

provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For sailplanes 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 within the next 50 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent the rudder bearing support bracket from cracking, which could cause loss of rudder control and possible loss of the sailplane, accomplish the following:

(a) Inspect (one time) the rudder bearing support bracket with a 10x magnifying glass for any visible cracks in accordance with the *Actions* section of Flugtechnik service bulletin (SB) HB-23/19/91, dated October 5, 1991.

(1) If cracks are found, prior to further flight, replace the rudder bearing support bracket with a new support bracket that has 3 bolt holes in accordance with the *Actions* section of Flugtechnik SB HB-23/19/91, dated October 5, 1991.

(2) If no cracks are found, modify the rudder bearing support bracket by installing a third bolt (part number M6x30) or replace the bracket with a new bracket that has 3 bolt holes in accordance with the *Actions* section of Flugtechnik SB HB-23/19/91, dated October 5, 1991.

(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 sailplane 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, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

NOTE 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate Aircraft Certification Office.

(d) All persons affected by this directive may obtain copies of this document referred to herein upon request to H.B. Flugtechnik GmbH, attn: Dr. Adolf Scharf STR, 42 P.F. 74, A-4053, Haid, Austria; 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 May 6, 1996.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-11880 Filed 5-10-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 96-NM-63-AD]

RIN 2120-AA64

Airworthiness Directives; Gates Learjet Model 35 and 36 Series Airplanes Modified by Raisbeck STC SA766NW

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 Gates Learjet Model 35 and 36 series airplanes that have been modified in accordance with Raisbeck Supplemental Type Certificate (STC) SA766NW. This proposal would require a reduction of the maximum operating limit speed on the affected airplanes to prevent encountering certain potentially hazardous conditions. This proposal is prompted by reports of incidents of aileron buffet or buzz experienced during high speed cruise. The actions specified by the proposed AD are intended to prevent aileron buffet or buzz conditions, which can result in the deterioration of the aircraft lateral control system characteristics to an unacceptable level.

DATES: Comments must be received by June 24, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-63-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.

Information concerning the subject of this rulemaking action may be obtained from Jet Air Corporation, P.O. Box 245, Bellevue, Washington 98009. Information concerning this rulemaking action may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. **FOR FURTHER INFORMATION CONTACT:** Stan Wood, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind

Avenue, SW., Renton, Washington; telephone (206) 227-2772; fax (206) 227-1181.

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 96-NM-63-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. 96-NM-63-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On July 23, 1985, the FAA issued AD 85-16-04, amendment 39-5110 (50 FR 30803, July 30, 1985), which is applicable to certain Gates Learjet Model 35 and 36 series airplanes that have been modified in accordance with Raisbeck Supplemental Type Certificate (STC) SA766NW. That AD requires the accomplishment of one of two optional actions, both of which are intended to prevent the airplane from encountering the potentially hazardous condition of aileron buffet or buzz:

1. One optional action requires operators to reduce permanently the maximum operating Mach limit (M_{MO}) of these airplanes from .83 to .80. This action includes resetting the Mach

overspeed warning switch; recalibrating the airspeed indicator; and changing the FAA-approved Airplane Flight Manual (AFM) Supplement to reflect the new Mach limit.

2. The other optional action requires operators to remove the Raisbeck STC modifications and to return the airplane either to its original configuration or to the Gates Learjet "Softflight" configuration.

AD 85-16-04 was prompted by several reports of incidents in which Learjet Model 35 and 36 series airplanes modified with the Raisbeck STC experienced aileron buffet or buzz during cruise. These incidents of aileron instability occurred on airplanes operating at high gross weights when they were flying above 42,000 feet at Mach .80 to .83. Aileron buffet or buzz, if it is of a certain severity, can result in an unacceptable deterioration in the lateral control characteristics of the airplane.

Actions Subsequent to the Issuance of AD 85-16-04

When AD 85-16-04 was issued, its applicability included only certain modified airplanes, which were identified by specific serial numbers. However, since the issuance of that AD, the FAA has received a report that at least one additional airplane, that was not included in the applicability of the AD, has been modified in accordance with the subject Raisbeck STC. (The STC installed on this particular airplane was performed at a non-U.S. repair station.) In light of this, that airplane may be subject to the same unsafe condition addressed by AD 85-16-04.

Further, since the Raisbeck STC could be installed on Model 35 or 36 series airplanes anywhere in the world, the FAA may not be immediately aware of it. Therefore, the FAA has determined that any of these airplanes on which the Raisbeck STC is installed could be subject to that same unsafe condition.

Description of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require the accomplishment of one of two optional actions, both of which are intended to prevent the airplane from encountering the potentially hazardous condition of aileron buffet or buzz:

1. Permanently reducing the maximum operating M_{MO} from .83 to .80; resetting the Mach overspeed warning switch; recalibrating the airspeed indicator; and changing the FAA-approved Airplane Flight Manual

(AFM) Supplement to reflect the new Mach limit; or

2. Removing the Raisbeck STC modifications and returning the airplane either to its original configuration or to the Gates Learjet "Softflight" configuration.

These proposed requirements are the same actions currently required by AD 85-16-06.

The applicability of the proposed AD would include all Learjet Model 35 and 36 series airplanes modified in accordance with Raisbeck STC SA766NW that are not currently subject to AD 85-16-04.

[Note: The FAA's normal policy is that when an AD requires a substantive change, such as a change (expansion) in its applicability, the "old" AD is superseded by removing it from the system and a new AD is added. In the case of this proposed AD action, the FAA normally would have proposed superseding AD 85-16-04 to expand its applicability to include the additional affected airplanes. However, in reconsideration of the entire fleet size that would be affected by a supersede action, and the consequent workload associated with revising maintenance record entries, the FAA has determined that a less burdensome approach is to issue a separate AD applicable only to these additional airplanes. This proposed AD would not supersede AD 85-16-04; airplanes listed in the applicability of AD 85-16-04 are required to continue to comply with the requirements of that AD. This proposed AD is a separate AD action, and is applicable only to airplanes that are not subject to AD 85-16-04.]

Petitioning for an Exemption of the Requirements of the Final Rule

Affected operators should note that the aileron instability that is the subject of this proposed AD is a condition affected by the contour of the wing leading edge, which is a function of manufacturing tolerances. In light of this, the FAA recognizes that not all airplanes modified in accordance with Raisbeck STC SA766NW may exhibit the problem of aileron buffet or buzz below .83 Mach. Should this proposal become a final rule, operators of those airplanes may wish to petition the FAA for an exemption from the requirements of the rule, under the provisions of part 11 of the Federal Aviation Regulations (14 CFR 11), "General Rulemaking Procedures."

Petitioners for such an exemption should provide data that would justify a grant of exemption, including, but not limited to, information concerning the number of flights the airplane has flown in conditions involving high weight, high altitude, and high speed, and if any incident of buffet or buzz was observed during flight in those conditions. Based

on the data submitted with the petition, the FAA will determine on a case-by-case basis if a flight evaluation or other additional data are necessary to determine if granting the petition (1) would not adversely affect safety, and (2) would be in the public interest.

Cost Impact

There are approximately 29 Gates Learjet Model 35 and 36 series airplanes of the affected design in the worldwide fleet. The FAA estimates that at least 1 airplane of U.S. registry would be affected by this proposed AD.

To accomplish the removal and recalibration of the airspeed indicators and Mach overspeed warning switch, and to revise the AFM Supplement, as would be required by "Option I" of the proposed rule, it would take approximately 5 work hours per airplane, at an average labor rate of \$60 per work hour. The FAA estimates that it would cost approximately \$1,000 per airplane to reset the airspeed indicators and Mach overspeed warning switch. Based on these figures, the cost impact of this action of the proposed AD on U.S. operators is estimated to be \$1,300 per airplane.

To accomplish the removal of the STC modifications, as would be required by "Option II" of the proposed rule, it would take approximately 100 work hours per airplane, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this action of the proposed AD on U.S. operators is estimated to be \$6,000 per airplane.

The cost impact figures discussed above are 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.

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 adding the following new airworthiness directive:

Gates Learjet: Docket 96–NM–63–AD.

Applicability: Model 35, 35A, 36 and 36A series airplanes, modified in accordance with Raisbeck Group Supplemental type Certificate (STC) SA766NW, that do not have one of the serial numbers listed in Table 1 of this AD; certificated in any category.

TABLE 1

[Serial Numbers * NOT affected by this AD]

35–023	35A–092	35A–192	36–004
35–034	35A–093	35A–203	36–017
35–042	35A–095	35A–206	36–028
35–044	35A–118	35A–207	36A–029
35–047	35A–127	35A–209	36A–031
35A–068	35A–132	35A–228	36A–038
35A–073	35A–135	35A–231	36A–043
35A–075	35A–145	35A–244	36A–044
35A–076	35A–172	35A–245	
35A–086	35A–185	36–003	

*Airplanes having the serial numbers listed in Table 1 are subject to similar requirements mandated by AD 85–16–04, amendment 39–5110.

Note 1: This AD applies to each airplane as indicated 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 (b) 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.

To prevent deterioration of the airplane's lateral control characteristics as a result of aileron buffet or buzz, accomplish the following:

(a) Within 200 hours time-in-service after the effective date of this AD, or within 6 months after the effective date of this AD, whichever occurs first, accomplish either paragraph (a)(1) or (a)(2) of this AD:

(1) *Option I.* Permanently reduce the airplane's maximum operating Mach limit (M_{MO}) by accomplishing the actions specified in paragraphs (a)(1)(i), (a)(1)(ii), and (a)(1)(iii) of this AD:

(i) Submit the FAA-approved STC SA766NW Airplane flight Manual Supplement to the Manager, Flight Test Branch, ANM–160S, Seattle Aircraft Certification Office, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; to change the limit Mach number from .83 to .80. And

(ii) Remove the "Mach Overspeed Warning Switch" and have it reset from Mach .83 to .80. Contact the manufacturer, PRECISION SENSOR, P.O. Box 509, Milford, Connecticut 06460; telephone number (203) 877–2795; to have the instrument recalibrated. Reidentify the Mach overspeed warning switch by ink-stamping the words "Mach limit .80" adjacent to the part number. Reinstall the "Mach Overspeed Warning Switch" after it has been so recalibrated. And

(iii) Remove the pilot's and copilot's airspeed indicators and have them modified by changing the "barber pole" from Mach number .83 to .80. The instrument must be recalibrated by the instrument manufacturer or a certified repair station. Reidentify the airspeed indicators by ink stamping "Mach limit .80" adjacent to the part number. Reinstall the pilot's and copilot's airspeed indicators after they have been so modified.

(2) *Option II.* Remove the modifications installed in accordance with Raisbeck Group STC SA766NW, and return the aircraft either to the original type design configuration, or to the Gates Learjet "Softflight" configuration.

(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, Seattle Aircraft Certification Office (ACO), 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, 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.

(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 May 7, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–11881 Filed 5–10–96; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 71

[Airspace Docket No. 96–ACE–5]

Proposed Amendment to Class E Airspace; Ames, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend the Class E airspace area at Ames, Iowa. The development of a new Standard Instrument Approach Procedure (SIAP) based on the Global Positioning System (GPS) has made the proposal necessary. The intended effect of this proposal is to provide additional controlled airspace for aircraft executing the SIAP at the above listed airport.

DATES: Comments must be received on or before June 20, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Operations Branch, ACE–530, Federal Aviation Administration, Docket No. 96–ACE–5, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the office of the Manager, Operations Branch, Air Traffic Division, at the address listed above.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Operations Branch, ACE–530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone number: (816) 426–3408.

SUPPLEMENTARY INFORMATION:
Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments