Document No.	Pages	Date
Total pages: 9. Textron Lycoming SI No. 1009AJ Total pages: 3.	1–3	July 1, 1992.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Textron Lycoming, Reciprocating Engine Division, 652 Oliver St., Williamsport, PA 17701; telephone (717) 327–7278, fax (717) 327–7022. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on July 15, 1996.

Issued in Burlington, Massachusetts, on May 22, 1996.

Robert E. Guyotte,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 96–14223 Filed 6–7–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 96–NM–109–AD; Amendment 39–9655; AD 96–11–15]

RIN 2120–AA64

Airworthiness Directives; Dornier Model 328–100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the Federal Register an amendment adopting Airworthiness Directive (AD) 96–11–15 that was sent previously to all known U.S. owners and operators of Dornier Model 328–100 series airplanes by individual notices. This AD requires that the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) be revised to restrict flight altitude to a maximum of 10,000 feet mean sea level (MSL). This AD also requires replacement of ''lightweight'' windshields (left and right-hand) with new windshields. This amendment is prompted by reports indicating that the outer face ply of ''lightweight'' windshields (left-hand and right-hand) installed on these airplanes have shattered or cracked while the airplane was in flight. The actions specified by this AD are intended to prevent restriction of the flightcrew's ability to see through the windshields due to shattering or cracking of the windshields, and to continue to control the airplane safely.

DATES: Effective June 17, 1996, to all persons except those persons to whom it was made immediately effective by emergency AD 96–11–15, issued May 24, 1996, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 17, 1996.

Comments for inclusion in the Rules Docket must be received on or before August 9, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–109–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The applicable service information 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Connie Beane, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2796; fax (206) 227–1320.

SUPPLEMENTARY INFORMATION: On May 24, 1996, the FAA issued emergency AD 96–11–15, which is applicable to all Dornier Model 328–100 series airplanes. That action was prompted by reports indicating that the outer face ply of ''lightweight'' windshields (left-hand and right-hand) installed on several of these airplanes had shattered or cracked during flight of the airplane.

Investigation revealed that foreign object damage (FOD) from sand or other runway debris may cause small pits in the windshield. During flight, normal windshield flexing from cabin pressure loads, or normal thermal stresses may result in shattering or cracking of the outer face ply of the windshield. The observed failure rate is such that both the pilot's and copilot's windshields may be affected during the same flight. This condition, if not corrected, could result in a restriction of the flightcrew's ability to see through the windshield, and to continue to control the airplane safely.

The design of these ''lightweight'' windshields may not meet the requirements of the Federal Aviation Regulations, and has not been approved by the FAA for installation on U.S.-registered airplanes. Additionally, the design of these windshields has not been approved by the Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, for installation on Dornier Model 328–100 series airplanes.

Explanation of Relevant Service Information

Dornier has issued Service Bulletin SB–328–56–165, dated April 19, 1996, which describes procedures for replacing ''lightweight'' windshields with new windshields that are not susceptible to the subject cracking and shattering.

U.S. Type Certification of the Airplane

The Dornier Model 328–100 series airplane 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.

Explanation of the Requirements of the Rule

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA issued emergency AD 95–11–15 to prevent restriction of the flightcrew's ability to see through the windshields due to shattering or cracking of the windshields, and to continue to control the airplane safely. The AD requires that the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) be revised to restrict flight altitude to a maximum of 10,000 feet mean sea level (MSL). This restriction is intended to limit the flexing of the windshield under cabin pressure loads and reduce the potential for cracks to develop.

The AD also requires replacement of ''lightweight'' windshields (left- and right-hand) with new windshields. This

replacement is required to be accomplished in accordance with the Dornier service bulletin described previously.

Additionally, the AD requires that operators submit a report to the FAA within 24 hours following any incident of shattering or cracking of either front windshield. This information will enable the FAA to determine if additional action is warranted.

Operators affected by the AD should note that the Dornier service bulletin recommends that the replacement be accomplished within approximately six months. Additionally, the manufacturer also has advised the FAA that there may be a delay in the availability of the replacement windshields. However, the FAA finds that the urgency associated with addressing the subject unsafe condition requires the replacement to be accomplished within 45 days after receipt of this AD. In developing this compliance time, the FAA considered the safety implications, the availability of replacement parts, and the time necessary to accomplish the replacement. The FAA has determined that sufficient parts can be made available so that the replacement required by this AD can be accomplished within the 45-day compliance time specified in this AD. The FAA is closely monitoring this situation, and may consider additional rulemaking, if warranted, based on any new data received.

Operators affected by the AD also should note that Dornier has advised the FAA that it is currently developing an alternative method of compliance (AMOC) that, if approved, would allow relief from the 10,000 foot MSL altitude limitation contained in paragraph (a) of this AD. The FAA anticipates that this proposal will be submitted in the near future.

Publication and Effectivity of AD

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual notices issued on May 24, 1996, to all known U.S. owners and operators of Dornier 328–100 series airplanes. These conditions still exist, and the AD is hereby published in the Federal Register as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–106–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

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

96–11–15 Dornier: Amendment 39–9655. Docket 96–NM–109–AD.

Applicability: All Model 328–100 series airplanes, 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 otherwise 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 (e) 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 restriction of the flightcrew's ability to see through the windshields due to shattering or cracking of the windshields, and to continue to control the airplane safely; accomplish the following:

(a) For airplanes on which a windshield having Part Number (P/N) 001A561A0000204 is installed on the left-hand side of the cockpit, or on which a windshield having P/

N 001A561A0000205 is installed on the right-hand side of the cockpit: Within 24 hours after receipt of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

''Flight above 10,000 feet mean sea level (MSL) is prohibited.''

(b) For all airplanes: Within 45 days after receipt of this AD, replace any windshield having P/N 001A561A0000204 (left-hand side), or P/N 001A61A0000205 (right-hand side); with a new windshield having P/N 001A561A0000200 (left-hand side), or P/N 001A561A0000201 (right-hand side); in accordance with Dornier Service Bulletin SB–328–56–165, dated April 19, 1996. Following this replacement, the AFM limitation required by paragraph (a) of this AD may be removed.

(c) For all airplanes: Within 24 hours (clock hours, not flight hours) following any incident of shattering or cracking of either front windshield, submit a report containing the serial number of the airplane and the part number of the affected windshield to: Connie Beane, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; fax (206) 227–1149. This reporting requirement is applicable to findings on all windshields, including the replacement windshields required by paragraph (b) of this AD. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB control number 2120–0056.

(d) As of the date of receipt of this AD, no person shall install a windshield having P/N 001A561A0000204 (left-hand side), or P/N 001A561A0000205 (right-hand side), on any airplane.

(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, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA 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.

(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.

(g) The replacement shall be done in accordance with Dornier Service Bulletin SB–328–56–165, dated April 19, 1996. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on June 17, 1996, to all persons except those persons to whom it was made immediately effective by emergency AD 96–11–15, issued May 24, 1996, which contained the requirements of this amendment.

Issued in Renton, Washington, on May 31, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–14227 Filed 6–7–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–122–AD; Amendment 39–9659; AD 96–12–16]

RIN 2120–AA64

Airworthiness Directives; Beech (Raytheon) Model BAe 125 Series 800A and Model Hawker 800 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Beech (Raytheon) Model BAe 125 series 800A and Model Hawker 800 airplanes, that requires modification of the airframe structure in the lower area of the fuselage aft of the wing rear spar. For certain airplanes, this amendment also requires a functional test to determine if a particular bolt fouls the flap control system. This amendment is prompted by reports of restricted control of the aileron due to water accumulation that froze in the area around an aileron pulley located in the lower area of the fuselage aft of the wing rear spar. The actions specified by this AD are intended to prevent such water accumulation, which could freeze and result in restricted control of the ailerons; subsequently, this could reduce the pilot's ability to initiate roll control during critical phases of flight.

DATES: Effective July 15, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 15, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Raytheon Aircraft Co., Manger Service Engineering, Hawker Customer Support Department, P.O. Box 85, Wichita, Kansas 67201–0085. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2148; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Beech (Raytheon) Model BAe 125 series 800A and Model Hawker 800 airplanes was published in the Federal Register on February 9, 1996 (61 FR 4943). That action proposed to require modification of the airframe structure in the lower area of the fuselage aft of the wing rear spar. For certain airplanes, that action also proposed to require a functional test to determine if a bolt fouls the flap control system.

No Comments Received

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Editorial Changes Made to the Final Rule

The FAA has revised the final rule to correctly designate the affected airplane models as ''Beech (Raytheon) Model BAe 125 series 800A and Model Hawker 800 airplanes.''

Additionally, a new ''Note 2'' has been added to the final rule to clarify that airworthiness authorities of countries in which Beech (Raytheon) Model BAe 125 series 800B airplanes are approved for operation should consider adopting corrective action that is similar to that required by this AD. Those airplane models are not certificated for operation in the United States, but are similar in design to the affected airplanes and, thus, may be subjected to the same unsafe condition addressed by this AD.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will