

in paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Prior to the accumulation of 10,000 total flight cycles, or 25,000 total flight hours, whichever occurs first.

(ii) Within 30 days after the effective date of this AD.

(b) If any bolt of the hinge fittings of the left- and right-hand outboard trailing edge flaps is below the torque check threshold specified in Boeing Alert Service Bulletin 767-27A0151, Revision 1, dated April 2, 1997: Prior to further flight, accomplish the action specified in paragraph (b)(1) or (b)(2) of this AD in accordance with the alert service bulletin.

(1) Perform a dye penetrant inspection of all the bolts of the hinge fitting to detect any cracking or discrepancy.

(i) If no cracking or discrepancy is detected, reinstall the bolt using new nuts and washers.

(ii) If any cracking or discrepancy is detected, replace the cracked or discrepant bolt with a new or serviceable bolt.

(2) Replace all of the bolts of both hinge fittings with new or serviceable bolts.

(c) If the length or type of any bolt of the hinge fittings of the left- and right-hand outboard trailing edge flaps is outside the specifications of Boeing Alert Service Bulletin 767-27A0151, Revision 1, dated April 2, 1997: Prior to further flight, replace the bolt with a new or serviceable bolt in accordance with the alert service bulletin.

(d) Within 10 days after accomplishing the actions required by this AD, submit a report describing any cracking, damage, or any torque check of any bolt of either hinge fitting that was below the threshold of the torque check specified by this AD, to the Manager, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue, SW., Renton, Washington 98055-4056; fax (206) 227-1181. 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.

(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, 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.

(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 actions shall be done in accordance with Boeing Alert Service Bulletin 767-27A0151, Revision 1, dated April 2, 1997. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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 May 7, 1997, to all persons except those persons to whom it was made immediately effective by telegraphic AD T97-08-51, issued on April 2, 1997, which contained the requirements of this amendment.

Issued in Renton, Washington, on April 25, 1997.

Neil D. Schalekamp,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-11334 Filed 5-1-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-100-AD; Amendment 39-10006; AD 97-09-10]

RIN 2120-AA64

Airworthiness Directives; Jetstream Model BAe ATP Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Jetstream Model BAe ATP series airplanes, that requires modification of certain parts in the elevator flight control system and the propeller switch warning system. This amendment is prompted by a report indicating that these parts could interfere with the proper operation of these systems. The actions specified by this AD are intended to prevent the flight crew from having to engage the standby elevator control system in order to regulate the pitch of the airplane; and to prevent malfunctioning of the pitch warning system for the propellers; either of which could lead to reduced controllability of the airplane.

DATES: Effective June 6, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 6, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport,

Washington, DC 20041-6029. 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 Jetstream Model BAe ATP series airplanes was published in the **Federal Register** on January 8, 1997 (62 FR 1061). That action proposed to require modification of the stop lever for the bellcrank assembly of the elevator flight control system. That action also proposed to require that retaining cords on the access panels to the powerplant microswitches be removed from airplanes on which Jetstream Modification 35205A has been installed previously.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 10 Jetstream Model BAe ATP series airplanes of U.S. registry will be affected by this AD.

It will take approximately 7 work hours per airplane to accomplish the required modification of the stop lever for the bellcrank assembly of the elevator flight control system, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required modification of this lever on U.S. operators is estimated to be \$4,200, or \$420 per airplane.

It will take approximately 1 work hour per airplane to accomplish the required removal of the retaining cords on airplanes that have been fitted with Jetstream Modification 35205A. The average labor rate is \$60 per work hour.

Based on these figures, the cost impact of this required removal on U.S. operators of airplanes fitted with Jetstream Modification 35205A is estimated to be \$600, or \$60 per airplane.

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

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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:

97-09-10 Jetstream Aircraft Limited (Formerly British Aerospace Commercial Aircraft Limited):

Amendment 39-10006. Docket 96-NM-100-AD.

Applicability: Model BAe ATP series airplanes as listed in Jetstream Service Bulletin ATP-27-78, Revision 1, dated January 31, 1996; 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 (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 as indicated, unless accomplished previously.

To prevent the flight crew from having to engage the standby elevator control system in order to regulate the pitch of the airplane,

and to prevent malfunctioning of the pitch warning system for the propellers, either of which could lead to reduced controllability of the airplane, accomplish the following:

(a) For airplanes on which Jetstream Modification 35205A has been installed: Within 3 months after the effective date of this AD, remove the retaining cords on the access panels to the powerplant microswitches, in accordance with Part 2 of Jetstream Service Bulletin ATP-27-78, Revision 1, dated January 31, 1996.

Note 2: Jetstream Modification 35205A is described in Jetstream Service Bulletin ATP-53-19, dated January 13, 1993.

(b) For all airplanes: Within 18 months after the effective date of this AD, modify the stop lever for the bellcrank assembly of the elevator flight control system, in accordance with Part 1 of Jetstream Service Bulletin ATP-27-78, Revision 1, dated January 31, 1996.

(c) 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 Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) 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.

(e) The removal and modification shall be done in accordance with Jetstream Service Bulletin ATP-27-78, Revision 1, dated January 31, 1996, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 3, 6	1	Jan. 31, 1996.
2, 4, 5, 7-10	Original	Dec. 21, 1995.

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 Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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.

(f) This amendment becomes effective on June 6, 1997.

Issued in Renton, Washington, on April 23, 1997.

Neil D. Schalekamp,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-11479 Filed 5-1-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-278-AD; Amendment 39-10003; AD 97-09-07]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-11 series airplanes, that currently requires inspections to detect damage of the support brackets and clamps of the transfer pipe of the tail tank, and of the transfer pipe assembly; and replacement of damaged parts, or installation of a doubler, if necessary. This amendment adds a requirement to install a fuel transfer pipe of the tail tank, and to install support brackets and clamps of the fuel feed pipe of engine No. 2, which constitutes terminating action for the repetitive inspections. This amendment also requires, for certain airplanes, removal of a temporary protective doubler installed on the fuel pipe assembly. This amendment is prompted by reports of cracking of the support brackets in the refuel and fuel transfer lines of the tail fuel tank and damage to the nylon clamps and transfer pipe assembly. The actions specified by this AD are intended to prevent such cracking and damage, which could result in further damage to the transfer pipe assembly and possible fuel leakage.

DATES: Effective June 6, 1997.

The incorporation by reference of McDonnell Douglas Alert Service Bulletin MD11-28A083, dated March 13, 1996, as listed in the regulations, was approved previously by the Director of the Federal Register as of May 24, 1996 (61 FR 21066, May 9, 1996).

The incorporation by reference of certain other publications listed in the regulations is approved by the Director of the Federal Register as of June 6, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). 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 FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Raymond Vakili, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5262; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 96-10-07, amendment 39-9612 (61 FR 21066, May 9, 1996), which is applicable to certain McDonnell Douglas Model MD-11 series airplanes, was published in the **Federal Register** on February 18, 1997 (62 FR 7180). The action proposed to supersede AD 96-10-07 to continue to require visual inspections to detect cracking, bending, or stress of the support brackets and damage to the nylon clamps of the transfer pipe of the tail tank. It also proposed to continue to require repetitive inspections to detect damage of the support brackets and clamps.

However, for certain airplanes, this AD adds a requirement to remove certain clamps and the temporary protective doubler on the fuel pipe assembly. It also requires installation of a fuel transfer pipe of the tail tank, and installation of support brackets and pipe clamps of the fuel feed pipe on engine No. 2, which constitutes terminating action for the repetitive inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the two comments received.

Both commenters support the proposed rule.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 145 Model MD-11 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 40 airplanes of U.S. registry will be affected by this proposed AD.

The actions that are currently required by AD 96-10-07 take approximately 2 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be \$4,800, or \$120 per airplane, per inspection cycle.

The new actions that are required by this new AD will take approximately 6 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$691 per airplane. Based on these figures, the cost impact of the new requirements of this AD on U.S. operators is estimated to be \$42,040, or \$1,051 per airplane.

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

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)