

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 rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-132-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. A copy of it, if filed, 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. 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-6492 (55 FR 2639, January 26, 1990), and by adding a new airworthiness directive (AD), amendment 39-9332, to read as follows:

95-17-03 Lockheed Aeronautical System

Company: Amendment 39-9332. Docket 95-NM-132-AD. Supersedes AD 90-03-11, Amendment 39-6492.

Applicability: All Model L-1011-385 series airplanes, 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) of this AD 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 fatigue-related cracking in the aft pressure bulkhead, which could result in rupture of the aft pressure bulkhead and subsequent depressurization of the cabin, accomplish the following:

(a) Prior to the accumulation of 12,000 total landings, or within 30 days after the effective date of this AD, whichever occurs later; unless previously accomplished within the last 2,500 flight cycles; accomplish either paragraph (a)(1) or (a)(2) of this AD in accordance with Lockheed L-1011 Service Bulletin 093-53-258, dated February 20, 1990.

(1) Perform a visual inspection to detect cracks or other discrepancies (including oil can buckles) of the upper gore panels from either the forward side or the aft side of the aft pressure bulkhead, in accordance with paragraph 2.B. of the Accomplishment Instructions of the service bulletin. Within 90

days after accomplishing that visual inspection, perform an eddy current inspection to detect cracks of the aft left-hand side and the forward right-hand side of the aft pressure bulkhead, in accordance with paragraph 2.C. of the Accomplishment Instructions of the service bulletin. Repeat the eddy current inspection thereafter at intervals not to exceed 2,500 flight cycles; or

(2) Perform an eddy current inspection to detect cracks of the aft left-hand side and the forward right-hand side of the aft pressure bulkhead, in accordance with the service bulletin. Repeat the eddy current inspection thereafter at intervals not to exceed 2,500 flight cycles.

(b) If any crack or discrepancy is detected during any inspection required by this AD, prior to further flight, repair in accordance with Figure 4 of Lockheed L-1011 Service Bulletin 093-53-258, dated February 20, 1990; or in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate.

(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, Atlanta ACO. Operators shall submit their requests through an appropriate FAA Principal 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.

(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 inspections shall be done in accordance with Lockheed L-1011 Service Bulletin 093-53-258, dated February 20, 1990. 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 Lockheed Aeronautical Systems Support Company, Field Support Department, Dept. 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on August 25, 1995.

Issued in Renton, Washington, on July 28, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 95-19119 Filed 8-9-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 81-ANE-03; Amendment 39-9327; AD 95-16-07]

Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Pratt & Whitney JT8D series turbofan engines, that currently requires initial and repetitive inspections of 9th through 12th stage high pressure compressor (HPC) disks at the tierod holes. This amendment eliminates an optional on-wing ultrasonic inspection of the 10th stage high pressure compressor (HPC) disk. This amendment is prompted by a report of an uncontained failure of a 10th stage HPC disk that was previously inspected using the on-wing ultrasonic inspection method. The actions specified by this AD are intended to prevent uncontained fractures of 9th through 12th stage HPC disks and engine failure.

DATES: Effective September 11, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 11, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from Pratt & Whitney, Technical Publications Department, M/S 132-30, 400 Main Street, East Hartford, CT 06108. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA 01803-5299; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mark A. Rumizen, Aerospace Engineer Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7137; fax (617) 238-7199.

SUPPLEMENTARY INFORMATION: On February 7, 1984, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 81-08-02 R2, Amendment No. 39-4817 (49 FR 7361; February 29, 1984), to require initial and repetitive inspections of 9th through 12th stage high pressure compressor (HPC) disks at the tierod holes in Pratt & Whitney (PW) JT8D

series turbofan engines. That action was prompted by cracks in the tierod holes in HPC disks that resulted in engine failures. That condition, if not corrected, can result in uncontained fractures of 9th through 12th stage HPC disks and engine failure.

On August 30, 1984, the FAA issued a correction to AD 81-08-02 R2, Amendment 39-4817 (49 FR 35618; September 11, 1984), to include an engine model that had been inadvertently omitted from the AD.

Since issuance of AD 81-08-02 R2, the FAA received a report of an uncontained fracture of a 10th stage HPC disk. This disk had been subjected to three previous on-wing ultrasonic inspections prior to fracture. This method has since been determined as inadequate for detecting tierod hole cracking.

On May 8, 1989, the FAA issued a notice of proposed rulemaking (NPRM) that was published in the **Federal Register** (54 FR 22306; May 23, 1989), that would have amended the existing AD by eliminating the optional on-wing ultrasonic inspection of the 10th stage HPC disk, and by including an engine model inadvertently omitted.

Since the issuance of that NPRM, the FAA has determined that the reference to the inadvertently omitted engine model was unnecessary, as the FAA had remedied this discrepancy in the August 30, 1984, correction. Also, the FAA now utilizes a revised format that supersedes existing AD's by publishing a complete document rather than only amending applicable paragraphs of the compliance section. Since the FAA changed the format of the proposed rule, the FAA determined that it was desirable to reopen the comment period to provide additional opportunity for public comment.

A Supplementary NPRM was published in the **Federal Register** on December 19, 1994 (59 FR 65281). That action reprints the corrected AD compliance section text in its entirety for clarity.

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

The commenter states no objection to adoption of the proposed rule.

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 as proposed.

There are approximately 200 engines that are affected by this AD, and the FAA has determined that eliminating the optional on-wing ultrasonic

inspection will have negligible economic impact, since most operators use uninstalled tenth stage disk inspections.

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), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-4817 (49 FR 35618, September 11, 1984) and by adding a new airworthiness directive, Amendment 39-9327, to read as follows:

95-16-07 Pratt & Whitney: Amendment 39-9327. Docket 81-ANE-03. Supersedes AD 81-08-02 R2, Amendment 39-4817.

Applicability: Pratt & Whitney (PW) JT8D-1, -1A, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and -17AR turbofan engines with 9th through 12th stage high pressure compressor (HPC) disks specified in

Tables I through V and Table VIII of PW Alert Service Bulletin (ASB) No. 4723, Revision 12, dated March 8, 1990, installed. These engines are installed on but not limited to Boeing 727 series and 737 series, and McDonnell Douglas DC-9 series aircraft.

Note: This airworthiness directive (AD) applies to each engine 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 engines 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 (e) to request approval from the Federal Aviation Administration (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 engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously in accordance with PW ASB No. 4723, Revision 9, dated July 13, 1983; Revision 10, dated September 15, 1986; or Revision 11, dated October 30, 1987. All inspections subsequent to the effective date

of this AD must be accomplished in accordance with the methods and intervals identified in PW ASB No. 4723, Revision 12, dated March 8, 1990, except as is specified in paragraph (d) of this AD.

To prevent uncontained fractures of 9th through 12th stage HPC disks and engine failure, accomplish the following:

(a) Initially inspect 9th through 12th stage HPC disks at the tierod holes in accordance with Tables I through V and Table VIII of PW ASB No. 4273, Revision 12, dated March 8, 1990.

(b) Thereafter, inspect 9th through 12th stage HPC disks at the tierod holes in accordance with Tables I through V and Table VIII of PW ASB No. 4723, Revision 12, dated March 8, 1990. Disks initially inspected prior to the first inspection limit must be reinspected before reaching the specified reinspection interval, or before reaching the first inspection limit, whichever is later. In no case shall the established life limits of the disks be exceeded.

(c) Remove cracked disks from service prior to further flight, and replace with a serviceable part. Disks may be returned to service if repaired in accordance with Paragraph 7 of PW ASB No. 4723, Revision 12, dated March 8, 1990.

(d) For 10th stage HPC disks that were last inspected in accordance with the on-wing ultrasonic inspection procedure specified in AD 81-08-02 R2 prior to the effective date of this AD, inspect as follows:

(1) Perform a magnetic particle inspection or eddy current inspection in accordance with the procedure defined in Paragraph 6 and Appendix B of PW ASB No. 4723, Revision 12, dated March 8, 1990, no later than 750 cycles in service (CIS) since the last on-wing inspection.

(2) Accomplish all subsequent inspections in accordance with the methods and intervals specified in PW ASB No. 4723, Revision 12, dated March 8, 1990.

(e) 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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative method of compliance with this AD, if any, may be obtained from the Engine Certification Office.

(f) 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 aircraft to a location where the requirements of this AD can be accomplished.

(g) The actions required by this AD shall be done in accordance with the following ASB:

Document No.	Pages	Rev.	Date
PW ASB No. 4723	1	12	Mar. 8, 1990.
	2-8	10	Sept. 15, 1986.
	9-10	11	Oct. 30, 1987.
	11-25	10	Sept. 15, 1986.
Appendix A	A-1	10	Sept. 15, 1986.
	A-2		
Appendix B	B-1—B-9	7	Feb. 16, 1981.
	B-10	8	July 9, 1982.
	B-11—B-12	7	Feb. 16, 1981.
Total pages: 38.			

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 Pratt & Whitney, Technical Publications Department, M/S 132-30, 400 Main Street, East Hartford, CT 06108. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on September 11, 1995.

Issued in Burlington, Massachusetts, on July 26, 1995.

James C. Jones,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.
[FR Doc. 95-19232 Filed 8-9-95; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 2

RIN 2900-AH00

Delegation of Subpoena Authority and Description of Means of Service

AGENCY: Department of Veterans Affairs.
ACTION: Interim Final Rule with Request for Comments.

SUMMARY: This document amends the Department of Veterans Affairs (VA) regulations concerning authority of VA officials to issue subpoenas: (1) by revoking the delegation of authority to the Inspector General and subordinate officials, and (2) by adding a delegation of authority to the Under Secretary for Health and certain subordinate officials. The regulations are also amended by

specifying means of service for VA subpoenas. These amendments are intended to make the Department's delegations of subpoena power consistent with legal authority and to ensure that VA has the means to obtain information necessary to determine whether individuals are entitled to income-based benefits.

DATES: This interim final rule is effective on August 10, 1995. Comments must be received on or before October 10, 1995.

ADDRESSES: Mail written comments concerning these proposed regulations to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Ave., NW, Washington, DC 20420; or hand deliver written comments to: Office of Regulations Management, Room 1176, 801 Eye Street, NW, Washington, DC