§ 1230.110 Assessments on imported pork and pork products.

(a) The following HTS categories of imported live porcine animals are subject to assessment at the rate specified.

Live porcine animals	Assessment
0103.10.0000 .	0.45 percent Customs Entered Value.
0103.91.0000 .	0.45 percent Customs Entered Value.
0103.92.0000 .	0.45 percent Customs Entered Value.

(b) The following HTS categories of imported pork and pork products are subject to assessment at the rates specified.

Pork and pork products	Assessment	
	cents/lb	cents/kg
0203.11.0000	.27	.595242
0203.12.1010	.27	.595242
0203.12.1020	.27	.595242
0203.12.9010	.27	.595242
0203.12.9020	.27	.595242
0203.19.2010	.31	.683426
0203.19.2090	.31	.683426
0203.19.4010	.27	.595242
0203.19.4090	.27	.595242
0203.21.0000	.27	.595242
0203.22.1000	.27	.595242
0203.22.9000	.27	.595242
0203.29.2000	.31	.683426
0203.29.4000	.27	.595242
0206.30.0000	.27	.595242
0206.41.0000	.27	.595242
0206.49.0000	.27	.595242
0210.11.0010	.27	.595242
0210.11.0020	.27	.595242
0210.12.0020	.27	.595242
0210.12.0040	.27	.595242
0210.19.0010	.31	.683426
0210.19.0090	.31	.683426
1601.00.2010	.37	.815702
1601.00.2090	.37	.815702
1602.41.2020	.41	.903886
1602.41.2040	.41	.903886
1602.41.9000	.27	.595242
1602.42.2020	.41	.903886
1602.42.2040	.41	.903886
1602.42.4000	.27	.595242
1602.49.2000	.37	.815702
1602.49.4000	.31	.683426

Dated: March 18, 1996.

Lon Hatamiya,

Administrator.

[FR Doc. 96–6983 Filed 3–21–96; 8:45 am]

BILLING CODE 3410–02–P

Animal and Plant Health Inspection Service

9 CFR Parts 1, 2, and 3

[Docket No. 95–099–2]

Dogs and Cats in Commercial Pet Trade; Public Meeting

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of public meeting.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service is hosting a public meeting to gather information on the current Animal Welfare Act regulations and standards that apply to the care of dogs and cats in the commercial pet trade. In line with our commitment to ensure appropriate care for animals regulated under the Animal Welfare Act, we are reviewing these regulations and standards and are seeking recommendations and opinions from the affected industries and concerned public to determine whether revisions are necessary.

DATES: The public meeting will be held on two consecutive half days—from 1 p.m. until 5 p.m. on the first day and from 8 a.m. until noon on the second day. The meeting will be held in Washington, DC, on April 10 and 11, 1996.

ADDRESSES: The public meeting will be held at the U.S. Department of Agriculture South Building, South Cafeteria, First Floor, Wing 3, 14th Street and Independence Avenue SW., Washington, DC. If travelling by Metro to the USDA South Building, take the Blue Line (towards Stadium-Armory/Addison Road) or the Orange Line (towards Stadium-Armory/New Carrollton). Exit the train at the Smithsonian station and follow signs to Independence Avenue. Enter Wing 1 of the USDA South Building (entrance is at the corner of 12th Street and Independence Avenue) immediately after exiting the station. You will be required to show identification at the Guard Desk. Proceed to the South Cafeteria in Wing 3 on the first floor; registration will take place at the back of the Cafeteria.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Smith, Animal Health Technician, Animal Care Staff, REAC, APHIS, USDA, 4700 River Road Unit 84, Riverdale, MD 20737–1234, (301) 734–4972.

SUPPLEMENTARY INFORMATION: Under the Animal Welfare Act (AWA) (7 U.S.C. 2131 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) is responsible for regulating the care provided to certain animals, including dogs and cats in the commercial pet trade. APHIS believes the AWA regulations and standards pertaining to such dogs and cats may need to be updated. APHIS officials are reviewing the pertinent AWA regulations and standards.

In conducting this review, the agency is seeking recommendations and opinions regarding the housing, care, handling, and transportation of dogs and cats in the commercial pet trade. APHIS officials decided to hold three meetings to gather input from the public, animal protection organizations, and members of affected industries, such as dealers, research facilities, and commercial animal transporters. The first two meetings were held in Kansas City, MO, on February 21 and 22, 1996, and in St. Louis, MO, on February 23 and 24, 1996. We have chosen to hold the third meeting in Washington, DC.

The meeting will include four workshops facilitated by trained APHIS facilitators: (1) Space requirements for primary enclosures, including room for exercise; (2) sanitation, materials, flooring, and construction of primary enclosures; (3) veterinary care and breeding frequency; and (4) transportation by land and by air. In these workshops, group participation will be used to develop recommendations within specific topic areas. After the workshops have concluded, each workshop group will report its recommendations to the entire meeting.

APHIS will consider these recommendations in developing any revisions to the current AWA regulations and standards. The Agency will initiate rulemaking for any changes deemed appropriate.

Participants will register to participate in one workshop for the entire meeting. Registration for workshop sessions will be held from 11 a.m.-1 p.m. on April 10 at the back of the South Cafeteria, with the general session beginning at 1 p.m. Attendance may be limited for some workshops because of space availability. Any persons who are unable to attend the meeting, but who wish to comment on any topics covered by the four workshops, may send written comments to the person listed under **FOR FURTHER INFORMATION CONTACT.**

Done in Washington, DC, this 19th day of March 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–6982 Filed 3–21–96; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM–121, Notice No. SC–96–1–NM]

Special Conditions: Cessna Aircraft Model 750 Airplanes; Operation With Fly-by-Wire Rudder

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This document proposes special conditions for the Cessna Aircraft Model 750 airplane. This airplane will have novel and unusual design features, relating to its electronic rudder flight control system, when compared to the state of technology envisioned in the airworthiness standards of part 25 of the Federal Aviation Regulations (FAR). These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that provided by the airworthiness standards of part 25.

DATES: Comments must be received on or before April 22, 1996.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate (ANM–100), Attn: Rules Docket No. NM–121, 1601 Lind Avenue SW, Renton, Washington, 98055–4056; or delivered in duplicate to the Transport Airplane Directorate at the above address. Comments must be marked Docket No. NM–121. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Mark I. Quam, FAA, Standardization Branch, ANM–113, Transport Standards Staff, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW, Renton, Washington 98055–4056; telephone (206) 227–2145, facsimile (206) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of these proposed special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator before further rulemaking action is taken on these proposals. The proposals contained in this notice may be changed in light of the comments received. All comments received will be available in the Rules Docket, both before and after the closing date for comments, for examination by interested parties. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must also submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. NM–121.'' The postcard will be date stamped and returned to the commenter.

Background

On October 15, 1991, Cessna Aircraft Company (Cessna), 6030 Cessna Blvd., P.O. Box 7704, Wichita, KS 67277–7704, applied for a new type certificate in the transport airplane category for the Model 750 (Citation X) airplane. The Cessna 750 is a twin-engine, swept-wing business jet aircraft that is configured for approximately 8–12 passengers. The airplane has two Allison Engine Company AE 3007C turbofan engines rated at 6400 pounds of sea level, static takeoff thrust. The airplane has a maximum operating altitude of 51,000 feet and a range of approximately 3300 nautical miles.

The Cessna 750 has a yaw control system provided by a lower rudder and an upper rudder. Each rudder surface has an independent full-time control system, except that they share mechanical input at the rudder pedals. The lower surface is controlled by mechanical input to hydraulically-powered actuators. The upper surface is electronically controlled.

The lower rudder is positioned by two identical power control units (PCUs) installed one above the other, in parallel, in the vertical fin. The PCUs are each powered by an independent hydraulic system. Both the pilot and co-pilot rudder pedals are connected to the PCUs through conventional ⅛″ diameter stainless steel cables, bellcranks, and PCU input bungees. Dual mechanical load paths are provided from the input sector to the PCUs to ensure that no single mechanical disconnect can result in loss of both rudder pedal and electric trim input to the PCUs. Rudder pedal travel of $+/-2.9$ inches provides a maximum lower rudder deflection of $+/-30$ degrees. The lower rudder system has dual rudder authority limiters designed to limit deflection, depending on the airplane's dynamic pressure. The purpose of the rudder limiter is to protect the airplane structure against overload. Both rudder authority limiters, each controlled by an independent rudder limit module, operate simultaneously so that a failure of one system will not allow the lower rudder to deflect to an unwanted position. Dual yaw damper actuators are linked in series to the lower rudder system to provide Dutch roll damping and turn coordination.

The upper rudder is driven electrically by the stand-alone yaw stability augmentation systems (YSAS), which consist of two identical systems. Each YSAS consists of a yaw stability augmentation computer (YSAC), two dual rotary variable transformer (RVT) sensors, and a servo motor which is a part of an electromechanical actuator (EMA). Either one of two YSASs continuously provides Dutch roll damping of the airplane, as well as tracking of the upper rudder to the mechanical command from the rudder pedals through electronic sensing of the rudder pedal torque tube position in the cockpit. The maximum upper rudder deflection is $+/-18$ degrees. Upper surface position limiting is accomplished by electrical and mechanical stops at the surface.

In normal conditions, the manual yaw command from either the pilot or co-pilot rudder pedals is transmitted through the cable system and the PCU input bungees to the rudder PCUs. The PCUs then drive the lower rudder surface in proportion to the input command. At the same time, the rudder pedal command is electrically sensed at the rudder pedal torque tube and transmitted to the active YSAS for tracking the upper rudder. The position of each rudder surface may be displayed to the pilot along with the authority limiter position. In normal operation, both the lower and upper rudder systems provide yaw damper function at the same time. If the yaw damper function on either rudder system completely fails, the other system will provide adequate control to maintain the yaw stability of the airplane.

Type Certification Basis

Under the provisions of § 21.17 of the FAR, Cessna must show, except as provided in § 25.2, that the Model 750 (Citation X) meets the applicable provisions of part 25, effective February 1, 1965, as amended by Amendments 25–1 through 25–74. In addition, the proposed certification basis for the

Model 750 includes § 25.1316, System lightning protection, as amended by Amendment 25–80; part 34, effective September 10, 1990, plus any amendments in effect at the time of certification; and part 36, effective December 1, 1969, as amended by Amendment 36–1 through the amendment in effect at the time of certification. The special conditions that may be developed as a result of this notice will form an additional part of the type certification basis. The certification basis also includes Special Conditions No. 25–ANM–99, dated 5/8/95, pertaining to protection from High Intensity Radiated Fields, and may include other special conditions that are not relevant to these proposed special conditions.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25, as amended) do not contain adequate or appropriate safety standards for the Cessna Model 750 because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with § 11.49 of the FAR after public notice, as required by §§ 11.28 and 11.29, and become part of the type certification basis in accordance with § 21.17(a)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Discussion

The proposed type design of the Cessna 750 contains novel or unusual design features not envisioned by the applicable part 25 airworthiness standards and therefore special conditions are considered necessary in the following areas:

1. Upper Rudder Control System Operation Without Normal Electrical Power

The Cessna Model 750 upper rudder control system is required in order to maintain safe flight. The Cessna design has four yaw dampers, including lower rudder dual yaw dampers that are hydraulically powered, and an upper rudder with dual YSASs that are electrically powered. If all hydraulic power is lost to the lower rudder (manual reversion), then availability of the upper rudder yaw damper function becomes critical. Section 25.1351(d) of the FAR, Operation without normal electrical power, requires safe operation in VFR conditions for at least five minutes with inoperative normal power. This rule was structured around a traditional design utilizing mechanical control cables for flight control, while the crew took time to sort out the electrical failure, start engine(s) if necessary, and re-establish some of the electrical power generation capability.

Service experience with traditional two-engine airplane designs has shown that the loss of electrical power generated by the airplane's engines is not extremely improbable. The electrical power system of the Cessna 750 must therefore be designed with standby or emergency electrical sources of sufficient reliability and capacity to power the upper rudder control system in the event of the loss of normally generated electrical power. The need for electrical power for the Cessna Model 750 upper rudder control system was not envisioned by part 25 since, in traditional designs, cables and hydraulics are utilized for the flight control system. Therefore, Special Condition No. 1 is proposed.

2. Design Maneuver Requirements

In a conventional airplane, pilot inputs directly affect control surface movement (both rate and displacement) for a given flight condition. In the Cessna Model 750, the pilot provides only a portion of the input to the upper rudder control surface, and it is possible that the pilot control displacements specified in § 25.351 of the FAR may not result in the maximum displacement and rates of displacement of the upper rudder. The intent of these noted rules may not be satisfied if literally applied. Therefore, Special Condition No. 2 is proposed.

3. Interaction of Systems and Structures

The Cessna Model 750 has a full-time electronic upper rudder flight control system affecting the yaw axis. The current rules are inadequate for considering the affects of this system, and its failures, on structural performance. Therefore, Special Condition No. 3 is proposed.

As discussed above, these special conditions would be applicable initially to the Cessna Model 750 (Citation X) airplane. Should Cessna apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain unusual or novel design features on one model series of airplanes. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the airplanes.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation Safety, Reporting and Recordkeeping requirements.

The authority citation for part 25 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Cessna Aircraft Model 750 airplanes.

1. Upper Rudder Control System Operations Without Normal Electrical Power

In lieu of compliance with § 25.1351(d), it must be demonstrated, by test or combination of test and analysis, that the upper rudder control system provides for safe flight and landing with inoperative normal engine electrical power (electrical power sources excluding the battery and any other standby electrical sources). The airplane operation should be considered at the critical phase of flight and include the ability to restart the engines and maintain flight for a minimum of 30 minutes in Instrument Meteorological Conditions (IMC).

Discussion: The Cessna Model 750 fly-by-wire upper rudder control system requires a continuous source of electrical power in order to maintain yaw control. Section § 25.1351(d), Operation without normal electrical power, requires safe operation in visual flight rules (VFR) conditions for at least five minutes with inoperative normal power. This rule was structured around a traditional design utilizing mechanical control cables for flight control while the crew took time to sort out the electrical failure and was able to re-establish some of the electrical power generation capability. In order to maintain the same level of safety associated with traditional designs, the Cessna 750 upper rudder control system design shall be demonstrated to operate for at least 30 minutes without the normal source of engine-generated electrical power. It should be noted that service experience has shown that the loss of all electrical power that is generated by the airplane's engines is not extremely improbable.

The emergency electrical power system must be designed to supply the upper rudder control system without the need for crew action following the loss of the normal electrical power system.

For compliance purposes:

1. A test demonstration of the loss of normal engine-generated power is to be established such that:

a. The failure condition should be assumed to occur during night instrument meteorological conditions (IMC), at the most critical phase of flight relative to the electrical power system design and distribution of equipment loads on the system.

b. The upper rudder control system can provide for continued safe flight and landing using emergency electrical power (batteries, etc.) for at least 30 minutes of operation in IMC. An engine restart should be included in this demonstration.

c. Availability of APU operation should not be considered in establishing emergency power system adequacy.

2. Since the availability of the emergency electrical power system operation is necessary for maintaining safe flight with the upper rudder, the emergency electrical power system must be available immediately prior to each flight.

3. The emergency electrical power system must be shown to be satisfactorily operational in all flight regimes.

2. Design Yaw Maneuver Requirements

In lieu of compliance with § 25.351 of the FAR, the airplane must be designed for loads resulting from the yaw maneuver conditions specified in paragraphs (a) through (d) of this section, at speeds from V_{MC} to V_D. Unbalanced aerodynamic moments about the center of gravity must be reacted in a rational or conservative manner considering the airplane inertia forces. In computing the tail loads, the yawing velocity may be assumed to be zero.

(a) With the airplane in unaccelerated flight at zero yaw, it is assumed that the cockpit rudder control is suddenly displaced to achieve the resulting rudder deflection, as limited by:

(1) the control system or control surface stops; or

(2) a limit pilot force of 300 pounds from V_{MC} to V_A and 200 pounds from V_C/M_C to V_D/M_D, with a linear variation between V_A and V_C/M_C.

(b) With the cockpit rudder control deflected so as always to maintain the maximum rudder deflection available within the limitations specified in paragraph (a) of this section, it is assumed that the airplane yaws to the overswing sideslip angle.

(c) With the airplane yawed to the static equilibrium sideslip angle, it is assumed that the cockpit rudder control is held so as to achieve the maximum rudder deflection available within the limitations specified in paragraph (a) of this section.

(d) With the airplane yawed to the static equilibrium sideslip angle of paragraph (c) of this section, it is assumed that the cockpit rudder control is suddenly returned to neutral.

3. Interaction of Systems and Structures

Airplanes equipped with fly-by-wire control systems that affect structural performance, either directly or as a result of a failure or malfunction, must account for the influence of these systems and their failure conditions in showing compliance with the requirements of 14 CFR part 25, subparts C and D.

(a) General. The following criteria will be used in determining the influence of the upper rudder control systems and their failure conditions on the airplane structure.

(b) System fully operative. With the system fully operative, the following apply:

(1) Limit loads must be derived in all normal operating configurations of the systems from all the limit conditions specified in 14 CFR part 25, subpart C, taking into account any special behavior of such systems or associated functions or any effect on the structural performance of the airplane that may occur up to the limit loads. In particular, any significant nonlinearity (rate of displacement of control surface, thresholds, or any other system nonlinearities) must be accounted for in a realistic or conservative way when deriving limit loads from limit conditions.

(2) The airplane must meet the strength requirements of 14 CFR part 25 (Static strength, residual strength), using the specified factors to derive ultimate loads from the limit loads defined above. The effect of non linearities must be investigated beyond limit conditions to ensure the behavior of the system presents no anomaly compared to the behavior below limit conditions. However, conditions beyond limit conditions need not be considered when it can be shown that the airplane has design features that make it impossible to exceed those limit conditions.

(3) The airplane must meet the aeroelastic stability requirements of § 25.629.

(c) System in the failure condition. For any failure condition in the system not shown to be extremely improbable, the following apply:

(1) At the time of occurrence. Starting from 1–g level flight conditions, a realistic scenario, including pilot corrective actions, must be established to determine the loads occurring at the time of failure and immediately after failure. The airplane must be able to withstand these loads multiplied by an appropriate factor of safety that is related to the probability of occurrence of the failure. The factor of safety (F.S.) is defined in Figure 1.

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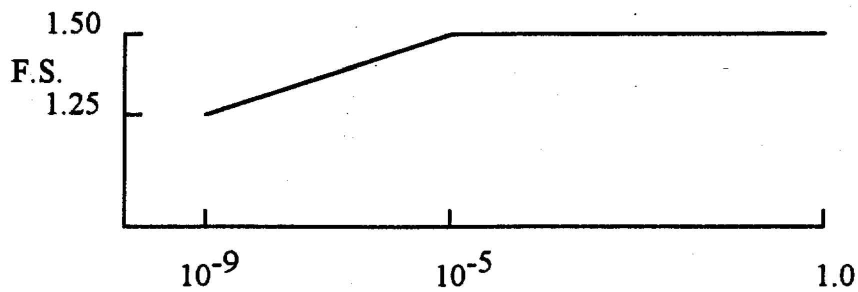
Figure 1
Factor of Safety at Time of Occurrence



Pj—Probability of occurrence of failure mode j (per hour)

(i) These loads must also be used in the damage tolerance evaluation required by § 25.571(b) if the failure condition is probable.

(ii) Freedom from flutter, divergence, and control reversal must be shown up to the speeds defined in § 25.629(b)(2). For failure conditions which result in speed increases beyond V_C/M_C, freedom from flutter, divergence, and control reversal must be shown to increased speeds, so that the margins intended by § 25.629(b)(2) are maintained.

(iii) Notwithstanding subparagraph (1) of this paragraph, failures of the system that result in forced structural vibrations (oscillatory failures) must not produce loads that could result in catastrophic fatigue failure or detrimental deformation of primary structure.

(2) For the continuation of the flight. For the airplane in the system failed state, and considering any appropriate reconfiguration and flight limitations, the following apply:

(i) Static and residual strength must be determined for loads derived from the following conditions at speeds up to V_C, or the speed limitation prescribed for the remainder of the flight.

(A) The limit symmetrical maneuvering conditions specified in §§ 25.331 and 25.345.

(B) The limit gust conditions specified in § 25.341 (but using the gust velocities for V_C and § 25.345.

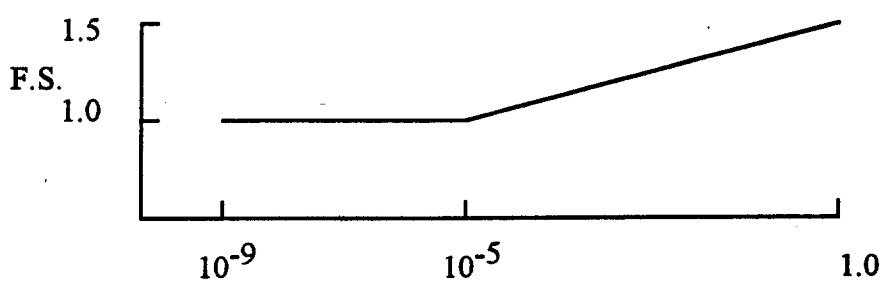
(C) The limit rolling conditions specified in § 25.349 and the limit unsymmetrical conditions specified in §§ 25.367 and 25.427(b) and (c).

(D) The limit yaw maneuvering conditions specified in Special Condition No. 2.

(E) The limit ground loading conditions specified in §§ 25.473 and 25.491.

(ii) For static strength substantiation, each part of the structure must be able to withstand the loads specified in subparagraph (2)(i) of this paragraph, multiplied by a factor of safety depending on the probability of being in this failure state. The factor of safety is defined in Figure 2.

Figure 2
Factor of Safety for Continuation of Flight



Q_j-Probability of being in failure condition j

$Q_j=(T_j)(P_j)$ where:

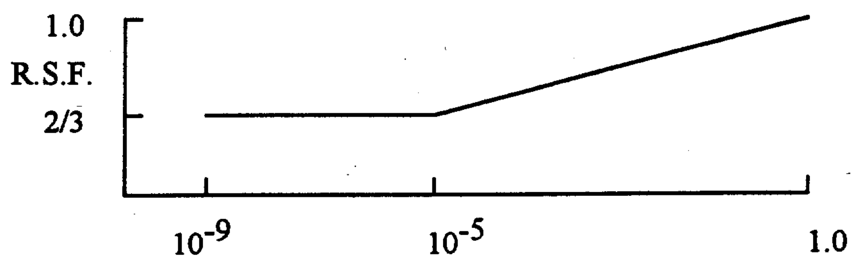
T_j=Average time spent in failure condition j (in hours)

P_j=Probability of occurrence of failure mode j (per hour)

Note: If P_j is greater than 10^{-3} per flight hour, then a residual strength factor of 1.0 must be used.

(iii) For residual strength substantiation as defined in § 25.571(b), structures affected by failure of the system and with damage in combination with the system failure, a reduced factor may be applied to the loads specified in subparagraph (2)(i) of this paragraph. However, the residual strength level must not be less than the 1-g flight load, combined with the loads introduced by the failure condition, plus two-thirds of the load increments of the conditions specified in subparagraph (2)(i) of this paragraph, applied in both positive and negative directions (if appropriate). The residual strength factor (R.S.F.) is defined in Figure 3.

Figure 3
Residual Strength Factor



Q_j-Probability of being in failure condition j

$Q_j=(T_j)(P_j)$ where:

T_j=Average time spent in failure condition j (in hours)

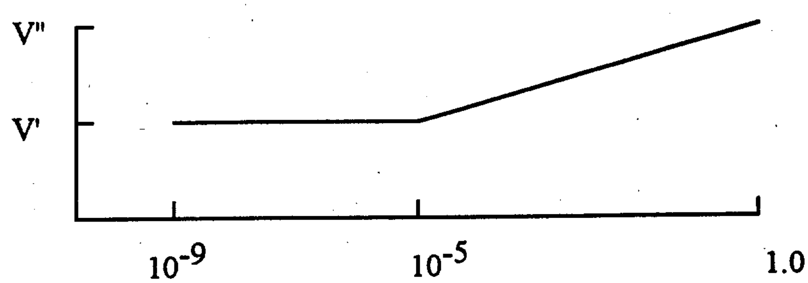
P_j=Probability of occurrence of failure mode j (per hour)

Note: If P_j is greater than 10^{-3} per flight hour, then a residual strength factor of 1.0 must be used.

(iv) If the loads induced by the failure condition have a significant effect on fatigue or damage tolerance, then their effects must be taken into account.

(v) Freedom from flutter, divergence, and control reversal must be shown up to a speed determined from Figure 4. Flutter clearance speeds V′ and V″ may be based on the speed limitation specified for the remainder of the flight, using the margins defined by § 25.629(b).

Figure 4
Clearance Speed



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Q_j-Probability of being in failure condition j

V′=Clearance speed as defined by § 25.629(b)(2).

V″=Clearance speed as defined by § 25.629(b)(1).

$_j=(T_j)(P_j)$ where:

T_j=Average time spent in failure condition j (in hours)

P_j=Probability of occurrence of failure mode j (per hour)

Note: If P_j is greater than 10^{-3} per flight hour, then the flutter clearance speed must not be less than V″.

(vi) Freedom from flutter, divergence, and control reversal must also be shown up to V′ in Figure 4 above, for any probable system failure condition combined with any damage required or selected for investigation by § 25.571(b).

(vii) If the mission analysis method is used to account for continuous turbulence, all the systems failure conditions associated with their probability must be accounted for in a rational or conservative manner in order to ensure that the probability of exceeding the limit load is not higher than the value prescribed in appendix G of 14 CFR part 25.

(3) Consideration of certain failure conditions may be required by other sections of 14 CFR part 25, regardless of calculated system reliability. Where analysis shows the probability of these failure conditions to be less than 10^{-9}, criteria other than those specified in this paragraph may be used for structural substantiation to show continued safe flight and landing.

(d) Warning considerations. For upper rudder control system failure detection and warning, the following apply:

(1) The system must be checked for failure conditions, not extremely improbable, that degrade the structural capability below the level required by part 25 or significantly reduce the reliability of the remaining system. The crew must be made aware of these failures before flight. Certain elements of the control system, such as mechanical and hydraulic components, may use special periodic inspections, and electronic components may use daily checks, in lieu of warning systems, to achieve the objective of this requirement. These certification maintenance requirements must be limited to components that are not readily detectable by normal warning systems and where service history shows that inspections will provide an adequate level of safety.

(2) The existence of any failure condition, not extremely improbable, during flight that could significantly affect the structural capability of the

airplane, and for which the associated reduction in airworthiness can be minimized by suitable flight limitations, must be signaled to the flightcrew. For example, failure conditions which result in a factor of safety between the airplane strength and the loads of 14 CFR part 25, subpart C, below 1.25, or flutter margins below V″, must be signaled to the crew during flight.

(e) Dispatch with known failure conditions. If the airplane is to be dispatched in a known upper rudder control system failure condition that affects structural performance, or affects the reliability of the remaining system to maintain structural performance, then the provisions of this special condition must be met for the dispatched condition and for subsequent failures. Operational and flight limitations may be taken into account.

Issued in Renton, Washington, on March 8, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100.

[FR Doc. 96–6749 Filed 3–21–96; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 95–CE–75–AD]

Airworthiness Directives; Aerospace Technologies of Australia, Nomad Models N22B, N22S, and N24A 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 Aerospace Technologies of Australia (ASTA) Nomad Models N22B, N22S, and N24A airplanes. The proposed action would require repetitively inspecting the tailplane stabilizer center section and repairing any cracked tailplane structure. This proposal also provides an optional modification as a terminating action, after an inspection in which no cracks are found. A tailplane failure on one of the affected airplanes prompted the proposed action. The actions specified by the proposed AD are intended to prevent cracking in the stabilizer center section, which, if not detected and corrected, could result in tailplane failure and loss of control of the airplane.

DATES: Comments must be received on or before June 28, 1996.

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–75–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 AeroSpace Technologies of Australia, Limited, ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Ron Atmur, Aerospace Engineer, Aircraft Certification Office, FAA, 3960 Paramount Blvd., Lakewood, California, 90712; telephone (310) 627–5224; facsimile (310) 627–5210;

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–75–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–75–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Civil Airworthiness Authority (CAA), which is the airworthiness authority for Australia, has notified the FAA that an unsafe condition may exist on ASTA Nomad N22 and N24 series airplanes that have not incorporated ASTA Modification N663 and N768. The Australian CAA reported one accident and several incidents of cracking in the tailplane stabilizer center section of the airplanes.

The accident was caused by the loss of a tailplane during flight. Investigation of the accident revealed undetected cracking around the center lightening hole which was significantly accelerated by long periods of engine ground running. Subsequent testing also indicated that engine ground running at moderate to high power settings during ground maneuvers create unexpected fatigue loads and accelerate the crack growth.

ASTA has issued Nomad Alert Service Bulletin (Nomad SB) ANMD–55–26, Revision 8, dated April 15, 1994, which specifies procedures for inspecting and modifying the stabilizer center section on Nomad Models N22B, N22S, and N24A airplanes. Accomplishment of these procedures incorporates Modifications (Mod.) N663 and N768. Mod. N663 reworks the horizontal stabilizer to incorporate a strengthened main spar assembly that includes a gust stop spring box and modified mass balance arm. The trim tab hinges are moved 0.17 inches aft and farings are added to the bottom skin of the horizontal stabilizer to permit increased trim tab movement. Mod. N768 replaces the pivot brackets, attachment bolts, and spar web doubler with strengthened components.

The Australian CAA classified this service bulletin as mandatory and issued AD/GAF–N22/58 amdt 4, issued November, 1991, in order to assure the continued airworthiness of these airplanes in Australia.

These airplane models are manufactured in Australia and are 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 between Australia and the United States. Pursuant to this bilateral airworthiness agreement, the Australian CAA has kept the FAA informed of the above-described situation. The FAA has examined the findings of the Australian