

paragraph (a) of this AD: Within 50 flights after detection of fuel leakage; perform an internal visual inspection to detect cracking of the wing rib-to-skin support brackets (shear clips) that connect the lower and upper wing skins to ribs 15 and 16, in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 120-57-0031, dated July 6, 1995, at the time specified in paragraph (b)(1), (b)(2), or (b)(3) of this AD, as applicable.

(1) If no cracking is detected: Repeat the internal visual inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 1,200 flight cycles until the requirements of paragraph (d) of this AD have been accomplished.

(2) If any cracking is detected in only one wing skin support bracket and that cracking is more than half the length of the bracket; and if any cracking also is detected in up to two additional wing skin support brackets and that cracking is less than half the length of the bracket: Repeat the internal visual inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 400 flight cycles, until the requirements of paragraph (d) of this AD have been accomplished.

(3) If any cracking is detected other than that specified in paragraph (b)(2) of this AD: Prior to further flight, replace any support bracket that is cracked beyond the limits specified in paragraph (b)(2) of this AD with a new bracket, in accordance with the Accomplishment Instructions of the service bulletin. Following any replacement, prior to further flight, perform an additional internal visual inspection to detect cracking of the support brackets that connect the wing skins to ribs 18, 19, 20, 21, and 22 in accordance with the service bulletin.

(i) If no cracking is found, repeat the internal visual inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 1,200 flight cycles until the requirements of paragraph (d) of this AD are accomplished.

(ii) If any cracking is found, prior to further flight, replace any cracked bracket with a serviceable part, in accordance with the service bulletin.

(c) For airplanes on which no wing fuel leakage is detected during any inspection required by paragraph (a) of this AD: Perform an internal visual inspection to detect cracking of the wing rib-to-skin support brackets (shear clips) that connect the lower and upper wing skins to ribs 15 and 16, in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 120-57-0031, dated July 6, 1995, at the time specified in paragraph (c)(1), (c)(2), (c)(3), or (c)(4) of this AD, as applicable. Thereafter, repeat this inspection as intervals not to exceed 1,200 flight cycles until the requirements of paragraph (d) of this AD are accomplished.

(1) For airplanes that have accumulated less than 4,000 total flight cycles as of the effective date of this AD: Inspect prior to the accumulation of 5,200 total flight cycles, or within 1,200 flight cycles after the effective date of this AD, whichever occurs later.

(2) For airplanes that have accumulated 4,000 or more total flight cycles, but less than

8,000 total flight cycles as of the effective date of this AD: Inspect within 1,200 flight cycles after the effective date of this AD.

(3) For airplanes that have accumulated 8,000 or more total flight cycles, but less than 12,000 total flight cycles as of the effective date of this AD: Inspect within 800 flight cycles after the effective date of this AD.

(4) For airplanes that have accumulated 12,000 or more total flight cycles as of the effective date of this AD: Inspect within 400 flight cycles after the effective date of this AD.

(d) Within 2 years after the effective date of this AD: Replace all wing rib-to-skin support brackets of ribs 15, 16, and 18 with new brackets in accordance with EMBRAER Service Bulletin 120-57-0031, dated July 6, 1995. Prior to further flight following the replacement, perform a visual inspection to detect cracking of the wing skin support brackets of ribs 19, 20, 21, and 22. If any cracking is found, prior to further flight, replace cracked brackets with serviceable brackets in accordance with the service bulletin. Accomplishment of these requirements constitutes terminating action for the requirements of this AD.

(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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

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

(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 April 17, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-9934 Filed 4-22-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-268-AD]

Airworthiness Directives; de Havilland Model DHC-8-301, -311, and -315 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain de Havilland Model DHC-8-301, -311, and

-315 series airplanes, that currently requires modification of the airspeed limitations placard and revision of the Airplane Flight Manual to specify operating at lower airspeeds when the airplane is operating at full flaps. That action also provides for the optional termination of the requirements of the AD for certain airplanes. That action was prompted by a report that incorrect rivets were installed on the outboard flaps assemblies of these airplanes. The actions specified in that AD are intended to prevent structural failure of the outboard flaps of the wings due to the installation of incorrect rivets in the flap assemblies, which could result in reduced controllability of the airplane. This action would require installation of the terminating modification on certain airplanes.

DATES: Comments must be received by June 3, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-268-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 Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York.

FOR FURTHER INFORMATION CONTACT: Franco Pieri, Aerospace Engineer, Airframe Branch (ANE-171), FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7526; fax (516) 568-2716.

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-268-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-268-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On December 22, 1995, the FAA issued AD 95-26-17, amendment 39-9475 (61 FR 5277, February 12, 1996), applicable to certain de Havilland Model DHC-8-301, -311, and -315 series airplanes, to require modification of the airspeed limitations placard to indicate that the airplane must be flown at reduced airspeed when flying at 35 degrees flaps. Additionally, that AD requires a revision to the FAA-approved Airplane Flight Manual (AFM) for all airplanes to include information relative to reducing airspeed at 35 degrees flaps. For Model DHC-8-311 and -315 series airplanes, that AD also provides for an optional termination action for the requirements of the AD by modifying the outboard flaps (installation of Modification 8/2066).

That action was prompted by a report that incorrect rivets were installed on the outboard flaps assemblies of these airplanes. The actions specified in that AD are intended to prevent structural failure of the outboard flaps of the wings due to the installation of incorrect rivets in the flap assemblies, which could result in reduced controllability of the airplane.

In the preamble to AD 95-26-17, the FAA indicated that it regarded the requirements of that AD to be interim action, and that it was considering

additional rulemaking to mandate the optional terminating action that was provided in that AD. This notice follows from the FAA's decision to mandate that terminating action.

Description of Pertinent Service Information

De Havilland has issued Service Bulletin S.B. 8-57-24, Revision 'A,' dated September 26, 1995, which describes installation of Modification 8/2066 at the outboard flaps. That modification entails drilling out the suspect rivets and installing new DD rivets. The modification positively addresses the previously identified unsafe condition associated with the suspect rivets, and accomplishment of it eliminates the need for the airspeed limitations placard (which was the subject of AD 95-26-17). This modification, however, is applicable only to Model DHC-8-311 and -315 series airplanes; a corrective modification has not yet been developed for Model DHC-8-301 series airplanes.

Transport Canada classified the de Havilland service bulletin as mandatory and issued Canadian airworthiness directive CF-95-05R1, dated October 19, 1995, in order to assure the continued airworthiness of these airplanes in Canada.

Description of the Proposed Requirements

This airplane model is manufactured in Canada 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, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, 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 registered in the United States, the proposed AD would supersede AD 95-26-17.

For Model DHC-8-301 series airplanes, it would continue to require modification of the airspeed limitations placard and revision of the AFM to specify operating at lower airspeeds when the airplane is operating at full flaps.

For Model DHC-8-311 and -315 series airplanes, it would require that

the terminating modification (Modification 8/2066) be installed on within two years. The modification would be required to be accomplished in accordance with the service bulletin described previously. Once the modification is installed, the currently-required placard and AFM revision may be removed. Additionally, this proposal would require that Modification 8/2066 be installed on certain outboard flap assemblies prior to their installation on these airplanes.

The FAA has determined that long term continued operational safety will be better assured by design changes to remove the source of the problem, rather than by special operating procedures. Long term special operating procedures may not be providing the degree of safety assurance necessary for the transport airplane fleet. This, coupled with a better understanding of the human factors associated with numerous continual special procedures, has led the FAA to consider placing less emphasis on special procedures and more emphasis on design improvements. The proposed modification requirement of this AD action is in consonance with these considerations.

Cost Impact

There are approximately 18 de Havilland Model DHC-8-301, -311, and -315 series airplanes of U.S. registry would be affected by this proposed AD.

The actions that are currently required by AD 95-26-17 (modification of the airspeed limitations placard and revision of the Airplane Flight Manual) affect all 18 U.S.-registered airplanes. Those actions take approximately .5 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. The cost of required parts is negligible. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$540, or \$30 per airplane.

The new actions that are proposed in this AD action (installation of the terminating modification) would affect 14 U.S.-registered Model DHC-8-311 and -315 series airplanes. The proposed actions would take approximately 60 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact on U.S. operators of the proposed requirements of this AD is estimated to be \$50,400, or \$3,600 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of

the current or proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-9475 (61 FR 5277, February 12, 1996), and by adding a new airworthiness directive (AD), to read as follows:

De Havilland, Inc.: Docket 95-NM-268-AD. Supersedes AD 95-26-17, amendment 39-9475.

Applicability: Model DHC-8-301, -311, and -315 series airplanes; as listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995; 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 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 as indicated, unless accomplished previously.

(a) Within 30 days after February 27, 1996 (the effective date of AD 95-26-17, amendment 39-9475, accomplish the modification of the airspeed limitation placards (Modification 8/2498) in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995.

(b) Prior to further flight following accomplishment of the modification required by paragraph (a) of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) by accomplishing either paragraph (b)(1) or (b)(2) of this AD, as applicable; and operate the airplane in accordance with those limitations.

(1) For Model DHC-8-301 series airplanes: Include the information specified in DHC-8 Model 301 Flight Manual, PSM 1-83-1A, Flight Manual Revision 57, dated September 26, 1995, which specifies a lower airspeed limitation at full flaps. This may be accomplished by inserting a copy of Flight Manual Revision 57 into the AFM.

(2) For Model DHC-8-311 and -315 series airplanes: Include the following statement in section 2, paragraph 2.4.1.2., of the AFM. This may be accomplished by inserting a copy of this AD in the AFM.

"Flap extended speed (V_{FE}): Flaps 35 degrees 130 knots IAS"

(c) For Model DHC-8-311 and -315 series airplanes: Within 2 years after the effective date of this AD, install Modification 8/2066 in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995. Such installation constitutes terminating action for the requirements of paragraphs (a) and (b) of this AD.

Following accomplishment of Modification 8/2066, the airspeed limitations placard (Modification 8/2498) required by paragraph (a) of this AD and the AFM limitation required by paragraph (b) of this AD may be removed.

(d) Except as required by paragraph (e) of this AD: As of February 27, 1996 (the effective date of AD 95-26-17, amendment 39-9475), Modification 8/2498 must be accomplished in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995, prior to installation of any outboard flap assembly having a part number and serial number that is listed in de Havilland Service Bulletin S.B.

8-57-24, Revision 'A', dated September 26, 1995.

(e) For Model DHC-8-311 and -315 series airplanes: As of two years after the effective date of this AD, prior to the installation of any outboard flap assembly having a part number and serial number that is listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995, install Modification 8/2066 on the affected flap assembly in accordance with that service bulletin. Installation of this modification terminates the requirements specified in paragraphs (a), (b), and (d) of this AD.

(f) 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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

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

(g) Special flight permits may be issued in accordance with §§ 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 April 17, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 96-9933 Filed 4-22-96; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Ch. I

Federal Regulatory Review; Notice of Intent

AGENCY: Bureau of Indian Affairs, Interior

ACTION: Notice of intent.

SUMMARY: The President's Regulatory Reform Initiative requires Federal agencies to streamline the regulatory process, to remove obsolete regulations, and to reduce the regulatory burden on the general public. The Bureau of Indian Affairs (BIA) is committed to a goal of eliminating or improving over 500 pages of regulations by June 1, 1996. We will remove obsolete or unnecessary rules and rewrite existing regulations in the clearer, more precise and understandable format of "Plain English." This approach to regulation writing is intended to make rules easier to understand without changing their meaning.