

Revision 1, dated December 9, 1996, that identifies by serial number (S/N) affected 4th stage LPT hubs, and describes procedures for fluorescent penetrant inspection (FPI) and eddy current inspection (ECI) of 4th stage LPT hubs for cracks.

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 initial and repetitive FPI and ECI of affected 4th stage LPT hubs for cracks, and, if necessary, replacement with serviceable parts. The actions would be required to be accomplished in accordance with the ASB described previously.

The FAA estimates that 381 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per engine to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$137,160.

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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Pratt & Whitney: Docket No. 96-ANE-32.

Applicability: Pratt & Whitney (PW) Models JT8D-1, -1A, -1B, -7, -7A, -7B, 9, -9A, -11, -15, -17, and -17R turbofan engines, with 4th stage low pressure turbine (LPT) hubs identified by serial number (S/N) in Table A of PW Alert Service Bulletin (ASB) No. A6274, Revision 1, dated December 97, 1996. These engines are installed on but not limited to Boeing 727 and 737 series, and McDonnell Douglas DC-9 series aircraft.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 4th stage LPT blade failure due to hub cracking, which can result in an uncontained engine failure and damage to the aircraft, accomplish the following:

(a) Perform fluorescent penetrant inspection (FPI) and eddy current inspection (ECI) of affected 4th stage LPT hubs for cracks, in accordance with Paragraph 2A of PW ASB No. A6274, Revision 1, dated December 9, 1996, as follows:

(1) Inspect at the next time after the effective date of this AD that the hub is removed from the module and has been debled.

(2) Thereafter, inspect each time the hub is removed from the module and has been debled.

(3) Remove from service any cracked 4th stage LPT hub and replace with a serviceable part.

(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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may

add comments and then send it to the Manager, Engine Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

Issued in Burlington, Massachusetts, on January 2, 1997.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 97-469 Filed 1-8-97; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 96-ANE-35]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney JT8D-200 Series Turbofan Engines

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 Pratt & Whitney (PW) JT8D-200 series turbofan engines, that currently requires installation and periodic inspection of temperature indicators installed on the No. 4 and 5 bearing compartment scavenge oil tube and performance of any necessary corrective action. This action would require the installation and periodic inspection of temperature indicators to all PW JT8D-200 series engines, including those incorporating the containment hardware specified in with AD 93-23-10. This proposal is prompted by report of an uncontained turbine failure due to a high pressure turbine (HPT) shaft fracture on an engine that had the containment hardware installed. The actions specified by the proposed AD are intended to prevent fracture of the HPT shaft, which can result in uncontained release of engine fragments, engine fire, inflight engine shutdown, or possible aircraft damage.

DATE: Comments must be received by March 10, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-ANE-35, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Pratt & Whitney, Publication Department, Supervisor Technical Publications Distribution, M/S 132-30, 400 Main St., East Hartford, CT 06108; telephone (860) 565-7700, fax (860) 565-4503. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT:

Diane Cook, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7134, fax (617) 238-7199.

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 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-ANE-35." 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, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-ANE-35, 12 New England Executive Park, Burlington, MA 01803-5299.

Discussion

On November 3, 1994, the Federal Aviation Administration (FAA) issued airworthiness directive AD 94-23-03, Amendment 39-9065 (59 FR 61789, December 2, 1994), applicable to Pratt & Whitney (PW) JT8D-200 series turbofan engines, to require installation and periodic inspection of temperature indicators installed on the No. 4 and 5 bearing compartment scavenge oil tube and performance of any necessary corrective action. That action was prompted by reports of high pressure turbine (HPT) shaft fractures caused by oil fires that resulted from internal leakage of thirteenth stage compressor discharge air into the No. 4 and 5 bearing compartment. That condition, if not corrected, could result in fracture of the HPT shaft, which can result in uncontained release of engine fragments, engine fire, inflight engine shutdown, or possible aircraft damage.

Airworthiness directive 94-23-03 excluded from the applicability engines that had installed HPT containment hardware in accordance with AD 93-23-10. Since the issuance of AD 94-23-03, the FAA has received a report of an uncontained turbine failure due to an HPT shaft fracture on a PW Model JT8D-219 engine that had the containment hardware installed.

The FAA has reviewed and approved the technical contents of PW Alert Service Bulletin (ASB) No. 5944, Revision 3, dated December 17, 1994, and Revision 2, dated June 8, 1992, that describe procedures for installation and periodic inspection of temperature indicators installed on the No. 4 and 5 bearing compartment scavenge oil tube and performance of any necessary corrective action.

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 supersede AD 94-23-03 to require installation and periodic inspection of temperature indicators to all PW JT8D-200 series engines, including those incorporating the containment hardware specified in AD 93-23-10. The actions would be required to be accomplished in accordance with the SB described previously.

There are approximately 2,432 engines of the affected design in the worldwide fleet. The FAA estimates that 1,044 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 1.5 work hours per engine to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the

proposed AD on U.S. operators is estimated to be \$93,960.

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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-9065 (59 FR 61789, December 2, 1994) and by adding a new airworthiness directive to read as follows:

Pratt & Whitney: Docket No. 96-ANE-35. Supersedes AD 94-23-03, Amendment 39-9065.

Applicability: Pratt & Whitney (PW) JT8D-209, -217, -217A, -217C, and -219 turbofan engines, installed on but not limited to McDonnell Douglas MD-80 series and Boeing 727 series aircraft.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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.

To prevent fracture of the high pressure turbine (HPT) shaft, which can result in uncontained release of engine fragments, engine fire, inflight engine shutdown, or possible aircraft damage, accomplish the following:

(a) Install and inspect one or two temperature indicators, part number (P/N) 810486, or a single or double set of P/N 809129 and P/N 809130 temperature indicators, on the No. 4 and 5 bearing compartment scavenge oil tube, as follows:

(1) Install temperature indicators on the No. 4 and 5 bearing compartment scavenge oil tube in accordance with Section 2.A.(1) of the Accomplishment Instructions of PW Alert Service Bulletin (ASB) No. 5944, Revision 3, dated December 16, 1994, or Revision 2, dated June 8, 1992, within 90 days after the effective date of this airworthiness directive (AD).

(2) Visually inspect temperature indicators within 65 hours TIS of installation. Thereafter, inspect at intervals not to exceed 65 hours TIS since last inspection.

(3) If upon inspection, the color of any temperature indicator window(s) has turned completely black, perform troubleshooting and diagnostic testing and corrective action as required, in accordance with Section 2.A.(2) (c) and (d) or (f) and (g), as applicable, of the Accomplishment Instructions of PW ASB No. 5944, Revision 3, dated December 16, 1994, or Revision 2, dated June 8, 1992. Prior to returning the engine to service, replace any temperature indicator that has turned black and inspect in accordance with paragraphs (a)(2) and (a)(3) of this AD.

(b) For aircraft installations utilizing one P/N 810486 indicator or one set of P/N 809129 and 809130 indicators, and inspection reveals a missing indicator, inspect the remaining temperature indicator, if applicable, to determine if the indicator window has turned completely black. If the indicator window has turned completely black, perform troubleshooting and diagnostic testing, and corrective action as required, in accordance with paragraph (a)(3) of this AD. If the indicator window has not turned completely black or if there are no additional indicators installed, then install a new indicator in accordance with Section 2.A.(1) of the Accomplishment Instruction of PW ASB No. 5944, Revision No. 3, dated December 16, 1994, or Revision 2, dated June 8, 1992, prior to return to service, and visually inspect the temperature indicator within 65 hours TIS since installation.

Thereafter, inspect at intervals not to exceed 65 hours TIS since last inspection in accordance with paragraphs (a)(2) and (a)(3) of this AD.

(c) For aircraft installations utilizing two P/N 810486 indicators or two sets of P/N 809129 and 809130 indicators, and inspection reveals a missing indicator(s), inspect the remaining temperature indicator(s), if applicable, to determine if the indicator window has turned completely black. If the indicator window has turned completely black, perform troubleshooting and diagnostic testing, and corrective action as required, in accordance with paragraph (a)(3) of this AD. If the indicator window has not turned completely black, install a new indicator(s) in accordance with Section 2.A.(1) of the Accomplishment Instructions of PW ASB No. 5944, Revision 3, dated December 16, 1994, or Revision 2, dated June 8, 1992, prior to return to service, and visually inspect the temperature indicator within 65 hours TIS since installation. Thereafter, inspect at intervals not to exceed 65 hours TIS since last inspection in accordance with paragraphs (a)(2) and (a)(3) of this AD.

(d) Report the data elements identified in Appendix E of the Accomplishment Instructions of PW ASB No. 5944, Revision 3, dated December 16, 1994, or Revision 2, dated June 8, 1992, whenever an overtemperature condition is observed on any color temperature indicator which is the result of an internal engine problem only and not resulting from an external cause corrected by the published troubleshooting procedures. Data elements should be reported within 30 days of determining that the overtemperature condition is the result of an internal engine problem, to Diane Cook, Aerospace Engineer, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, FAA, 12 New England Executive Park, Burlington, MA 01803-05299; telephone (617) 238-7134, fax (617) 238-7199; Internet: Diane.Cook@faa.dot.gov. The reporting requirements of this AD terminate six months from the effective date of the AD.

(e) Information collection requirements contained in this regulation have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and have been assigned OMB control number 2120-0056.

(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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(g) 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 aircraft to

a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on January 2, 1997.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 97-468 Filed 1-8-97; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Chapter II

[Release Nos. 33-7377, 34-38118, 35-26641, 39-2345, IC-22439, IA-1603; File No. S7-2-97]

List of Rules To Be Reviewed Pursuant to the Regulatory Flexibility Act

AGENCY: Securities and Exchange Commission.

ACTION: Publication of list of rules scheduled for review.

SUMMARY: The Securities and Exchange Commission is today publishing a list of rules to be reviewed pursuant to Section 610 of the Regulatory Flexibility Act. The list is published to provide the public with notice that these rules are scheduled for review by the agency and to invite public comment on them.

DATES: Public comments are due by January 31, 1997.

ADDRESSES: Persons wishing to submit written comments should file three copies with Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Room 6184, Stop 6-9, Washington, D.C. 20549. All submissions should refer to File No. S7-2-97, and will be available for public inspection and copying at the Commission's Public Reference Room, Room 1026, at the same address.

FOR FURTHER INFORMATION CONTACT: Anne H. Sullivan, Office of the General Counsel, Securities and Exchange Commission, 202-942-0954.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act ("RFA") (Pub. L. No. 96-354, 94 Stat. 1165) (September 19, 1980) requires that each agency review every ten years each of its rules that has a significant economic impact upon a substantial number of small entities. The purpose of the review is "to determine whether such rules should be continued without change, or should be amended or rescinded * * * to minimize any significant economic impact of the rules upon a substantial number of small entities" (5 U.S.C. 610(a)).

The RFA stipulates the following specific considerations that must be