

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-59-AD]

Airworthiness Directives; Air Tractor, Incorporated Models AT-802 and AT-802A Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to Air Tractor, Incorporated (Air Tractor) Models AT-802 and AT-802A airplanes. The proposed action would require repetitively replacing the main landing gear legs. Failure of the main landing gear legs on an AT-802A in the field prompted the proposed action. The actions specified by the proposed AD are intended to prevent possible failure of the main landing gear legs, which, if not detected and corrected, could result in loss of control of the landing operations of the airplane.

DATES: Comments must be received on or before December 5, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-59-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Air Tractor Incorporated, P. O. Box 485, Olney, Texas 76374; telephone (817) 564-5616; facsimile (817) 564-2348. This information also may be examined at the Rules Docket at the address above.

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:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 proposal 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-59-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-59-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA received a report of the collapse of an Air Tractor AT-802A airplane equipped with 1.56-inch thick main landing gear legs, part number (P/N) 40091-2. The investigation revealed that the parked AT-802A airplane's main landing gear failed after having made approximately 3,500 landings. There was slight rust under the clamp

block where the failure started. This failure of the main landing gear legs in the field has prompted a re-evaluation of the fatigue life of the legs presented in the life limited parts section of the Airplane Maintenance Manual, Airworthiness Limitations Section, defined by section 23.159 of the Federal Aviation Regulations (14 CFR 23.159). The 1.56-inch thick landing gear legs were heat treated to a higher ultimate tensile stress. This higher than normal heat treatment has made them more brittle than gears used on other Air Tractor models.

Air Tractor has issued Service Bulletin (SB) 104A, dated July 29, 1995, which specifies procedures for replacing the main landing gear legs on Models AT-802 and AT 802A airplanes.

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 failure of the main landing gear legs, which, if not detected and corrected, could result in loss of control of the landing operations and possible loss of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop in other Air Tractor Models AT-802 and AT-802A airplanes of the same type design, the proposed AD would require replacing the main landing gear legs every 3,000 landings.

The FAA estimates that 18 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 12 hours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$2,816 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$63,648 (\$3,536 per airplane). This figure is based on the assumption that no affected airplane owner/operator has replaced the main landing gear legs and does not take into account the number of repetitive replacements each operator would incur over the life of the airplane. The FAA has no way of determining how many main landing gear replacements each owner/operator will incur.

The regulations proposed herein would 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 proposal would 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) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Air Tractor Incorporated: Docket No. 95-CE-59-AD.

Applicability: Model AT-802 and AT-802A Airplanes (all serial numbers), 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 request approval for an alternative method of compliance in accordance with paragraph (c) 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 upon the accumulation of 3,000 landings or within the next 25 landings after the effective date of this AD, whichever occurs later, unless already accomplished, and thereafter at intervals not to exceed 3,000 landings.

Note 2: If the number of landings is not known, calculate by multiplying three landings per one hour time-in service.

To prevent possible failure of the main landing gear legs, which, if not detected and corrected, could result in loss of control of landing operations and possible loss of the airplane, accomplish the following:

(a) Replace the main landing gear legs, Air Tractor part number 40091-2, in accordance with Air Tractor Service Bulletin (SB) 104A, dated July 29, 1995.

(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 initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Fort Worth Aircraft Certification Office, 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 3: 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) All persons affected by this directive may obtain copies of the document referred to herein upon request to Air Tractor Incorporated, P. O. Box 485, Olney, Texas 76374; telephone (817) 564-5616; facsimile (817) 564-2348 or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on September 28, 1995.

John R. Colomy,

Acting Manager, Small Aircraft Directorate, Aircraft Certification Service.

[FR Doc. 95-24712 Filed 10-4-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-CE-51-AD]

Airworthiness Directives; the New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) Models PA-28-140, PA-28-150, PA-28-160, and PA-28-180 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain New Piper Aircraft, Inc. (Piper) Models PA-28-140, PA-28-150, PA-28-160, and PA-28-180 airplanes. The proposed action would require a complete landing light support replacement. This proposed AD action is prompted by reports of two accidents and two incidents resulting from the landing light retainer support seal breaking apart and entering the carburetor. The actions specified by the proposed AD are intended to prevent the landing light retainer support seal from being ingested by the updraft carburetor, which, if not detected and corrected, could possibly result in rough engine operation or engine stoppage.

DATES: Comments must be received on or before December 5, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-51-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Piper Service Bulletin (SB) number (No.) 975, dated November 2, 1994, may be obtained from the New Piper Aircraft, Inc., Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida, 32960. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Juanita Craft-Lloyd, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7573; facsimile (404) 305-7348.