

To prevent decompression injuries and the cargo door from breaking off and striking the empennage or the elevator, which could cause substantial structural failure and loss of control of the airplane, accomplish the following:

(a) Replace the lower two aluminum cargo door receptacles with steel receptacles in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Fairchild Aircraft Service Bulletin (SB) 226-52-008; Issued: April 3, 1979; Revised: April 6, 1984.

(b) 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.

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

(d) The replacements required by this AD shall be done in accordance with Fairchild Aircraft Service Bulletin 226-52-008; Issued April 3, 1979; Revised April 6, 1984. 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.

(e) This amendment (39-9353) becomes effective on September 26, 1995.

Issued in Kansas City, Missouri, on August 25, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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14 CFR Part 39

[Docket No. 95-CE-57-AD; Amendment 39-9337; AD 95-17-06]

Airworthiness Directives; Mooney Aircraft Corporation Model M20K Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Mooney Aircraft Corporation (Mooney) Model M20K airplanes with a Continental TSIO-520-NB engine installed in accordance with Supplemental Type Certificate (STC) SA5691NM. This action requires repetitively inspecting the exhaust transition tube and turbo mount assembly for cracks, and replacing any part found cracked. A report of a cracked exhaust transition tube that connects the exhaust manifolds to the turbocharger inlet on one of the affected airplanes prompted this action. The actions specified by this AD are intended to prevent exhaust gases from entering the cabin heating system because of a cracked exhaust transition tube, which, if not detected and corrected, could result in hazardous levels of carbon monoxide in the airplane cabin.

DATES: Effective September 25, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 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-57-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from the Rocket Engineering Corporation, East 6247 Rutter Road, Felts Field, Spokane, Washington 99212. 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-57-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: Mr. Kevin Masterson, Aerospace Engineer, FAA, Northwest Mountain Region, 1601 Lind Avenue S.W., Renton, Washington 98055-4056; telephone (206) 227-2596; facsimile (206) 227-1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report of a cracked exhaust transition tube that connects the exhaust manifolds to the turbocharger inlet on a Mooney Model M20K airplane. This airplane has a Continental TSIO-520-NB engine installed in accordance with

Supplemental Type Certificate (STC) SA5691NM, which is owned by the Rocket Engineering Corporation. Included with this STC SA5691NM installation is an AiResearch THO8A67 turbocharger and intercooler.

In the above-referenced incident, a 4 to 5-inch crack had developed in the exhaust transition tube. In addition, the turbo mount brace was found cracked. These cracks were discovered following an incident where the pilot reported loss of engine power while in flight. A cracked exhaust transition tube that connects the engine manifolds and the turbocharger inlet could allow exhaust gases to enter the cabin heating system. In this instance, a hazardous level of carbon monoxide could enter the airplane cabin, resulting in pilot injury and subsequent loss of control of the airplane.

The Rocket Engineering Corporation has issued Mandatory Service Bulletin MSB95-305-1, dated August 9, 1995, which specifies procedures for inspecting the exhaust transition tube and turbo mount assembly on Mooney Model M20K airplanes with a Continental TSIO-520-NB engine installed in accordance with STC SA5691NM.

The FAA examined all available information related to the incident described above including the referenced service information and has determined that AD action should be taken to prevent exhaust gases from entering the cabin heating system because of a cracked exhaust transition tube, which, if not detected and corrected, could result in hazardous levels of carbon monoxide in the airplane cabin.

Since an unsafe condition has been identified that is likely to exist or develop on other Mooney Model M20K airplanes of the same type design that have a Continental TSIO-520-NB engine installed in accordance with STC SA5691NM, this AD requires repetitively inspecting the exhaust transition tube and turbo mount assembly for cracks, and replacing any part found cracked. Accomplishment of these actions will be in accordance with Rocket Engineering Corporation Mandatory Service Bulletin MSB95-305-1, dated August 9, 1995.

Since a situation exists (possible hazardous carbon monoxide levels in the airplane cabin) 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 request must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95-CE-57-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 and that must be issued immediately to correct an unsafe condition in aircraft, and 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:

95-17-06 Mooney Aircraft Corporation:
Amendment 39-9337; Docket No. 95-CE-57-AD.

Applicability: Model M20K airplanes (all serial numbers), certificated in any category, that have a Continental TSIO-520-NB engine installed in accordance with Supplemental Type Certificate (STC) SA5691NM, which is owned by the Rocket Engineering Corporation.

Note 1: This AD applies to each airplane identified in the preceding applicability revision, 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 initially within the next 10 hours time-in-service (TIS) after the effective date of this AD, and thereafter as indicated in the body of this AD.

To prevent exhaust gases from entering the cabin heating system because of a cracked exhaust transition tube, which, if not detected and corrected, could result in hazardous levels of carbon monoxide in the airplane cabin, accomplish the following:

(a) Inspect the following parts of the exhaust system for cracks in accordance with

Rocket Engineering Corporation Mandatory Service Bulletin MSB95-305-1, dated August 9, 1995:

(1) Exhaust Transition Tube, part number 305-01-507HS, 305-01-507HS-Rev A, or 305-01-507HS-Rev B.

(2) Left Hand Forward Mount Tube, part number 305-03-501, 305-03-501-Rev A, or 305-03-501-Rev B.

(3) Right Hand Forward Mount Tube, part number 305-03-502 or 305-03-502-Rev A.

(b) If cracks are found in either the exhaust transition tube or the turbo mount tubes during any of the required inspections, prior to further flight, accomplish the following in accordance with Rocket Engineering Corporation Mandatory Service Bulletin MSB95-305-1, dated August 9, 1995.

(1) Replace any cracked exhaust transition tube with Exhaust Transition Tube, part number 305-01-507HS-Rev C, and reinspect this new exhaust transition tube at intervals not to exceed 50 hours TIS.

(2) Replace any cracked left hand forward mount tube with Left Hand Forward Mount Tube, part number 305-03-501-Rev C. The repetitive inspections of this part required by this AD may be terminated after this replacement.

(3) Replace any cracked right hand forward mount tube with Right Hand Forward Mount Tube, part number 305-03-502-Rev B. The repetitive inspections of this part required by this AD may be terminated after this replacement.

(c) If no cracks are found in either the exhaust transition tube or the turbo mount tubes during any of the inspections required by this AD, reinspect at intervals not to exceed 25 hours TIS provided the parts are crack-free.

(d) The replacements required by paragraphs (b)(1), (b)(2), and (b)(3) of this AD may be accomplished regardless of whether a part is found cracked in order to extend the repetitive inspection time of the exhaust transition tube or eliminate the repetitive inspection requirement of the left and right hand forward mount tube as is specified in the applicable paragraph 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, Seattle Aircraft Certification Office (ACO), FAA, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, Washington 98055-4056. The request shall be forwarded through an appropriate FAA 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.

(g) The inspections and replacements required by this AD shall be done in accordance with Rocket Engineering Corporation Mandatory Service Bulletin MSB95-305-1, dated August 9, 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 the Rocket Engineering Corporation, East 6247 Rutter Road, Felts Field, Spokane, Washington 99212. 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 (39-9337) becomes effective on September 25, 1995.

Issued in Kansas City, Missouri, on August 30, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-22048 Filed 9-14-95; 8:45 am]

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 47

[T.D. ATF-367]

RIN 1512-AB37

Importation of Arms, Ammunition and Implements of War (93F-301P)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule amends the list of countries from which the import of defense articles into the United States is proscribed to add Iran, Iraq, Libya, Mongolia, Sudan, and Syria and to remove Albania, Bulgaria, Kampuchea, Outer Mongolia, and Romania. The final rule also removes the proscription on import of defense articles, and technical data relating to defense articles, from South Africa and provides examples of countries with respect to which the United States maintains an arms embargo.

EFFECTIVE DATE: September 15, 1995.

FOR FURTHER INFORMATION CONTACT: Larry White, Coordinator, Firearms and Explosives Imports Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, (202) 927-8230.

SUPPLEMENTARY INFORMATION: The Arms Export Control Act of 1976, 22 U.S.C. 2278, gives the President of the United States the authority to control the import and export of defense articles and defense services.

Executive Order 11958 of January 18, 1977, as amended (42 FR 4311),

delegated authority to control exports of defense articles and defense services to the Secretary of State. The Executive Order also delegated to the Secretary of the Treasury the authority to control the import of such articles and services. However, as stated in 27 CFR 47.55, ATF is guided by the views of the Departments of State and Defense on matters affecting world peace and the external security and foreign policy of the United States. After consulting these Departments, the Bureau of Alcohol, Tobacco and Firearms (ATF) is revising the provisions of 27 CFR part 47 to conform to the recommendation of the Department of State.

On August 23, 1994, the Department of State recommended that ATF formally add Iran, Iraq, Libya, Mongolia, Sudan and Syria to the list in 27 CFR 47.52(a) of countries from which the import of defense articles into the United States is proscribed. The Department of State also recommended that ATF remove Albania, Bulgaria, Kampuchea, Outer Mongolia, and Romania from the list of proscribed countries in § 47.52(a).

In addition, the Department of State advised ATF of the publication of a final rule on August 17, 1994 (59 FR 42158) amending the International Traffic in Arms Regulations to state that it is no longer the policy of the United States to deny licenses, other approvals, exports and imports of defense articles and defense services destined for or originating in South Africa. This final rule amends the regulations in part 47 to reflect this change.

Finally, pursuant to the Department of State's request, ATF is amending the regulations to provide examples of countries with which the United States maintains an arms embargo.

Executive Order 12866

Because the amendments to 27 CFR part 47 involve a foreign affairs function of the United States, Executive Order 12866 does not apply.

Administrative Procedure Act

Under 27 CFR 47.54, amendments made to 27 CFR part 47 are excluded from the rulemaking provisions of 5 U.S.C. 553 because this Part involves a foreign affairs function of the United States. Accordingly, it is not necessary to issue this Treasury Decision with notice and public procedure thereon under 5 U.S.C. 553(b) or subject to the effective date limitations in 5 U.S.C. 553(d).

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and

final regulatory flexibility analysis are not applicable to this final rule because the agency was not required to publish a general notice of proposed rulemaking under 5 U.S.C. 553 or any other law.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Public Law 96-511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no reporting or recordkeeping requirements.

Drafting Information

The principal author of this document is Angela Shanks, Technical Aide, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 47

Administrative practice and procedure, Arms control, Arms and munitions, Authority delegation, Chemicals, Customs duties and inspection, Imports, Penalties, Reporting and recordkeeping requirements, Scientific equipment, Seizures and forfeitures.

Authority and Issuance

Title 27, Code of Federal Regulations, part 47, Importation of Arms, Ammunition and Implements of War, is amended as follows:

Paragraph 1. The authority citation for part 47 continues to read as follows:

Authority: 22 U.S.C. 2778.

Par. 2. Section 47.52 is amended by revising paragraph (a), by removing paragraph (c), by redesignating paragraphs (d) and (e) as paragraphs (c) and (d), and by revising the first sentence in the redesignated paragraph (d) to read as follows:

§ 47.52 Import restrictions applicable to certain countries.

(a) It is the policy of the United States to deny licenses and other approvals with respect to defense articles and defense services originating in certain countries or areas. This policy applies to Cuba, Iran, Iraq, Libya, Mongolia, North Korea, Sudan, Syria, Vietnam and the States that comprise the former Soviet Union (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan). This policy applies to countries or areas with respect to which the United States maintains an arms embargo (e.g., Burma, China, Haiti, Liberia, Rwanda, Somalia, Sudan, UNITA (Angola), the former Yugoslavia, Zaire). It also applies when an import would not be in furtherance of world