and at carry-through fittings and grommets through which flammable fluid could pass, in accordance with de Havilland Service Bulletin S.B. 8–54–31, dated March 8, 1994. If any gap or opening is detected, prior to further flight, apply sealant in accordance with the service bulletin.

(g) For airplanes having serial numbers 003 through 369, inclusive, on which Modification No. 8/2001 has not been installed: Within 1 year after the effective date of this AD, replace the existing seals on the cowling doors of each nacelle with improved seals, in accordance with de Havilland Service Bulletin S.B. 8–71–19, Revision 'B,' dated February 24, 1995.

(h) 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 New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(i) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on March 11, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–6718 Filed 3–17–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 95–CE–53–AD]

RIN 2120–AA64

Airworthiness Directives; Jetstream Aircraft Limited HP137 Mk1, Jetstream Series 200, and Jetstream Model 3101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede Airworthiness Directive (AD) 82–20–04 R1, which currently requires repetitively inspecting the main landing gear (MLG) hinge fitting, support angles, and attachment bolts on British Aerospace (currently known as Jetstream Aircraft Limited (JAL)) HP137 Mk1 and Jetstream series 200 airplanes, and repairing or replacing any part that is cracked beyond certain limits. The Federal Aviation Administration's policy on aging commuter-class aircraft is to eliminate or, in certain instances, reduce the number of certain repetitive short-interval inspections when improved parts or modifications are available. The proposed action would require installing improved design MLG fittings, as terminating action for the repetitive inspections that are currently required by AD 82–20–04 R1, and would incorporate the Jetstream Model 3101 airplanes into the Applicability of the AD. The actions specified in the proposed AD are intended to prevent structural failure of the MLG caused by fatigue cracking, which could result in loss of control of the airplane during landing operations.

DATES: Comments must be received on or before June 6, 1997.

ADDRESSES: Submit comments in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–CE–53–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 applies to the proposed AD may be obtained from Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland; telephone (44–292) 79888; facsimile (44–292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, D.C. 20041–6029; telephone (703) 406–1161; facsimile (703) 406–1469. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Tom Rodriguez, Program Manager, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (32 2) 508.2715; facsimile (32 2) 230.6899; or Mr. S.M. Nagarajan, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426–6932; facsimile (816) 426–2169.

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. 95–CE–53–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. 95–CE–53–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

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 JAL HP137 Mk1, Jetstream series 200, and Jetstream Models 3101 airplanes. Assisting the FAA in this review were (1) Jetstream Aircraft Limited (JAL); (2) the Regional Airlines Association (RAA); (3) the Civil Aviation Authority

(CAA) for the United Kingdom; and (4) several operators of the affected airplanes.

From this review, the FAA identified AD 82–20–04 R1, Amendment 39–4586, as one to which the FAA's aging aircraft policy applies, and which should be superseded with a new AD that would require a modification that would eliminate the need for short-interval and critical repetitive inspections. AD 82–20–04 R1 currently requires repetitively inspecting the main landing gear (MLG) hinge fitting, support angles, and attachment bolts on British Aerospace (currently known as JAL) HP137 Mk1 and Jetstream series 200 airplanes, and repairing or replacing any part that is cracked beyond certain limits.

Relevant Service Information

The following service information is relevant to this subject:

—British Aerospace Jetstream Mandatory Service Bulletin (MSB) No. 7/5, which includes procedures for inspecting the left main landing gear hinge attachment nuts to the auxiliary and aft spars for signs of relevant movement between the nuts and hinge fitting on HP137 Mk1 and Jetstream series 200 airplanes. This MSB incorporates the following effective pages:

Pages	Revision level	Date
2 and 4	Original Issue.	March 31, 1982.
1 and 3	Revision 1 ..	May 23, 1988.

—British Aerospace MSB No. 7/8, which includes procedures for inspecting the MLG hinge fitting for cracks, and repairing cracked hinge fittings on HP137 Mk1 and Jetstream series 200 airplanes. This MSB incorporates the following effective pages:

Pages	Revision level	Date
2, 5, 6, 7, and 8.	Revision 2 ..	January 6, 1983.
1, 3, and 4	Revision 3 ..	May 23, 1988.

—Jetstream Alert Service Bulletin (ASB) 32–A–JA 850127, which includes procedures for inspecting the MLG hinge fitting and support angle for cracks on Jetstream Model 3101 airplanes. This ASB incorporates the following effective pages:

Pages	Revision level	Date
5 through 14	Original Issue.	April 17, 1985.
1 through 4	Revision 2 ..	November 11, 1994.

—Jetstream Service Bulletin (SB) 57–JM 5218, which includes procedures for installing improved design MLG fittings, part number (P/N) 1379133B1 and 1379133B2 (Modification 5218) on HP137 Mk1, Jetstream series 200, and certain Jetstream Model 3101 airplanes. This SB incorporates the following effective pages:

Pages	Revision level	Date
3, 5, 6, 7, 8, 9, 11, 12, 17, 18, 19, 21, 22, 23, 24, 27, 28, 29, 30, and 31.	Revision 1 ..	September 29, 1987.
25 and 26 ...	Revision 2 ..	August 24, 1988.
10 and 20 ...	Revision 3 ..	January 29, 1990.
1, 2, 4, 13, 14, 15, and 16.	Revision 4 ..	October 31, 1990.

The FAA's Determination

Based on its aging commuter-class aircraft policy and after reviewing all available information, including the referenced service information, the FAA has determined that AD action should be taken to (1) require the incorporation of Modification 5218 on the affected airplanes, as terminating action for the repetitive short-interval inspections required by AD 82–20–04 R1; and (2) prevent structural failure of the MLG caused by fatigue cracking, which could result in loss of control of the airplane during landing operations.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other JAL HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplanes of the same type design, the FAA is proposing to supersede AD 82–20–04 R1 with a new AD. The proposed AD would (1) retain the requirement of repetitively inspecting the MLG hinge fitting, support angles, and attachment bolts, and repairing or replacing any part that is cracked; (2) incorporate the Jetstream Model 3101 airplanes into the Applicability of the AD; and (3) require the installation of improved design MLG fittings, part number (P/N) 1379133B1 and 1379133B2 (Modification 5218), as terminating action for the repetitive inspections. Accomplishment of the proposed actions would be in accordance with the service bulletins referenced previously.

Differences Between the Proposed AD, CAA for the United Kingdom AD, and Existing AD 82–20–04 R1

AD 82–20–04 R1 allows continued flight if cracks are found in the MLG hinge fitting support angles that propagate no further than the tooling holes. The applicable service bulletin specifies replacement of the support angles only if cracks are found exceeding this limit, as does CAA AD 015–05–85. The proposed AD, if adopted, would not allow continued flight if any crack is found. FAA policy is to disallow airplane operation when known cracks exist in primary structure, unless the ability to sustain ultimate load with these cracks is proven. The main landing gear is considered primary structure, and the FAA has not received any analysis to prove that ultimate load can be sustained with cracks in this area.

Cost Impact

The FAA estimates that 71 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 271 workhours (inspections: 61 workhours; installation: 210 workhours) per airplane to accomplish the proposed actions, and that the average labor rate is approximately $60 an hour. Parts to accomplish the proposed AD are provided by the manufacturer at no cost to the owners/operators of the affected airplanes. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $1,154,460 or $16,260 per airplane. This figure only takes into account the cost of the initial inspections and inspection-terminating modification and does not take into account the cost of repetitive inspections. The FAA has no way of determining the number of repetitive inspections each HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplane owner/operator would incur.

This figure is also based on the presumption that no affected airplane operator has accomplished the proposed installation. This action would eliminate the repetitive inspections required by AD 82–20–04 R1. The FAA has no way of determining the operation levels of each individual owner/operator of the affected airplanes, and subsequently cannot determine the repetitive inspection costs that would be eliminated by the proposed action. The

FAA estimates these costs to be substantial over the long term.

In addition, JAL has informed the FAA that parts have been distributed to owners/operators that would equip approximately 39 of the affected airplanes. Presuming that each set of parts has been installed on an affected airplane, the cost impact of the proposed modification upon the public would be reduced $634,140 from $1,154,460 to $520,320.

Regulatory Flexibility Determination and Analysis

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily or disproportionally burdened by government regulations. The RFA requires government agencies to determine whether rules would have a ''significant economic impact on a substantial number of small entities,'' and, in cases where they would, conduct a Regulatory Flexibility Analysis in which alternatives to the rule are considered. FAA Order 2100.14A, Regulatory Flexibility Criteria and Guidance, outlines FAA procedures and criteria for complying with the RFA. Small entities are defined as small businesses and small not-for-profit organizations that are independently owned and operated or airports operated by small governmental jurisdictions. A ''substantial number'' is defined as a number that is not less than 11 and that is more than one-third of the small entities subject to a proposed rule, or any number of small entities judged to be substantial by the rulemaking official. A ''significant economic impact'' is defined by an annualized net compliance cost, adjusted for inflation, which is greater than a threshold cost level for defined entity types.

FAA Order 2100.14A, Regulatory Flexibility Criteria and Guidance, defines a small entity as ''a small business or small not-for-profit organization which is independently-owned and operated and has no more than a specified number of employees or aircraft.'' For operators of aircraft for hire (those entities that are affected by 14 CFR parts 121, 127, and 135), the size threshold specified in FAA Order 2100.14A is nine aircraft.

There are only nine different operators of JAL HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplanes. Of these nine, only four operate less than nine airplanes. Because four is a number that is less than 11 and the rulemaking official has not determined this number to be substantial, the proposed AD would not significantly affect a number of small entities.

A copy of the full Cost Analysis and Regulatory Flexibility Determination for the proposed action may be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–CE–53–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this 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) 82–20–04 R1, Amendment 39–4468, and adding a new AD to read as follows:

Jetstream Aircraft Limited: Docket No. 95–CE–53–AD. Supersedes 82–20–04 R1, Amendment 39–4468.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have improved design MLG fittings, part number (P/N) 1379133B1 and 1379133B2 (Modification 5218), installed in accordance with Jetstream Service Bulletin (SB) 57–JM 5218:

Model	Serial Nos.
HP137 Mk1	All serial numbers.
Jetstream Series 200	All serial numbers.
Jetstream 3101	601 through 695.

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 (f) 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 after the effective date of this AD, unless already accomplished.

To prevent structural failure of the MLG caused by fatigue cracking, which could result in loss of control of the airplane during landing operations, accomplish the following:

Note 2: The compliance times of this AD are presented in landings. If the total number of airplane landings is not kept or is unknown, hours time-in-service (TIS) may be used by multiplying the total number of airplane hours TIS by 0.75.

(a) For the HP137 Mk1 and Jetstream series 200 airplanes, within the next 50 landings after the effective date of this AD or within 200 landings after the last inspection required by AD 82–20–04 R1 (superseded by this AD), whichever occurs first, and thereafter at intervals not to exceed 200 landings, accomplish the following in accordance with British Aerospace Mandatory Service Bulletin (MSB) No. 7/5, which incorporates the following pages:

Pages	Revision level	Date
2 and 4	Original Issue.	March 31, 1982.
1 and 3	Revision 1 ..	May 23, 1988.

(1) Inspect the MLG hinge attachment nuts to auxiliary and aft spars on both the left and right MLG for signs of fuel leakage or signs of relative movement between the nuts and hinge fitting.

(2) If any signs of fuel leakage or relative movement between the nuts and hinge fitting are found, prior to further flight, resecure the MLG hinge fitting to auxiliary spar in accordance with actions 3.8 through 3.15 of British Aerospace MSB No. 7/5.

(b) Upon accumulating 4,000 landings or within the next 50 landings after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 400 landings, inspect the MLG hinge support angles for cracks in accordance with the following, as applicable:

(1) For the HP137 Mk1 and Jetstream series 200 airplanes: British Aerospace MSB 7/8, which incorporates the following effective pages:

Pages	Revision level	Date
2, 5, 6, 7, and 8.	Revision 2 ..	January 6, 1983.
1, 3, and 4	Revision 3 ..	May 23, 1988.

(2) For the Jetstream Model 3101 airplanes: Jetstream Alert Service Bulletin (ASB) 32–A–JA 850127, which incorporates the following effective pages:

Pages	Revision level	Date
5 through 14	Original Issue.	April 17, 1985.
1 through 4	Revision 2 ..	November 11, 1994.

(c) Install improved design MLG fittings, part number (P/N) 1379133B1 and 1379133B2 (Modification 5218). Perform this installation at the compliance time (presented in paragraphs (c)(1) and (c)(2) of this AD) which occurs first. Accomplish this installation in accordance with Jetstream Service Bulletin (SB) 57–JM 5218, which incorporates the following effective pages:

Pages	Revision level	Date
3, 5, 6, 7, 8, 9, 11, 12, 17, 18, 19, 21, 22, 23, 24, 27, 28, 29, 30, and 31.	Revision 1 ..	September 29, 1987.
25 and 26 ...	Revision 2 ..	August 24, 1988.
10 and 20 ...	Revision 3 ..	January 29, 1990.
1, 2, 4, 13, 14, 15, and 16.	Revision 4 ..	October 31, 1990.

(1) Prior to further flight after finding any crack during an inspection required by paragraph (b) of this AD; or

(2) Upon accumulating 20,000 landings or within the next 50 landings after the effective date of this AD (whichever occurs later).

(d) Incorporating Modification 5218 as required by paragraph (c) of this AD terminates the repetitive inspection requirement of this AD (paragraphs (a) and (b) of this AD).

(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) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Division, Europe, Africa, Middle East office, FAA, c/o American Embassy, 1000 Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Division. Alternative methods of compliance approved in accordance with AD 82–20–04 R1 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division.

(g) All persons affected by this directive may obtain copies of the document referred to herein upon request to Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC; 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.

(h) This amendment supersedes AD 82–20–04 R1, Amendment 39–4468.

Issued in Kansas City, Missouri, on March 10, 1997.

Michael Gallagher,

Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–6716 Filed 3–17–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 97–ANE–03]

RIN 2120–AA64

Airworthiness Directives; AlliedSignal Inc. TSCP700–4B and –5 Auxiliary Power Units

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to AlliedSignal Inc. (formerly AirResearch and Garrett) TSCP700–4B and –5 Series Auxiliary Power Units, that currently requires restretching the first stage low pressure compressor (LPC) tie rods, or replacing affected disks at or before 8,000 cycles since new (CSN). This action would eliminate the option of restretching the tie rods, and would require removing from service affected disks, replacing them with serviceable parts, and establishing a life limit of 8,000 CSN for affected disks. This proposal is prompted by a report of a first stage LPC disk rim separation due to low cycle fatigue on an APU that had its tie rods restretched in accordance with the current AD. The actions specified by the proposed AD are intended to prevent first stage LPC disk rim separation due to low cycle fatigue, which could result in an uncontained APU failure and damage to the aircraft.

DATES: Comments must be received by May 19, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97–ANE–03, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may also be sent via the Internet using the following address: ''9-ad-engineprop@faa.dot.gov''. Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from AlliedSignal Aerospace, Attn: Data Distribution, M/S 64–3/2101–201, P.O. Box 29003, Phoenix, AZ 85038–9003; telephone (602) 365–2493, fax (602) 365–5577. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Robert Baitoo, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712–4137; telephone (310) 627–5245; fax (310) 627–5210.

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