digital avionics systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraphs 1 or 2 below:

1. A minimum threat of 100 volts per meter peak electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. A threat external to the airframe of the following field strengths for the frequency ranges indicated.

Frequency	Peak (V/M)	Average (V/M)
10 KHz–100 KHz	50	50
100 KHz–500 KHz	60	60
500 KHz–2000 KHz	70	70
2 MHz–30 MHz	200	200
30 MHz–100 MHz	30	30
100 MHz–200 MHz	150	33
200 MHz–400 MHz	70	70
400 MHz–700 MHz	4,020	935
700 MHz–1000 MHz	1,700	170
1 GHz–2 GHz	5,000	990
2 GHz–4 GHz	6,680	840
4 GHz–6 GHz	6,850	310
6 GHz–8 GHz	3,600	670
8 GHz–12 GHz	3,500	1,270
12 GHz–18 GHz	3,500	360
18 GHz–40 GHz	2,100	750

As discussed above, the proposed special conditions would be applicable initially to the K–C Aviation modified Dassault Aviation, Mystere Falcon 50. Should K–C Aviation apply at a later date for a change to the supplemental type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain design features on the Dassault Aviation, Mystere Falcon 50 airplane. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the airplane.

The substance of these special conditions for this airplane has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions immediately. Therefore, these special conditions are being made effective upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citiation for these special conditions is as follows

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

According, the following special conditions are issued as part of the supplemental type certification basis for the K–C Aviation modified Dassault Aviation, Mystere Falcon 50 series airplanes.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions.* Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on May 3, 1996.

Stewart R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100.

[FR Doc. 96–12085 Filed 5–13–96; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 95–NM–127–AD; Amendment 39–9614; AD 92–10–13 R1]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–80 Series Airplanes and Model MD–88 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–9–80 series airplanes and Model MD–88 airplanes, that currently requires a revision to the FAA-approved Airplane Flight Manual (AFM) to specify that the autothrottles must be disconnected if engine surge (stall) is detected during takeoff. That AD was prompted by results of an accident investigation, which revealed that the digital flight guidance computer (DFGC) on these airplanes can incorrectly identify an engine surge or stall as being an engine failure. This can cause the autothrottles to unclamp and automatically advance the thrust levers during takeoff. The actions specified by that AD are intended to prevent automatic advance of the thrust lever on a surging engine during takeoff, which could cause engine failure. This amendment provides for an optional terminating action for the AFM revision.

DATES: Effective June 13, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 13, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). 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, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert Baitoo, Aerospace Engineer, Propulsion Branch, ANM–140L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood,

California; telephone (310) 627–5245; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 92–10–13, amendment 39–8247 (57 FR 19249, May 5, 1992), which is applicable to certain McDonnell Douglas Model DC–9–80 series airplanes and Model MD–88 airplanes, was published in the Federal Register on October 18, 1995 (60 FR 53888). That action proposed to require the installation of a modified digital flight guidance computer (DFGC), which, when accomplished, would terminate the requirement for the AFM revision.

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

Three commenters support the proposed rule.

Requests To Withdraw the Proposal

Several commenters request that the FAA withdraw the proposed rule or retain the proposed installation as an optional terminating action for the AFM revision. The commenters contend that the requirements of the proposed AD provide no additional safety over existing AD 92–10–13; the safety of the affected airplanes is ensured by the currently installed hardware and the procedural changes that are required by the existing AD. One commenter, Honeywell, states that both AD 92–10–13 and the proposed AD achieve the same goal of preventing forward throttle movement in the event of an engine surge or stall. AD 92–10–13 achieves this goal by requiring the pilot to recognize the surge condition and to manually disconnect the autothrottles. The proposed AD accomplishes this in a different manner—by forcing the DFGC autothrottles to remain in the clamp mode. Because the engine surge condition is easily and unambiguously recognized in the cockpit and the resultant action required by AD 92–10–13 (disconnecting the autothrottle) is likewise clear and easily accomplished, the correct execution for the subject condition is assured. The commenters also state that accomplishment of the requirements of the proposed AD would pose an immense cost to some operators. The commenters contend that such expense is unnecessary when an equivalent, alternative means is available.

The FAA does not concur with the requests to withdraw the final rule. However, the FAA has determined that, based on the information provided by the commenters, the currently installed hardware and the procedural changes required by the existing AD do provide a long term and adequate level of safety. While the manufacturer has advised the FAA that the new DFGC (part number 4034241–972) was incorporated on all production Model DC–9–80 series airplanes as of July 1995, the FAA has determined that the installation should be provided in this AD as an optional terminating action for the AFM revision. Therefore, this action revises AD 92–10–13 to add a new paragraph (c) that provides for installation of the new DFGC's as an optional terminating action for the AFM revision.

Other Changes to the Final Rule

The FAA also has clarified the applicability of this rule to specify that only airplanes equipped with digital flight guidance computers (DFGC) having part numbers prior to 4034241–972 are subject to the requirements of the AD. This change will exclude airplanes on which the terminating installation has been accomplished previously or in production.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 1,117 McDonnell Douglas Model DC–9–80 series airplanes and Model MD–88 airplanes of the affected design in the worldwide fleet. The FAA estimates that 643 airplanes of U.S. registry will be affected by this AD.

The AFM revision that is currently required by AD 92–10–13 takes approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact on U.S. operators of this current requirement is estimated to be $38,580, or $60 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 elect to accomplish the optional terminating action that is provided by this AD action (the removal of DFGC's having part number 4034241–971 and installation of DFGC's having part number 4034241–972), it would take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will cost approximately $2,000 per airplane (that is, $1,000 per DFGC, and 2 DFGC's per airplane). Based on these figures, the cost impact of the optional terminating action is estimated to be $2,060 per airplane.

Should an operator have an airplane equipped with DFGC's having part numbers other than (lower than) 4034241–971, additional actions may be necessary prior to accomplishing the optional terminating action. Those additional actions involve modification(s) of the DFGC's to bring them to the level of configuration of DFGC's having part number 4034241–971. Depending on the current configuration of the DFGC's installed on the airplane, the highest costs associated with modifying a DFGC to a part number 4034241–971 configuration (excluding subsequent modification to the part number 4034241–972 configuration) could be as much as $92,000 per airplane (that is, $46,000 per DFGC, and 2 DFGC's 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–8247 (57 FR 19249, May 5, 1992), and by adding a new airworthiness directive (AD), amendment 39–9614, to read as follows:

92–10–13 R1 McDonnell Douglas: Amendment 39–9614. Docket 95–NM–127–AD. Revises AD 92–10–13, Amendment 39–8247.

Applicability: Model DC–9–80 series airplanes and Model MD–88 airplanes equipped with digital flight guidance computers (DFGC) having part numbers prior to 4034241–972; 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 (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 automatic thrust lever advance on a surging engine during takeoff, which could cause engine failure, accomplish the following:

(a) Within 30 days after May 20, 1992 (the effective date of AD 92–10–13, amendment 39–8247), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

''LIMITATIONS SECTION

Autothrottles must be disconnected if engine surge (stall) is detected during takeoff.''

(b) Within 30 days after May 20, 1992 (the effective date of AD 92–10–13, amendment 39–8247), revise the Procedures Section of the FAA-approved AFM to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

''PROCEDURES SECTION

CAUTION

During takeoff, the Digital Flight Guidance Computer (DFGC) engine failure logic is armed if (1) the flight director pitch axis is in takeoff mode, (2) the aircraft is above 400 feet radio altitude, and (3) both engine pressure ratios (EPRs) are below the go-around EPR limit. If the DFGC detects an EPR drop greater than or equal to 0.25 EPR and 7% N_1 from the same engine, as compared to the other engine, the engine failure logic is satisfied and the DFGC will change the Thrust Rating Panel (or indicator) thrust limit to Go-Around (GA). This will cause the autothrottle system to unclamp and enter normal EPR limit (EPR LIM) mode where the throttles will maintain the higher engine EPR at the selected go-around thrust rating EPR LIM. Such an EPR and N_1 drop may also result from an engine surge (stall). Advancing thrust levers on a surging engine will hinder surge recovery and may result in eventual engine failure.

If an engine surge (stall) is detected during takeoff:

(1) Disconnect autothrottles.
(2) Reduce thrust on affected engine (idle if necessary).
(3) Shut down the affected engine if surging and popping continues.
(4) If affected engine surging or popping stops, accomplish the following:
A. Place ignition switch to GRD START & CONTIN.
B. Place ENG anti-ice switches to ON.
C. Place PNEU X-FEED VALVE lever OPEN on affected side.
D. Place AIR FOIL anti-ice switches ON.
E. Advance affected throttle slowly.
(5) If engine surging or popping returns, turn the ENG anti-ice switch OFF.
(6) After normal operation has been established, the autothrottles may be re-engaged.

Note: A NO MODE light may be annunciated due to abnormal bleed configuration.''

(c) Replacement of both DFGC's having a part number prior to 4034241–972, with DFGC's having part number 4034241–972, in accordance with McDonnell Douglas Service Bulletin MD80–22–111, dated May 23, 1995, constitutes terminating action for the requirements of this AD. Once the replacements are accomplished, the AFM revisions required by paragraphs (a) and (b) of this AD may be removed.

Note 2: McDonnell Douglas Service Bulletin MD80–22–111, dated May 23, 1995, references Honeywell Service Bulletin 4034241–22–44, dated May 22, 1995, as an additional source of service information.

Note 3: Paragraph 1.B of McDonnell Douglas Service Bulletin MD80–22–111, dated May 23, 1995, specifies certain concurrent actions that affect airplanes equipped with DFGC's having part numbers prior to 4034241–971.

(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, Los Angeles 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, Los Angeles ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles 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 replacement shall be done in accordance with McDonnell Douglas Service Bulletin MD80–22–111, dated May 23, 1995. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on June 13, 1996.

Issued in Renton, Washington, on May 6, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–11823 Filed 5–13–96; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 95–NM–95–AD; Amendment 39–9617; AD 96–10–10]

RIN 2120–AA64

Airworthiness Directives; Jetstream Model 4101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Jetstream Model 4101 airplanes, that requires inspections of the handrail assembly at the main entrance door to detect loose or missing rivets, abnormal movement between the handrail pivot-tube and the spigot that attaches to the bearing assembly, and