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 should 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 that summarizes 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 No. 90–CE–60–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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90–CE–60–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

AD 80–22–04, Amendment 39–3943, currently requires the following on Piper Models PA31, PA31–300, PA31–325, and PA31–350 airplanes:

—Repetitively inspecting the upper section of Fuselage Station (FS) 317.75 bulkhead for cracks; and

—Incorporating Piper Kit part number (P/N) 764–028 if any crack is found in the upper section of the FS 317.75 bulkhead.

AD 80–22–04 also allows for the option of incorporating Piper Kit P/N 763–917 as terminating action for the repetitive inspection requirement. Accomplishment of these inspections is in accordance with Piper Service Bulletin (SB) No. 636A, dated August 26, 1980.

The FAA has received several reports of cracks in the upper section of FS 317.75 bulkhead on airplanes in compliance with the repetitive inspection requirements of AD 80–22–04. These reports prompted the FAA to consider mandating the installation of a reinforcement kit in the area of the FS 317.75 bulkhead on Piper Models PA31, PA31–300, PA31–325, and PA31–350 airplanes.

In addition, AD 80–22–04 has been identified as one that should be superseded under the FAA's aging commuter-class airplane policy. The FAA has determined that reliance on critical repetitive inspections on aging commuter-class airplanes carries an unnecessary safety risk when a design change exists that could eliminate or, in certain instances, reduce the number of those critical inspections. In determining what inspections are critical, the FAA considers (1) the safety consequences if the known problem is not detected during the inspection; (2) the probability of the problem not being detected during the inspection; (3) whether the inspection area is difficult to access; and (4) the possibility of damage to an adjacent structure as a result of the problem.

These factors have led the FAA to establish an aging commuter-class

aircraft policy that requires incorporating a known design change when it could replace a critical repetitive inspection. With this policy in mind, the FAA conducted a review of existing AD's that apply to Piper Models PA31–350 and PA31T3 airplanes. Assisting the FAA in this review were (1) The New Piper Aircraft, Inc.; (2) the Regional Airlines Association (RAA); and (3) several operators of the affected airplanes.

Based on its aging commuter-class aircraft policy and after reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to require the incorporation of a reinforcement kit in the FS 317.75 bulkhead area in order to prevent structural failure of the vertical fin forward spar caused by cracks in this area, which, if not detected and corrected, could result in loss of control of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop in other Piper Models PA31, PA31–300, PA31–325, and PA31–350 airplanes of the same type design, the proposed AD would supersede AD 80–22–04 with a new AD that would require inspecting (one-time) the upper section of the FS 317.75 bulkhead for cracks in accordance with Piper SB No. 636A, dated August 26, 1980, and accomplishing one of the following, as applicable:

—If any crack is found, incorporating Piper Kit 764–028 in accordance with the instructions to that kit, revised June 18, 1990; or

—If no crack is found, incorporating Piper Kit 763–917 in accordance with the instructions to that kit, revised June 18, 1990.

The FAA estimates that 2,810 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 12 workhours (average of 8 workhours for Kit 763–917 and 16 workhours for Kit 764–028) per airplane to accomplish the proposed installation, and that the average labor rate is approximately $60 an hour. Parts cost approximately $300 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $2,866,200 or $1,020 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the proposed installation.

Piper has informed the FAA that bulkhead reinforcement kits have been distributed to equip at least 15 of the affected airplanes. Assuming that each of the kits has been incorporated on an affected airplane, the cost impact of the proposed AD upon U.S. owners operators of the affected airplanes would be reduced by $15,300 from $2,866,200 to $2,850,900.

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 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) 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 has been placed 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 80–22–04, Amendment 39–3943, and by adding a new AD to read as follows:

The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Docket No. 90–CE–60–AD. Supersedes AD 80–22–04, Amendment 39–3943.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have either Piper Kit 764–028 or Piper Kit 763–917 incorporated at the Fuselage Station (FS) 317.75 bulkhead area:

Models	Serial Nos.
PA31, PA31–300, and PA31–325.	31–2 through 31–7912039.
PA31–350	31–5001 through 31–7952071.

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 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent structural failure of the vertical fin forward spar caused by cracks in the FS 317.75 bulkhead, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Inspect the upper section of the FS 317.75 bulkhead for cracks in accordance with the INSTRUCTIONS section of Piper Service Bulletin No. 636A, dated August 26, 1980.

(1) If any crack is found, prior to further flight, incorporate Piper Kit 764–028 in accordance with the instructions included with that kit, revised June 18, 1990.

(2) If no crack is found, prior to further flight, incorporate Piper Kit 763–917 in accordance with the instructions included with that kit, revised June 18, 1980.

(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, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

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

Note 3: Alternative methods of compliance approved in accordance with AD 80–22–04 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

(d) All persons affected by this directive may obtain copies of the documents referred to herein upon request to The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach,

Florida 32960; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(e) This amendment supersedes AD 80–22–04, Amendment 39–3943.

Issued in Kansas City, Missouri, on January 24, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–1760 Filed 1–30–96; 8:45 am]

BILLING CODE 4910–13–P

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14 CFR Part 39

[Docket No. 95–NM–154–AD]

Airworthiness Directives; Boeing Model 767 Series Airplanes Equipped with Pratt & Whitney Model JT9D–7R4 Engines

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 767 series airplanes. This proposal would require a visual inspection to verify proper clearance between the number 18 fuel nozzle secondary transfer fuel tube and the pylon drain tube of the engine, and various follow-on actions. The proposal would also require installation of clamps and associated fasteners between the environmental control system (ECS) controller tube and the pylon drain tube. This proposal is prompted by reports of chafing of the number 18 fuel nozzle secondary transfer fuel tube of the engine due to an improperly installed or loose pylon drain tube. The actions specified by the proposed AD are intended to prevent such chafing, which could lead to subsequent fuel leakage and a possible engine fire.

DATES: Comments must be received by March 26, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–154–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: Monica Gandara Merritt, Aerospace Engineer, Propulsion Branch, ANM–140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2683; 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–154–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–154–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of chafing of the number 18 fuel nozzle secondary transfer fuel tube, which resulted in excessive fuel leakage on one airplane and an engine fire on another airplane. These incidents occurred on Boeing Model 767 series airplanes equipped with Pratt & Whitney Model JT9D–7R4 engines. In the engine fire incident, investigation revealed that the cause of the chafing was attributed to the installation of the wrong engine fuel manifold, which did not provide for adequate clearance for the fuel tube. In the fuel leakage incident, investigation revealed that the cause of the chafing was attributed to an improperly installed or loose pylon drain tube, which contacted the fuel transfer tube and subsequently chafed against it. Chafing of the number 18 fuel nozzle secondary transfer fuel tube of the engine, if not detected and corrected in a timely manner, could lead to fuel leakage and, consequently, a possible engine fire.

The FAA has reviewed and approved Boeing Alert Service Bulletin 767–71A0082, dated July 6, 1995, which describes procedures for installation of clamps and associated fasteners between the environmental control system (ECS) and the pylon drain tube. The installation will ensure that proper clearance between the engine fuel manifold and the pylon drain line is maintained.

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 installation of clamps and associated fasteners between the ECS controller tube and the pylon drain tube. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Additionally, the proposed AD would require a visual inspection to verify that proper clearance (0.5 inch) exists between the number 18 fuel nozzle secondary transfer fuel tube and the pylon drain tube of the engine; and follow-on actions (i.e., visual inspection for damage, relocation of the pylon tube, and repair or replacement of a damaged tube). The FAA has determined that accomplishing only the installation of clamps and associated fasteners, as described previously, would not eliminate any damage from chafing that may currently exist on the fuel tube. The FAA has determined that any existing chafing damage must be identified and corrected.

There are approximately 93 Model 767 series airplanes equipped with Pratt & Whitney Model JT9D–7R4 engines of the affected design in the worldwide fleet. The FAA estimates that 30 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 4 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts