effective date of this AD: Inspect prior to the accumulation of 17,300 total landings, or within 1,500 landings after the effective date of this AD, whichever occurs later.

(2) For airplanes that have accumulated 17,301 or more total landings, but less than 19,300 total landings as of the effective date of this AD: Inspect within 1,500 landings after the effective date of this AD.

(3) For airplanes that have accumulated 19,300 or more total landings as of the effective date of this AD: Inspect within 750 landings after the effective date of this AD.

(b) If no crack is found during the inspection required by paragraph (a) of this AD, repeat that inspection thereafter at the time specified in either paragraph (b)(1) or (b)(2) of this AD, as applicable.

(1) For airplanes on which Airbus Industrie Modification 07716 (as described in Airbus Industrie Service Bulletin A300–57–6020) has not been accomplished, inspect at the time specified in paragraph (b)(1)(i) or (b)(1)(ii) of this AD, as applicable.

(i) For airplanes having MSN 465 through 553 inclusive: Repeat the inspection at intervals not to exceed 13,000 landings.

(ii) For airplanes having MSN 252 through 464 inclusive: Repeat the inspection at intervals not to exceed 8,400 landings.

(2) For airplanes on which Airbus Industrie Modification 07716 has been accomplished, inspect at the time specified in either paragraph (b)(2)(i) or (b)(2)(ii) of this AD, as applicable.

(i) For airplanes having MSN 465 through 553 inclusive: Repeat the inspection at intervals not to exceed 11,800 landings.

(ii) For airplanes having MSN 252 through 464 inclusive: Repeat the inspection within 10,700 landings following the initial inspection required by paragraph (a) of this AD, and thereafter at intervals not to exceed 7,500 landings.

(c) If any crack is found during the inspection required by either paragraph (a) or (b) of this AD, prior to further flight, accomplish the requirements of either paragraph (c)(1) or (c)(2) of this AD, as applicable.

(1) For airplanes on which Airbus Industrie Modification 07716 has not been accomplished: Oversize the bolt hole by 1/32 inch and repeat the HFEC inspection required by paragraph (a) of this AD, in accordance with Airbus Service Bulletin 300–57–6017, Revision 1, dated July 25, 1994. After accomplishing the oversizing and HFEC inspection, repeat the inspection as required by paragraph (b) of this AD at the applicable schedule specified in that paragraph.

(i) If no cracking is detected, install the second oversize bolt in accordance with the service bulletin.

(ii) If any cracking is detected, repair in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(2) For airplanes on which Airbus Industrie Modification 07716 has been accomplished: Repair in accordance with a method approved by the Manager, Standardization Branch, ANM–113. After repair, repeat the inspections as required by paragraph (b) of this AD at the applicable schedule specified in that paragraph.

(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, Standardization Branch, ANM–113. 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 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(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 inspections and installation shall be done in accordance with Airbus Industrie Service Bulletin A300–57–6017, Revision 1 (includes Appendix 1), dated July 25, 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 November 9, 1995.

Issued in Renton, Washington, on September 20, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–23812 Filed 10–6–95; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 95–CE–60–AD; Amendment 39–9384; AD 95–20–06]

Airworthiness Directives; Air Tractor Incorporated Models AT–301, AT–302, AT–400, AT–400A, AT–401, AT–402, AT–501, and AT–502 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Air Tractor Incorporated (Air Tractor) Models AT–301, AT–302, AT–400, AT–400A, AT–401, AT–402, AT–501, and AT–502 airplanes. This action requires inspecting the front spar attachment lugs and the rear spar for fatigue cracks and modifying the vertical fin if cracks are found. If no cracks are found, continue repetitively inspecting the area until cracks are found, then incorporate the modification as a terminating action. This action is prompted by two incident reports involving the failure of the front and rear spar attachment lugs of the vertical fin. The actions specified by this AD are intended to prevent in-flight vertical fin structural failure of the front spar attachments and eventually the rear spar attachment, which, if not detected and corrected, could result in loss of directional control and loss of control of the airplane.

DATES: Effective October 25, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 25, 1995.

Comments for inclusion in the Rules Docket must be received on or before November 27, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95–CE–60–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from Air Tractor Incorporated, P.O. Box 485, Olney, Texas 76374. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95–CE–60–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Bob May, Aerospace Engineer, FAA, Aircraft Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150; telephone (817) 222–5155; facsimile (817) 222–5960.

SUPPLEMENTARY INFORMATION: The FAA received reports of two incidents in which the front spar and rear spar failed on an Air Tractor AT–802A while in flight causing the vertical tail to lay over against the elevator creating difficulty in controlling the airplane. Both front spar failures occurred across the 3/16-inch thick fin front spar fitting, which is made of aluminum and bolts to the fuselage frame. Investigations reveal that Air Tractor models designed with 3/16-inch front spar attach plates are subject to fatigue failure. When front spar failure occurs the rear spar will only support the rudder loads for a short time before it also fails, which could result in loss of control of the airplane.

Air Tractor has issued Service Letter (SL) number (No.) 138, dated July 29, 1995, which specifies procedures for inspecting and modifying the fin front spar plate and the rear fin spar at the upper attachment to the fuselage frame.

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent possible in-flight structural failure to the vertical fin of the front spar attachments and eventually the rear spar attachment, which, if not detected and corrected, could result in loss of directional control and loss of control of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop in other Air Tractor Models AT–301, AT–302, AT–400, AT–400A, AT–401, AT–402, AT–501, and AT–502 airplanes of the same type design, this AD would require inspecting the front and rear spar attachments and, if fatigue cracks are found, modifying the airplane. The inspections and modifications are to be done in accordance with the INSTRUCTIONS section in Air Tractor SL No. 138, dated July 29, 1995. The accomplishment of the proposed modification will be considered a terminating action.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for public prior comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to comment, comments are invited on this rule. Interested persons are invited to comment on this 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 will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD 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–60–AD.'' The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

95–20–06 Air Tractor Incorporated: Amendment 39–9384; Docket No. 95–CE–60–AD.

Applicability: The following airplane models and serial numbers, certificated in any category:

Models	Serial Nos.
AT–301 and AT–401.	301–0261 through 301–0736, and 401–0662 through 401–0736 that have been converted to turbine powerplants and equipped with all metal rudder, P/N 30456–1.
AT–302	All aircraft equipped with the all metal rudder, P/N 30456–1.
AT–400 and AT–400A.	All aircraft equipped with the all metal rudder, P/N 30456–1.
AT–402	402–0694 and 402–0695 through 402–0736.
AT–501	501–0002 through 501–0030 that have been converted to turbine powerplants and equipped with the all metal rudder, P/N 30456–1.
AT–502	502–0002 through 502–0030.

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 (e) 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 initially within the next 25 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished, and thereafter as indicated in the body of this AD.

To prevent possible vertical fin structural failure of the front spar attachments and consequently the rear spar attachment, which, if not detected and corrected, could result in loss of directional control and loss of control of the airplane, accomplish the following:

(a) Inspect the front spar attachment lugs on all models referenced in the APPLICABILITY section for fatigue cracks in accordance with the INSTRUCTIONS section of the Air Tractor Service Letter (SL) number (No.) 138, dated July 29, 1995.

(b) If no cracks are found during the initial inspection, repeat the inspection required by paragraph (a) of this AD at the applicable intervals as follows:

(1) For airplanes that have 3/16-inch thick fin front spar fittings, inspect at intervals not to exceed 25 hours TIS, in accordance with the INSTRUCTIONS section of the Air Tractor SL No. 138, dated July 29, 1995.

(2) For airplanes that have ¼-inch fin front spar fittings, inspect at intervals not to exceed 100 hours TIS, in accordance with the INSTRUCTIONS section of the Air Tractor SL No. 138, dated July 29, 1995.

(c) If cracks are found during any inspection required by this AD, prior to further flight, modify the front spar attachment fittings in accordance with the INSTRUCTIONS section of the Air Tractor SL No. 138, dated July 29, 1995.

(d) Incorporating the modification specified in paragraph (c) of this AD is considered terminating action for the repetitive inspection requirements of this AD. This modification may be accomplished at any time provided the front and rear spar attachment fitting are crack free.

(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 compliance time that provides an equivalent level of safety may be approved by the Manager, Fort Worth Aircraft Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth Aircraft Certification Office.

(g) The inspection and modification required by this AD shall be done in accordance with Air Tractor Service Letter number 138, dated July 29, 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 Air Tractor Incorporated, P.O. Box 485, Olney, Texas 76374. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street NW., 7th Floor, suite 700, Washington, DC.

(h) This amendment (39–9384) becomes effective on October 25, 1995.

Issued in Kansas City, Missouri, on September 26, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–24604 Filed 10–6–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–157–AD; Amendment 39–9393; AD 93–16–06 R2]

Airworthiness Directives; Canadair Model CL–215–1A10 and CL 215–6B11 Series Airplanes That Are Not Equipped With Powered Ailerons

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to certain Canadair Model CL–215–1A10 series airplanes, that currently requires modification of the right aileron and aileron tab. That AD originally was prompted by an updated flutter analysis performed by the manufacturer, which revealed a potential flutter condition on these airplanes. The actions specified in that AD are intended to prevent potential flutter of the rudder-aileron interconnect tab, which could result in reduced controllability of the airplane. This amendment revises the applicability of the rule by adding additional airplanes that are subject to the addressed unsafe condition, and deleting others that are not subject to it.

DATES: Effective October 25, 1995.

The incorporation by reference of Canadair Alert Service Bulletin 215–A435, dated August 14, 1990, listed in the regulations, was approved previously by the Director of the Federal Register as of October 4, 1993 (58 FR 46766, September 3, 1993).

Comments for inclusion in the Rules Docket must be received on or before December 11, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–157–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jeff Casale, Aerospace Engineer, Airframe Branch, ANE–172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 791–6220; fax (516) 791–9024.

SUPPLEMENTARY INFORMATION: On August 13, 1993, the FAA issued AD 93–16–06, Amendment 39–8663 (58 FR 46766, September 3, 1993), applicable to certain Canadair Model CL–215–1A10 series airplanes, to require installing weights to the aileron balance weight mounting channel and installing washers to the interconnect tab mass balance arms. That modification will maintain an aileron control surface mass balance within specified limits. That action was prompted by an updated flutter analysis, performed by Canadair, which revealed that a potential flutter condition affecting the rudder-aileron interconnect tab could occur on certain Canadair Model CL–215–1A10 series airplanes. This flutter analysis further revealed that, if the rudder-aileron interconnect mechanism fails, a flutter condition could occur at pressure altitudes above 10,000 feet. The actions required by that AD are intended to prevent potential flutter of the rudder-aileron interconnect tab, which could result in reduced controllability of the airplane.

AD 93–16–06 was applicable only to Canadair Model CL–215–1A10 series airplanes that are not equipped with powered ailerons.

Subsequent to the issuance of that AD, Transport Canada Aviation, which is the airworthiness authority for Canada, advised that additional airplanes were subject to the same unsafe condition addressed by AD 93–16–06. Further analysis had indicated that the flutter problems associated with the rudder-aileron interconnect tab could occur on all Canadair Model CL–215–1A10 series airplanes, including those equipped with powered ailerons. In light of this information, the FAA issued AD 93–16–06 R1, amendment 39–8826 (59 FR 6897, February 14, 1994), which revised the originally issued AD to add these additional airplanes to its applicability.

Recently, Transport Canada Aviation advised the FAA that additional review of the flutter analysis revealed that the problematic flutter condition can occur only on airplanes that are not equipped with powered ailerons. This finding leads to two significant considerations:

1. The previous analysis indicating that the unsafe condition could occur on airplanes equipped with powered ailerons was incorrect. Therefore, the applicability of AD 93–16–03 R1 is