

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-31-AD]

RIN 2120 AA64

Airworthiness Directives; AeroSpace Technologies of Australia Limited (formerly Government Aircraft Industries), Nomad Models N22S, N22B, and N24A Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede AD 82-25-09 which currently requires repetitively inspecting the pilot and co-pilot control wheel sub-assemblies for cracks, and if cracked, modifying the cracked part on the AeroSpace Technologies of Australia, Limited (ASTA), formerly Government Aircraft Industries (GAF) Nomad Models N22S, N22B, and N24A airplanes. The proposed action would retain the repetitive inspection of the pilot and co-pilot control wheel sub-assemblies for cracks, but would include a modification that would terminate the repetitive inspections by replacing or re-working the control wheel sub-assembly with a part of improved design. This proposed superseding action is prompted by cracking in the control wheel sub-assemblies and the manufacture of an improved part that would terminate the repetitive inspection. The actions specified by the proposed AD are intended to prevent failure of the pilot's and co-pilot's control wheels, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Comments must be received on or before February 21, 1997.

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-31-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, Los Angeles 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-31-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-31-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

Airworthiness Directive 82-25-09, Amendment 39-4510 currently requires repetitively inspecting the pilot and co-pilot control wheel sub-assemblies for cracks, and if cracked, modifying the cracked part on the ASTA Nomad Models N22S, N22B, and N24A airplanes. Accomplishment of the proposed modification would terminate the repetitive inspections.

Actions Since Issuance of Previous Rule

The Civil Aviation Safety Authority (CASA) of Australia, which is the airworthiness authority for Australia, notified the FAA that an unsafe condition may exist on ASTA Nomad Models N22S, N22B, and N24A airplanes. The CASA of Australia advises that several incidents have been reported of the pilot's and co-pilot's control wheels developing structural cracks and becoming inoperable, reducing the pilots' ability to control the airplane during flight.

Since the publication of AD 82-25-09, the manufacturer has designed a part of improved design. The proposed action would retain the repetitive inspection of the pilot and co-pilot control wheel sub-assemblies for cracks, but would include a modification that would terminate the repetitive inspections by replacing or re-working the control wheel sub-assembly with a part of improved design.

Applicable Service Information

ASTA has issued Government Aircraft Factories (GAF) Nomad Alert Service Bulletin (SB) AS/B ANMD-27-27, Revision 1, dated November 5, 1982, which specifies repetitively inspecting the control wheel sub-assemblies for cracking, modifying the assemblies by replacing or reworking them when cracks appear, and upon the accumulation of 300 hours time-in-service, modifying the control wheel sub-assemblies by replacing or reworking them with a part of improved design. This modification would be

considered a terminating action for the repetitive inspections.

The CASA of Australia classified this service bulletin as mandatory and issued CASA of Australia AD/GAF-N22/46 AMDT 1 in order to assure the continued airworthiness of these airplanes in Australia.

FAA's Determination

This airplane model is manufactured in Australia and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the Australian CASA has kept the FAA informed of the situation described above. The FAA has examined the findings of the Australian CASA, 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.

Explanation of the Provision of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other ASTA Nomad Models N22S, N22B, and N24A airplanes of the same type design registered for operation in the United States, the proposed AD would supersede AD 82-25-09 with a new AD that would retain the repetitive 100 hour time-in-service (TIS) inspections for cracks on the pilot's and co-pilot's control wheel sub-assembly (part number (P/N) 1/N-45-1208) in the area adjacent to the circumferential weld adjoining the shaft spigot to each control wheel back support plate, modifying any cracked assembly by replacing the assembly with a part of improved design (P/N 2/N-45-1208), or re-working the assembly with approved re-worked parts (P/N 1/N-03-734), and if there are no signs of cracking during these inspections, terminating the repetitive inspections upon the accumulation of 300 hours TIS by accomplishing the modification to control wheel sub-assemblies with parts of improved design. This modification would be considered a terminating action for the repetitive inspections required in AD 82-25-09.

Cost Impact

The FAA estimates that 15 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 6 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost

approximately \$1,592 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$23,680 or \$1,952 per airplane. This figure is based on the cost of the initial inspection and modification and does not account for the repetitive inspections that may occur prior to the proposed modification. The FAA has no way to determine the number of airplanes that may have already accomplished this action.

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 action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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 has been placed 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 Airworthiness Directive (AD)

82-25-09, Amendment 39-4510, and by adding a new AD to read as follows:

Aerospace Technologies of Australia, Limited (ASTA) (formerly Government Aircraft Industries (GAF)):

Docket No. 95-CE-31-AD; Supersedes AD 82-25-09, Amendment 39-4510.

Applicability: Nomad Models N22S, N22B, and N24A airplanes, all serial numbers, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 (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 within the next 100 hours time-in-service (TIS) after the effective date of this AD, and thereafter as indicated in this AD, unless already accomplished.

To prevent failure of the pilot's and co-pilot's control wheels, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Inspect the pilot and co-pilot control wheel sub-assembly (part number (P/N) 1/N-45-1208) for structural cracking in the area adjacent to the circumferential weld adjoining the shaft spigot to each control wheel back support plate in accordance with the "2. *Accomplishment Instructions*" section, "Part A—Inspection" paragraphs in Government Aircraft Industries (GAF) Nomad Alert Service Bulletin (SB) AS/B ANMD-27-27, Revision 1, dated November 5, 1982.

(1) If no cracks are visible, repetitively inspect the control wheel sub-assemblies at intervals not to exceed 100 hours TIS in accordance with the "2. *Accomplishment Instructions*" section, "Part A—Inspection" paragraphs in GAF Nomad Alert Service Bulletin (SB) AS/B ANMD-27-27, Revision 1, dated November 5, 1982 until the accomplishment of paragraph (b) of this AD.

(2) If cracks are visible during any inspection required by this AD, prior to further flight, modify the control wheel sub-assemblies by replacing or re-working the cracked part with parts of improved design (P/N 2/N-45-1208 or 1/N-03-734 (reworked part)) in accordance with the "2. *Accomplishment Instructions*" section, "Part B—Modification by Replacement or Rework" paragraphs in GAF Nomad Alert SB AS/B ANMD-27-27, Revision 1, dated November 5, 1982.

(b) Upon the accumulation of 300 hours TIS after the effective date of this AD, modify the control wheel sub-assemblies (P/N 1/N-45-1208) by replacing the assemblies or re-working the assemblies with parts of improved design (P/N 2/N-45-1208 or P/N 1/N-03-734, respectively) in accordance

with the "2. Accomplishment Instructions" section, "Part B—Modification by Replacement or Rework" paragraphs in GAF Nomad Alert SB AS/B ANMD-27-27, Revision 1, dated November 5, 1982.

(c) Accomplishment of the modification in paragraph (b) of this AD is considered a terminating action for the repetitive inspections required in paragraph (a)(1) of this AD.

(d) Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Los Angeles Aircraft Certification Office, FAA, 3960 Paramount Blvd., Lakewood, California, 90712. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office. Alternative methods of compliance approved in accordance with AD 82-25-09 (superseded by this action) are considered approved as alternative methods of compliance with this AD.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(f) All persons affected by this directive may obtain copies of the document referred to herein upon request to AeroSpace Technologies of Australia, Limited, ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia, 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.

(g) This amendment supersedes AD 82-25-09, Amendment 39-4510.

Issued in Kansas City, Missouri, on December 18, 1996.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-32850 Filed 12-24-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 71

[Airspace Docket No. 96-AWP-30]

Proposed Revision of Class E Airspace; Victorville, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: This notice announces the extension of the comment period on a Notice of Proposed Rulemaking (NPRM), which proposes to revise the Class E airspace area at Victorville, CA.

This action is being taken due to an administrative oversight, wherein the comment period did not allow adequate time for interested persons to have the opportunity to comment.

DATES: Comments must be received on or before January 30, 1997.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Attn: Manager, Operations Branch, AWP-530, Docket No. 96-AWP-30, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California, 90009.

SUPPLEMENTARY INFORMATION:

Background

Airspace Docket No. 96-AWP-30, published on November 20, 1996 (61 FR 59042) proposed to revise the Class E airspace area at Victorville, CA. This action will extend the comment period closing date on that airspace docket from November 30, 1996, to January 30, 1997 to allow for a 30-day comment period instead of the existing 10-day abbreviated comment period.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Extension of Comment Period

The comment period closing date Airspace Docket No. 96-AWP-30, is hereby extended to January 30, 1997.

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

Issued in Los Angeles, California, on December 10, 1996.

Leonard A. Mobley,

Acting Manager, Air Traffic Division,
Western-Pacific Region.

[FR Doc. 96-32711 Filed 12-24-96; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 915

[SPATS No. IA-009-FOR]

Iowa Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Iowa

regulatory program (hereinafter the "Iowa program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to the Iowa rules pertaining to repair or compensation for material damage resulting from subsidence caused by underground coal mining operations and to replacement of water supplies adversely impacted by underground coal mining operations. The amendment is intended to revise the Iowa program to be consistent with the corresponding Federal regulations and SMCRA.

DATES: Written comments must be received by 4:00 p.m., c.s.t., January 27, 1997. If requested, a public hearing on the proposed amendment will be held on January 21, 1997. Requests to speak at the hearing must be received by 4:00 p.m., c.s.t., on January 10, 1997.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Michael C. Wolfrom, Mid-Continent Regional Coordinating Center, at the address listed below.

Copies of the Iowa program, the propose amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Mid-Continent Regional Coordinating Center.

Michael C. Wolfrom, Mid-Continent Regional Coordinating Center, Office of Surface Mining Reclamation and Enforcement, Alton Federal Building, 501 Belle Street, Alton, Illinois, 62002, Telephone: (618) 463-6460. Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, Henry A. Wallace Building, Des Moines, Iowa, 50319, Telephone: (515) 281-6147.

FOR FURTHER INFORMATION CONTACT: Michael C. Wolfrom, Mid-Continent Regional Coordinating Center, Telephone: (618) 463-6460.

SUPPLEMENTARY INFORMATION:

I. Background on the Iowa Program

On January 21, 1981, the Secretary of the Interior conditionally approved the Iowa program, effective April 10, 1981. General background information on the Iowa program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Iowa program can be found in the January 21, 1981, Federal Register (46 FR 5885). Subsequent actions