

AD No.	Amendment No.	Federal Register citation	Date of publication
86-08-03	39-5289	51 FR 12836	April 16, 1986.
86-07-06	39-5270	51 FR 10821	March 31, 1986.
86-05-11	39-5255	51 FR 8479	March 12, 1986.
86-23-01	39-5450	51 FR 37712	October 24, 1986.
82-22-02	39-4476	47 FR 46842	October 21, 1982.
80-08-02	39-3738	45 FR 24450	April 10, 1980.
79-17-07	39-3533	44 FR 50033	August 27, 1979.

(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 7: 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 modification, inspections, checks, and correction of discrepancies shall be done in accordance with Boeing Alert Service Bulletin 747-54A2159, dated November 3, 1994. 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 21, 1995.

Issued in Renton, Washington, on May 10, 1995.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-11968 Filed 5-19-95; 8:45 am]

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14 CFR Part 39

[Docket No. 94-NM-163-AD; Amendment 39-9232; AD 95-10-15]

Airworthiness Directives; British Aerospace Model BAe 146-100A, -200A, -300A and Model Avro 146-RJ70A, -RJ85A, and -RJ100A Airplanes Equipped With Certain Air Cruisers Evacuation Slides

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain British Aerospace Model BAe 146-100A, -200A, -300A and Model Avro 146-RJ70A, -RJ85A, and -RJ100A airplanes, that requires repetitive inspections to verify proper deployment of the evacuation slide at each door position, and various follow-on actions to correct discrepancies. This amendment is prompted by a report that, during operational checks of evacuation slides on in-service airplanes, the inflation valves failed to deploy the evacuation slide properly. The actions specified by this AD are intended to prevent failure of the evacuation slide to deploy automatically on demand, which would necessitate the flightcrew to manually deploy the slide; this situation could delay or impede the evacuation of passengers during an emergency.

DATES: Effective June 21, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 21, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace Holdings, Inc., Avro International Aerospace Division, P.O. Box 16039, Dulles International Airport, Washington DC 20041-6039; and Air Cruisers Company, P.O. Box 180, Belmar, New Jersey 07719-0180. 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: William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

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 certain British Aerospace Model BAe 146-100A, -200A, -300A and Model Avro 146-RJ70A, -RJ85A, and -RJ100A airplanes was published in the **Federal Register** on November 7, 1994 (59 FR 55382). That action proposed to require repetitive inspections to verify proper deployment of the evacuation slide at each door position, and various follow-on actions to correct discrepancies. That action also proposed to require modification of the inflation valve of the evacuation slide, which would terminate the repetitive inspection requirements.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter questions the need for the rule since the major U.S. operators of the affected airplanes have accomplished the proposed actions. The commenter also states that for over two years there have been no reports of in-service deployment or inflation problems in the field, since the issuance of Air Cruisers Service Bulletin S.B. 201-25-17, dated June 4, 1992, referenced in the proposal as the appropriate source of service information. However, the commenter notes that, during an evacuation demonstration, an isolated incident did occur in which the inflation valve did not inflate automatically.

From these comments, the FAA infers that the commenter is requesting that the rule be withdrawn. The FAA does not concur. The FAA has received no documentation to indicate that all affected U.S. operators have accomplished the actions required by this AD. Even if that were the case, issuance of this AD is necessary to ensure that the required actions are accomplished on any British Aerospace Model BAe 146-100A, -200A, -300A and Model Avro 146-RJ70A, -RJ85A, and -RJ100A airplanes that may be imported and added to the U.S. Register in the future. Although the FAA recognizes that there have been no cases of failure of the slides in service, the potential for such failures does exist

with regard to these airplanes. This AD action addresses that potential unsafe condition.

This same commenter states that the manufacturer of the inflation valve, Air Cruisers Company, has not agreed to provide the valves at no cost to the operators, as was indicated in the preamble to the notice. The commenter states that the improved inflation valves will cost approximately \$600 each. The FAA has verified with the manufacturer that the required parts will cost \$600 per valve. The economic impact information, below, has been revised to include the price of required parts.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been added to this final rule to clarify this long standing requirement.

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 this change will neither significantly increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 41 airplanes of U.S. registry will be affected by this AD, that it will take approximately 3.5 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$600 per valve (4 valves per airplane). Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$107,010 or \$2,610 per airplane.

The total 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.

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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95-10-15 British Aerospace Regional Aircraft Limited, AVRO International Aerospace Division (Formerly British Aerospace, plc; British Aerospace Commercial Aircraft Limited): Amendment 39-9232. Docket 94-NM-163-AD.

Applicability: Model British Aerospace BAe 146-100A, -200A, -300A and Model Avro 146-RJ70A, -RJ85A, and -RJ100A airplanes; equipped with Air Cruisers Company evacuation slides, as listed in British Aerospace Service Bulletin S.B. 25-328, Revision 2, dated July 10, 1993; 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 use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the evacuation slide to deploy automatically, which necessitates the flight crew to manually deploy the slide and subsequently could delay or impede the evacuation of passengers during an emergency, accomplish the following:

(a) Within 3 months after the effective date of this AD, perform an inspection to verify proper deployment of the evacuation slide at each door position, in accordance with British Aerospace Service Bulletin S.B. 25-328, Revision 2, dated July 10, 1993.

(1) If the slide deploys properly, repeat the inspection thereafter at intervals not to exceed 6 months.

(2) If any slide fails to deploy properly, prior to further flight, conduct the actions specified in paragraphs 2.A.3 through 2.A.6 of the Accomplishment Instructions of the service bulletin.

(b) Within 8 months after the effective date of this AD, modify the inflation valves of the evacuation slide, in accordance with Air Cruisers Company Service Bulletin S.B. 201-25-17, dated June 4, 1992. Accomplishment of this modification constitutes terminating action for the repetitive inspection requirements of this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

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

(e) The modification shall be done in accordance with Air Cruisers Company Service Bulletin S.B. 201-25-17, dated June 4, 1992. The inspection shall be done in accordance with British Aerospace Service

Bulletin S.B. 25-328, Revision 2, dated July 10, 1993, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1	2	July 10, 1993.
2	1	Sept. 24, 1992.
3,4	Original .	Aug. 21, 1992.

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 British Aerospace Holding, Inc., Avro International Aerospace Division, P.O. Box 16039, Dulles International Airport, Washington DC 20041-6039. 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.

(f) This amendment becomes effective on June 21, 1995.

Issued in Renton, Washington, on May 9, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 95-11905 Filed 5-19-95; 8:45 am]
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14 CFR Part 39

[Docket No. 94-NM-150-AD; Amendment 39-9236; AD 95-11-02]

Airworthiness Directives; McDonnell Douglas Model DC-10 and Model MD-11 Series Airplanes and Model KC-10A (Military) Airplanes

AGENCY: Federal Aviation Administration, DOT.
ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to all McDonnell Douglas Model DC-10 series airplanes and Model KC-10A (military) airplanes and certain Model MD-11 series airplanes, that currently requires inspections to detect defects in the upper and lower lock links on the nose landing gear (NLG), and rework or replacement of any defective link with a serviceable link. The actions specified by that AD are intended to prevent collapse of the NLG. This amendment requires accomplishment of a certain inspection that constitutes terminating action for the currently required inspections.

DATES: Effective June 21, 1995. The incorporation by reference of McDonnell Douglas DC-10 Alert Service Bulletin A32-238, dated July 15, 1994,

and McDonnell Douglas MC-11 Alert Service Bulletin A32-47, dated July 15, 1994, listed in the regulations was approved previously by the Director of the Federal Register as of September 15, 1994 (59 FR 44900, August 31, 1994).

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: For Model DC-10 series airplanes and Model KC-10A (military) airplanes: Maureen Moreland, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5238; fax (310) 627-5210.

For Model MD-11 series airplanes: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5324; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 94-18-07, amendment 39-9020 (59 FR 44900, August 31, 1994), which is applicable to all McDonnell Douglas Model DC-10 series airplanes and Model KC-10A (military) airplanes and certain Model MD-11 series airplanes, was published in the **Federal Register** on December 8, 1994 (59 FR 63278). The action proposed to continue to require inspections to determine the serial numbers and to detect defects in the upper and lower lock links on the nose landing gear (NLG), and rework of any defective lock link, or replacement of any defective lock link with a serviceable lock link. The action also proposed to require an off-aircraft fluorescent penetrant inspection to detect defects in the upper and lower lock links on the NLG, and rework or replacement of any defective link.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule.

The Air Transport Association (ATA) of America supports the proposed rule. However, on behalf of its members, the ATA requests that AD 94-18-07 be revised, rather than superseded, to reduce the administrative time required to incorporate the AD into maintenance records and to avoid unnecessarily complicated recordkeeping. The FAA does not concur. The FAA's current policy is that, whenever a "substantive change" is made to an existing AD that imposes any new burden, the AD must be superseded, rather than revised. "Substantive changes" are those made to any instruction or reference that affects the substance of the AD, and includes part numbers, service bulletin and manual references, compliance times, applicability, methods of compliance, corrective action, inspection requirements, and effective dates. In the case of this AD rulemaking action, the changes being made to the existing AD are considered substantive. This superseding AD is assigned a new amendment number and new AD number; the previous amendment is deleted from the system. This procedure facilitates the efforts of the Principal Maintenance Inspectors in tracking AD's and ensuring that the affected operators have incorporated the latest changes into their maintenance programs.

With regard to paperwork changes required by affected operators, section 121.380(a)(2)(v) of the Federal Aviation Regulations [14 CFR 121.380(a)(2)(v)], "Maintenance recording requirements," requires that persons holding an operating certificate and operating under part 121 of the Federal Aviation Regulations (14 CFR part 121) must keep records "indicating the current status of applicable airworthiness directives, including the method of compliance." Whether an existing AD is superseded or revised, the new AD is assigned a new AD number: a superseding AD is assigned a new 6-digit AD number; a revising AD retains the original 6-digit AD number, but an "R1" is added to it. In either case, the new AD is identified by its "new" AD number, not by the "old" AD number. In light of this, affected operators updating their maintenance records to indicate the current AD status would have to record a new AD number in all cases, regardless of whether the AD is a superseding or a revising AD. Further, operators are always given credit for