

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 removing amendment 39-1559 (37 FR 24419, November 17, 1972), and by adding a new airworthiness directive (AD), amendment 39-10067, to read as follows:

97-14-09 Gulfstream Aerospace

Corporation (previously Grumman): Amendment 39-10067. Docket 97-NM-15-A Supersedes AD 72-24-04, Amendment 39-1559.

Applicability: Model G-159 (G-I) airplanes, on which elevator trim tab actuators having part number 159SCC100-11 are *not* installed; 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)(1) 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 failure of the elevator trim tab mounting lugs due to cracking, which could result in severe vibration during flight and a consequent reduction or loss of elevator trim tab capability, accomplish the following:

(a) Within 10 hours time-in-service after November 24, 1972 (the effective date of AD 72-24-04, amendment 39-1559), perform an inspection to detect cracks in the mounting lugs of the elevator trim tab actuators, having part number (P/N) 159SCC100-1 or -5; and shim to correct any out-of-plane condition, in accordance with Gulfstream Customer Bulletin No. 208A, dated November 18, 1971; Amendment 1, dated January 18, 1972; Amendment 2, dated April 21, 1972; and Gulfstream Operational Summary 72-5B, dated August 1972.

(b) If no crack is found in any mounting lug during the inspection required by paragraph (a) of this AD, repeat the inspection at intervals not to exceed 200 hours time-in-service.

(c) If any crack is found in a mounting lug when conducting any inspection required by paragraph (a) or (b) of this AD, prior to further flight, replace the elevator trim tab actuator with a new or serviceable actuator having P/N 159SCC100-1, -5, or -11.

(1) If an actuator having P/N 159SCC100-1 or -5 is used as the replacement unit, repeat the inspection for cracks specified in paragraph (a) of this AD thereafter at intervals not to exceed 200 hours time-in-service.

(2) If an actuator having P/N 159SCC100-11 is used as the replacement unit, no further inspection action is required for that unit in accordance with this AD.

(d) Within 1,000 hours time-in-service after the effective date of this AD, replace the elevator trim tab actuators with actuators that have P/N 159SCC100-11, in accordance with Gulfstream Aircraft Service Change No. 191, dated August 18, 1972. This installation constitutes terminating action for the inspections required by this AD.

(e)(1) 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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

(2) Alternative methods of compliance, approved previously in accordance with AD

72-24-02, amendment 39-1559, are 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 Atlanta ACO.

(f) Special flight permits may be issued in accordance with §§ 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 Gulfstream Customer Bulletin No. 208A, dated November 18, 1971; Gulfstream Customer Bulletin No. 208A, Amendment 1, dated January 18, 1972; Gulfstream Customer Bulletin No. 208A, Amendment 2, dated April 21, 1972; Gulfstream Operational Summary 72-5B, dated August 1972; or Gulfstream Aircraft Service Change No. 191, dated August 18, 1972. 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 Gulfstream Aerospace Corporation, Technical Operations Department, P.O. Box 2206, M/S D-10, Savannah, Georgia 31402-2206. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on August 7, 1997.

Issued in Renton, Washington, on June 26, 1997.

S. R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-17282 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-16-AD; Amendment 39-10068; AD 97-14-10]

RIN 2120-AA64

Airworthiness Directives; Gulfstream Aerospace Corporation Model G-159 (G-I) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Gulfstream Model G-159 (G-I) airplanes, that currently requires modification and repetitive

inspections for cracks in the main landing gear (MLG) retract cylinder attachment fittings. This amendment requires installation of improved attachment fittings which, when accomplished, terminates the requirement for the repetitive inspections. This amendment is prompted by the development of a modification that positively addresses the identified unsafe condition. The actions specified by this AD are intended to prevent failure of the MLG retract cylinder attachment fitting due to fatigue cracking. This condition, if not corrected, could result in the inability to retract the MLG.

DATES: Effective August 7, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 7, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Gulfstream Aerospace Corporation, Technical Operations Department, P.O. Box 2206, M/S D-10, Savannah, Georgia 31402-2206. 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, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, Airframe and Propulsion Branch, ACE-117A, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; fax (404) 305-7348.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 67-31-08, amendment 39-515 (32 FR 16201, November 28, 1967), which is applicable to certain Gulfstream Model G-159 (G-I) airplanes, was published in the **Federal Register** on March 6, 1997 (62 FR 10228). The action proposed to supersede AD 67-31-08 to continue to require repetitive inspections and modification of the MLG retract cylinder attachment fittings, and replacement, if necessary. It also proposed to require that the attachment fitting assemblies eventually be replaced with assemblies made of steel. Once this replacement is accomplished, the previously required

modification and inspections may be terminated.

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.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 146 Gulfstream Model G-159 (G-I) airplanes of the affected design in the worldwide fleet. The FAA estimates that 72 airplanes of U.S. registry will be affected by this AD.

The actions that are currently required by AD 67-31-08 take approximately 3 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 \$12,960, or \$180 per airplane, per inspection.

The replacement action that is required by this AD action will take approximately 45 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$5,400 per airplane. Based on these figures, the cost impact of the requirements of this AD on U.S. operators is estimated to be \$583,200, or \$8,100 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 removing amendment 39-515 (32 FR 16201, November 28, 1967), and by adding a new airworthiness directive (AD), amendment 39-10068, to read as follows:

97-14-10 Gulfstream Aerospace Corporation (formerly Grumman): Amendment 39-10068. Docket 97-NM-16-AD. Supersedes AD 67-31-08, Amendment 39-515.

Applicability: Model G-159 (G-I) airplanes; serial numbers (S/N) 1 through 12 inclusive, 14 through 112 inclusive, 114 through 148 inclusive, 322, and 323; on which main landing gear cylinder attach fitting assemblies having part number (P/N) 159WM10276-1 and -2 and balls having P/N 159WM10277-1 are not installed; 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 (d)(1) 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 failure of the main landing gear (MLG) retract cylinder attachment fittings due to fatigue cracking, which could result in the inability to retract the MLG, accomplish the following:

(a) Accomplish the actions specified in paragraphs (a)(1) and (a)(2) of this AD, at the times indicated in those paragraphs and in accordance with Grumman Gulfstream Customer Bulletin No. 172, dated September 6, 1963.

(1) Beginning November 7, 1967 (the effective date of AD 67-31-08, amendment 39-515), and prior to each flight, conduct a visual inspection to detect cracks in the MLG retract cylinder attachment fittings on the lower surface of the right-hand and left-hand wings in the vicinity of the aft end of the fitting.

(2) Within 25 hours time-in-service after November 7, 1967, accomplish the actions specified in paragraphs (a)(2)(i) and (a)(2)(ii) of this AD:

(i) Conduct a dye penetrant inspection, in conjunction with at least a 10X magnifying glass, to detect cracks in the MLG retract cylinder attachment fittings on the lower surface of the right-hand and left-hand wings in the vicinity of the aft end of the fitting. Repeat this inspection thereafter at intervals not to exceed 25 hours time-in-service. And

(ii) Modify the aft end edges of the fitting by rounding them off to approximately 1/32" radius.

(b) If any crack is found during an inspection required by paragraph (a) of this AD, prior to further flight, accomplish either paragraph (b)(1) or (b)(2) of this AD:

(1) Replace the cracked part with a part of the same part number that has been modified and inspected in accordance with paragraph (a) of this AD, in accordance with Grumman Gulfstream Customer Bulletin No. 172, dated September 6, 1963. Thereafter, continue the inspections required by paragraph (a) of this AD. Or

(2) Replace the fitting assembly with an assembly having part number (P/N) 159WM10276-1 or -2, and balls having P/N 159WM10277-1. After accomplishing this replacement, the repetitive inspections of that fitting required by paragraph (a) of this AD may be terminated.

(c) Within 400 hours time-in-service after the effective date of this AD, replace the MLG retract cylinder attachment fitting assemblies with assemblies having part numbers (P/N) 159WM10276-1 and -2, and balls having P/N 159WM10277-1. This replacement constitutes terminating action for the inspection requirements of this AD.

(d)(1) 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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

(2) Alternative methods of compliance, approved previously in accordance with AD 67-31-08, amendment 39-515, are 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 Atlanta ACO.

(e) 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.

(f) The actions shall be done in accordance with Gulfstream Customer Bulletin No. 172, dated September 6, 1963. 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 Gulfstream Aerospace Corporation, Technical Operations Department, P.O. Box 2206, M/S D-10, Savannah, Georgia 31402-2206. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2-160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on August 7, 1997.

Issued in Renton, Washington, on June 26, 1997.

S. R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-17283 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-CE-36-AD; Amendment 39-10062; AD 97-13-02]

RIN 2120-AA64

Airworthiness Directives; Diamond Aircraft Industries, Inc. Model DA 20-A1 Airplanes, Serial Numbers 10002 Through 10287

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) 97-13-02, which was sent previously to all known U.S. owners and operators of Diamond Aircraft Industries, Inc. (Diamond) Model DA 20-A1 airplanes. This AD requires fabricating and installing a placard and inserting limitations into the airplane's flight manual limitations section prohibiting spin maneuvers until a modification is

installed. This AD results from an occurrence where a pilot's shoe jammed between the rudder control pedal and the firewall during a spin recovery in a Canadian registered HOAC-Austria Model DV 20 KATANA airplane. The actions specified by this AD are intended to prevent the pilot's shoe from becoming jammed between the rudder pedal and firewall which could result in loss of control of the airplane.

DATES: Effective July 14 1997, to all persons except those to whom it was made immediately effective by priority letter AD 97-13-02, issued June 12, 1997, 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 July 14, 1997.

Comments for inclusion in the Rules Docket must be received on or before August 14, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 97-CE-36-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from Diamond Aircraft Industries, Inc., 1560 Crumlin Sideroad, London, Ontario, Canada N5V 1S2; telephone (519) 457-4041; facsimile (519) 457-4045. This information may also be examined at the Rules Docket at the address above, or at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Gregory J. Michalik, Senior Aerospace Engineer, Chicago Aircraft Certification Office, 2300 East Devon Ave., Des Plaines, Illinois 60018, telephone (847) 294-7135; facsimile (847) 294-7834

SUPPLEMENTARY INFORMATION:

Discussion

On June 12, 1997, the FAA issued priority letter AD 97-13-02, which applies to Diamond Model DA 20-A1 airplanes. That AD resulted from an occurrence where a pilot's shoe jammed between the rudder control pedal and the firewall during a spin recovery in a Canadian registered HOAC-Austria Model DV 20 KATANA airplane. Investigation of the occurrence by Transport Canada, which is the airworthiness authority for Canada, revealed that the pilot's shoe caught on the head of a screw protruding from the firewall just above the rudder control pedals. There are two screws in this area