

Following accomplishment of the repair, repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 5,000 landings until the inspections required by paragraph (c) of this AD are accomplished.

(c) Perform a detailed visual inspection to detect cracks of the top sill joint strap at station 82.5, of the frame at station 113, and of the frame at station 160.5 (left-hand side only) between stringers 13 and 15; and an eddy current inspection to detect cracks of the top sill members at station 82.5. Perform these inspections in accordance with British Aerospace Airbus Limited Alert Service Bulletin 53-A-PM5994, Issue 3, dated April 8, 1993, at the time specified in paragraph (c)(1) or (c)(2) of this AD, as applicable. Accomplishment of these inspections terminates the repetitive inspection requirement of paragraph (a) of this AD.

(1) For airplanes operating at a maximum cabin differential pressure not exceeding 7.5 pounds per square inch (psi): Perform the inspections at the later of the times specified in paragraphs (c)(1)(i) and (c)(1)(ii) of this AD. Thereafter, repeat these inspections at intervals not to exceed 5,000 landings or 7,500 hours time-in-service, whichever occurs first.

(i) Prior to the accumulation of 20,000 total landings since date of entry into service; or
(ii) Within 1,200 landings or 12 months after the effective date of this AD, whichever occurs later.

(2) For airplanes operating at a maximum cabin differential pressure greater than 7.5 psi, but not exceeding 8.2 psi, including those airplanes having incorporated British Aerospace Airbus Limited Modification PM3187: Perform the inspections at the later of the times specified in paragraphs (c)(2)(i) and (c)(2)(ii) of this AD. Thereafter, repeat these inspections at intervals not to exceed 3,500 landings or 5,250 hours time-in-service, whichever occurs first.

(i) Prior to the accumulation of 14,000 total landings since date of entry into service; or
(ii) Within 800 landings or 12 months after the effective date of this AD, whichever occurs later.

Note 2: British Aerospace Airbus Limited Modification PM3187 increases the cabin differential pressure from the normal 7.5 psi to 8.2 psi. If Modification PM3187 has been incorporated on the airplane, that airplane is considered to be subject to the requirements of paragraph (c)(2) of this AD.

(d) If any crack is found during any inspection required by paragraph (c) of this AD, prior to further flight, accomplish the requirements of paragraph (d)(1), (d)(2), or (d)(3), as applicable.

(1) For cracking of the joint strap, doubler, or angle at the sill joint at station 82.5: Replace the cracked part with a new part in accordance with British Aerospace Airbus Limited Alert Service Bulletin 53-A-PM5994, Issue 3, dated April 8, 1993.

(2) For cracking of the frame at station 113: Repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113.

(3) For cracking of the frame at station 160.5: Repair in accordance with the Structural Repair Manual, as specified in

British Aerospace Airbus Limited Alert Service Bulletin 53-A-PM5994, Issue 3, dated April 8, 1993.

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

(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 airplane to a location where the requirements of this AD can be accomplished. Issued in Renton, Washington, on December 27, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-45 Filed 1-2-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-136-AD]

Airworthiness Directives; Dornier Model 328-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Dornier Model 328-100 series airplanes. This proposal would require installation of a reinforcement doubler on the rudder skin. This proposal is prompted by the results of a design review of this airplane model that revealed inadequate structural strength of the attachment fitting of the rudder damper and of the adjacent structure. The actions specified by the proposed AD are intended to prevent failure of the attachment structure of the rudder damper in the event of aerodynamic gust loads, as the result of inadequate structural strength of the subject structure.

DATES: Comments must be received by February 13, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-136-AD, 1601 Lind Avenue, SW.,

Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Gary Lium, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1112; fax (206) 227-1149.

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 shall 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 summarizing 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 Number 95-NM-136-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-136-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain Dornier Model 328-100 series airplanes. The LBA advises that the results of the manufacturer's design review of this airplane model have revealed that the structural strength of the attachment fitting of the rudder damper and of the adjacent structure is inadequate to withstand the ground gust specifications required by Federal Aviation Regulations (FAR) part 25 (14 CFR 25). This condition, if not corrected, could result in failure of the attachment structure of the rudder damper in the event of aerodynamic gust loads, which could contribute to reduced controllability of the airplane.

Dornier has issued Service Bulletin SB-328-27-063, Revision 1, dated January 26, 1995, which describes procedures for installation of a reinforcement doubler on the rudder skin. The reinforcement doubler will improve the structural integrity of the attachment fitting of the rudder damper and of the adjacent structure. The LBA classified this service bulletin as mandatory and issued German airworthiness directive 94-352 in order to assure the continued airworthiness of these airplanes in Germany.

This airplane model is manufactured in Germany and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, the proposed AD would require installation of a reinforcement doubler on the rudder skin. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 12 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would be supplied by the manufacturer

at no cost to operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,440, or \$120 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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 the following new airworthiness directive:

Dornier: Docket 95-NM-136-AD.

Applicability: Model 328-100 series airplanes, serial numbers 3005 through 3024 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (b) 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 failure of the attachment structure of the rudder damper in the event of aerodynamic gust loads, accomplish the following:

(a) Within 6 months after the effective date of this AD, install a reinforcement doubler on the rudder skin in accordance with Dornier Service Bulletin SB-328-27-063, Revision 1, dated January 26, 1995.

(b) 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, 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, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) 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.

Issued in Renton, Washington, on December 27, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-43 Filed 1-2-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-177-AD]

Airworthiness Directives; McDonnell Douglas Model DC-10-10, -15, -30, -40, and KC-10A (Military) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.