

(ii) Prior to further flight after replacing the cracked part, clean the main landing gears and nose landing gear yoke and piston in accordance with figure 2 of the service bulletins referenced in paragraphs (a)(1), (a)(2), and (a)(3) of this AD;

(iii) Prior to further flight after replacing the cracked part, apply a small bead of Products Research and Chemical Corporation PR-1422 or PR-1435 sealant to the main landing gears and nose landing gear yoke as shown in Figure 2 of the service bulletins referenced in paragraphs (a)(1), (a)(2), and (a)(3) of this AD, and as described in the SA226/227 Series Service Repair Manual, Chapter 51-30-03, Standard Practices—Sealing; and

(iv) Repeat the inspections specified in paragraphs (a) and (b) of this AD and replace the part as required.

(6) If a crack is found with a length more than 1.5 inches, accomplish the following:

(i) Prior to further flight after the inspection required by paragraph (a) of this AD, replace the cracked part with a new part in accordance with the applicable maintenance manual. This may be accomplished by replacing the cracked yoke, the total gear assembly, or the yoke/cylinder combination;

(ii) Prior to further flight after replacing the cracked part, clean the main landing gears and nose landing gear yoke and piston in accordance with figure 2 of the service bulletins referenced in paragraphs (a)(1), (a)(2), and (a)(3) of this AD;

(iii) Prior to further flight after replacing the cracked part, apply a small bead of Products Research and Chemical Corporation PR-1422 or PR-1435 sealant to the main landing gears and nose landing gear yoke as shown in Figure 2 of the service bulletins referenced in paragraphs (a)(1), (a)(2), and (a)(3) of this AD, and as described in the SA226/227 Series Service Repair Manual, Chapter 51-30-03, Standard Practices—Sealing; and

(iv) Repeat the inspections specified in paragraphs (a) and (b) of this AD and replace the part as required.

(7) If multiple cracks are found, add the total length of the cracks and use the criteria presented in paragraphs (b)(1) through (b)(6) of this AD, including all subparagraph designations, to establish repetitive inspection intervals or replacement times.

(c) The MLG and NLG yokes affected by this AD are manufactured by Ozone Industries, Inc. Replacing these yokes with approved parts manufactured by Fairchild Aircraft eliminates the repetitive inspection requirements of this AD.

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office (ACO), FAA, 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 ACO.

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

(f) The inspections required by this AD shall be done in accordance with Fairchild Aircraft Service Bulletin 226-32-065, Issued: August 16, 1995, Fairchild Aircraft Service Bulletin 227-32-039, Issued: August 16, 1995, or Fairchild Aircraft Service Bulletin CC7-32-007, Issued: August 16, 1995, as applicable. 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 Fairchild Aircraft, P.O. Box 790490, San Antonio, Texas 78279-0490. 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.

(g) This amendment (39-9369) becomes effective on September 28, 1995.

Issued in Kansas City, Missouri, on September 6, 1995.

Gerald W. Pierce,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-22646 Filed 9-13-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-149-AD; Amendment 39-9372; AD 95-19-10]

Airworthiness Directives; Boeing Model 767 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to all Boeing Model 767 series airplanes. This action requires operators to perform visual inspections of the outer cylinder aft trunnion on the main landing gear to determine if the fillet seal is cracked or missing. This action also requires operators to inspect for evidence of corrosion in this location. Finally, this action prescribes the procedures that operators must follow if corrosion is found. This amendment is prompted by several reports of fractures of the outer cylinder aft trunnion due to stress corrosion cracking. The actions specified in this AD are intended to ensure that corrosion is not present in this location, thereby preventing future failures due to stress corrosion cracking.

DATES: Effective September 29, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 29, 1995.

Comments for inclusion in the Rules Docket must be received on or before November 13, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-149-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined 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.

FOR FURTHER INFORMATION CONTACT: James G. Rehr, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2783; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION: The FAA has received reports of fractures of the outer cylinder of the aft trunnion of the main landing gear (MLG) on three Boeing Model 767 series airplanes. One of the three airplanes was six years old and had accumulated 28,887 total flight hours; another was six years old and had accumulated 25,841 total flight hours; and the third was eight years old and had accumulated 27,177 total flight hours. All of these airplanes were equipped with the original MLG, none of which had been overhauled at the time of the failure. Investigation revealed that in each case, moisture had entered the area between the outer cylinder of the MLG and a mating bushing. The effects of such moisture subsequently caused stress corrosion cracking. This condition, if not detected and corrected in a timely manner, could cause more fractures of the outer cylinder of the aft trunnion, which could result in the loss of the MLG.

The FAA has reviewed and approved Boeing Service Letter 767-SL-32-067, dated August 4, 1995, which describes the following procedures:

1. Performing repetitive visual inspections to determine if the fillet seal of the outer cylinder aft trunnion is cracked or missing;
2. Removing the fillet seal, solvent-cleaning the adjacent area, applying corrosion inhibiting compound (CIC),

and visually inspecting to detect corrosion, if any fillet seal is found cracked or missing; and

3. Re-applying CIC and greasing, if no corrosion is detected, or repairing the aft trunnion, if any corrosion is detected. Accomplishment of this repair eliminates the need for the repetitive inspections.

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 767 series airplanes of the same type design, this AD is being issued to prevent stress corrosion cracking, which could result in fractures of the outer cylinder aft trunnion and the subsequent loss of the MLG. This AD requires visual inspections to determine if the fillet seal of the outer cylinder aft trunnion is cracked or missing, and the correction of any discrepancy or follow-on actions, if necessary. Repairing the aft trunnion constitutes terminating action for the repetitive inspection requirements. The actions are required to be accomplished in accordance with the service letter described previously.

Operators should note that this AD requires repetitive application of CIC and grease every 500 flight hours, rather than at the 2A check interval (1,000 flight hours), as recommended in the service letter. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the susceptibility of the subject area to a high velocity of water spray (such as, landing on wet runways, high pressure washing, etc.), which could lead to the accumulation of water and subsequent stress corrosion cracking of the outer cylinder of the aft trunnion.

The FAA considers this AD to be interim action. The manufacturer has advised that it is developing a modification that will prevent future occurrences of this unsafe condition. Once this modification is developed, approved, and available, the FAA may consider additional rulemaking.

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 included in this rule to clarify this long-standing requirement.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public 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 flight safety and, thus, was not preceded by notice and an opportunity for public 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 shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. 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 rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-149-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 adding the following new airworthiness directive:

95-19-10 Boeing: Amendment 39-9372. Docket 95-NM-149-AD.

Applicability: All Model 767 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 (d) 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 stress corrosion cracking, which could result in fractures of the outer cylinder aft trunnion and the subsequent loss of the main landing gear (MLG), accomplish the following:

(a) Within 5-1/2 years since the last overhaul of the MLG or since the date of manufacture of the MLG (for MLG's that have not been overhauled), or within 60 days after the effective date of this AD, whichever occurs later: Perform a visual inspection to determine if the fillet seal of the outer cylinder aft trunnion is cracked or missing, in accordance with Boeing Service Letter 767-SL-32-067, dated August 4, 1995. For the purposes of this AD, fillet seals are not considered to be "cracked" if cracks are found in the fillet seal paint only (where the fillet seal itself is not cracked).

(b) If no cracked fillet seal is found during the inspection required by paragraph (a) of this AD, repeat the inspection thereafter at intervals not to exceed 18 months.

(c) If any fillet seal is found to be cracked or missing during the inspection required by paragraph (a) of this AD, prior to further flight, remove the fillet seal (if present), clean the adjacent area with a solvent, apply corrosion inhibiting compound (CIC), and perform a visual inspection to detect corrosion, in accordance with Boeing Service Letter 767-SL-32-067, dated August 4, 1995.

(1) If no corrosion is detected, prior to the accumulation of 500 flight hours, reapply CIC and grease in accordance with the service letter. Thereafter, repeat the application of CIC and grease at intervals not to exceed 500 flight hours.

(2) If any corrosion is detected, prior to further flight, repair the aft trunnion in accordance with the service letter. Accomplishment of this repair constitutes terminating action for the repetitive inspection requirements of this AD.

(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 2: 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 actions shall be done in accordance with Boeing Service Letter 767-SL-32-067, dated August 4, 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 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 September 29, 1995.

Issued in Renton, Washington, on September 7, 1995.

D. L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-22715 Filed 9-13-95; 8:45 am]

BILLING CODE 4910-13-U

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 230 and 240

[Release Nos. 33-7211; 34-36199]

Confidential Treatment Rules

AGENCY: Securities and Exchange Commission.

ACTION: Final rules.

SUMMARY: The Commission is modifying a procedural requirement concerning the number of unredacted copies of material filed with the Secretary of the Commission by issuers applying for a grant of confidential treatment. This modification reduces the number of unredacted copies from three or more copies to one copy.

EFFECTIVE DATE: October 16, 1995.

FOR FURTHER INFORMATION CONTACT: John Bernas at (202) 942-2915 or L. Jacob Fien-Helfman at (202) 244-2997, Division of Corporation Finance, U.S. Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549.

SUPPLEMENTARY INFORMATION: The Commission today announces the adoption of amendments to Rule 406¹ under the Securities Act of 1933 ("the Securities Act")² and Rule 24b-2³ under the Securities Exchange Act of 1934 ("the Exchange Act")⁴. Each rule is being revised for the limited purpose of reducing to one copy the unredacted material required to accompany a request for confidential treatment pursuant to either rule. In the case of Rule 406, the filing person is currently required to submit with the request for confidential treatment "as many copies of the confidential portion, each clearly

marked 'Confidential Treatment,' as there are copies of the material filed with the Commission." In the case of Rule 24b-2, the filing person is currently required to submit with the request for confidential treatment "as many copies of the confidential portion, each clearly marked 'Confidential Treatment,' as there are copies of the material filed with the Commission and with any exchange where such material is required to be filed."⁵ Today's change in Rule 406 and Rule 24b-2 reduces the number of unredacted copies that are required to be submitted to the Secretary of the Commission with the request for confidential treatment to one copy in all circumstances.⁶

It is anticipated that these revisions will reduce the volume of paper processed and discarded by the Staff without reducing the Division's ability to process filings. This reduction should also increase security for confidential materials since the staff would handle only one unredacted copy. These revisions do not change the number of redacted copies of the materials required to be filed with the Commission's file desk.

These amendments relate solely to "agency organization, procedure or practice." Consequently, their promulgation is not subject to the notice and comment requirements of the Administrative Procedures Act;⁷ similarly, this rule making is not subject to the requirements of the Regulatory Flexibility Act.⁸

Statutory Basis

The amendments are being adopted pursuant to Section 19 of the Securities Act and Section 23 of the Exchange Act.

List of Subjects in 17 CFR Parts 230 and 240

Registration requirements; Reporting and recordkeeping requirements; Confidential treatment; Securities.

Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

⁵ Non-EDGAR filers currently are required to file three or more copies of filed material (See 17 CFR 229.406 and 17 CFR 240.12b-11) while EDGAR filers are required to file one copy of such materials (See 17 CFR 232.309(b)).

⁶ In those instances when an application is denied, a prior grant revoked, or the information otherwise made public, the staff practice is to request that the applicant amend the initial filing to disclose the previously redacted information by contemporaneously filing the required number of copies without redactions.

⁷ 5 U.S.C. 553(b).

⁸ 5 U.S.C. 603, 604.

¹ 17 CFR 230.406.

² 15 U.S.C. 77a et. seq.

³ 17 CFR 240.24b-2.

⁴ 15 U.S.C. 78a et. seq.