

airplanes, and Jetstream Model 3101 airplanes with a serial number in the range of 601 through 702 (inclusive), install modified bushes at the wing/fuselage forward attachment spigots (Modification No. JM 5259) in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of BAe Jetstream SB 57-JM 5259, dated February 5, 1993, and Erratum No. 1 to SB 57-JM 5259, dated February 8, 1993.

(3) Incorporating Modification No. JM 5259 eliminates the requirement of repetitively inspecting the wing/fuselage forward attachment spigot bushes for migration gaps as required by all designations of paragraph (c) of this AD.

(e) Incorporating both Modification No. JM 5326 and Modification No. JM 5259 eliminates the repetitive inspections required by all designations of paragraphs (b) and (c) of this AD. This does not eliminate the repetitive inspections of the spigot housing plate as required by paragraph (a) of this AD.

(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) An alternative method of compliance or adjustment of the initial or repetitive compliance time that provides an equivalent level of safety may be approved by the Manager, Brussels ACO, Europe, Africa, Middle East office, FAA, c/o American Embassy, 1000 Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels ACO.

(h) All persons affected by this directive may obtain copies of the documents referred to herein upon request to Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC, 20041-6029; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on January 5, 1996.

Michael Gallagher,

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-484 Filed 1-18-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 93-CE-34-AD]

#### **Airworthiness Directives; Jetstream Aircraft Limited (Formerly British Aerospace, Regional Airlines Limited) Jetstream Model 3201 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); Reopening of the comment period.

**SUMMARY:** This document proposes to revise an earlier proposed airworthiness directive (AD) that would have required inspecting the spigot housing plate at the wing/fuselage forward attachment sliding joint on certain Jetstream Aircraft Limited (JAL) Model 3201 airplanes, replacing any cracked or corroded part, and eventually replacing the spigots and spigot housing plate with new parts of improved design. A crack in the spigot housing plate assembly found during fatigue testing of the affected airplanes prompted the proposed action. Since publication of that proposal, the Federal Aviation Administration (FAA) has determined that the proposed action is still a valid safety issue, but should be accomplished in accordance with updated service information. The proposed action revises the previous proposal by referencing an updated service bulletin. The actions specified by the proposed AD are intended to prevent structural failure of the wing/fuselage area caused by a cracked spigot housing assembly. Since the comment period for the original proposal has closed and the proposed action goes beyond the scope of what was originally proposed, the FAA is allowing additional time for the public to comment.

**DATES:** Comments must be received on or before March 22, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 93-CE-34-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 Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles

International Airport, Washington, DC, 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Ms. Dorenda Baker, Program Officer, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (322) 508-2715; facsimile (322) 230-6899; or Mr. Jeffrey Morfitt, Project Officer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

#### **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. 93-CE-34-AD." The postcard will be date stamped and returned to the commenter.

##### **Availability of Supplemental NPRMs**

Any person may obtain a copy of this supplemental NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 93-CE-34-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

## Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Jetstream Aircraft Limited (JAL) Jetstream Model 3201 airplanes was published in the Federal Register on July 20, 1993 (58 FR 38732). The action proposed to require inspecting the spigot housing plate at the wing/fuselage forward attachment sliding joint, replacing any cracked or corroded part, and eventually replacing the spigots and spigot housing plate with new parts of improved design. The proposal would have been accomplished in accordance with Jetstream Service Bulletin (SB) 57-JA 921144, dated March 4, 1993.

Interested persons have been afforded an opportunity to participate in the making of this amendment. One comment was received in favor of the proposed rule and no comments were received concerning the FAA's determination of the cost to the public.

JAL has revised SB No. 57-JA 921144 to the Revision 1 level (dated April 19, 1994). This revision amends the installation instructions for the new spigot housing plates to account for possible misalignment of attachment holes, which could lead to elongation.

Since publication of the proposal, the FAA has re-examined various service difficulty reports on the affected airplanes, determined that the proposed modification is still a valid safety issue (but not considered an urgent safety of flight issue), and determined that the proposed action should be accomplished in accordance with the above-referenced revised service bulletin. Since the comment period for the original proposal has closed and the installation instructions in the service bulletin have been amended, the FAA is reopening the comment period to provide additional time for public comment.

The alternative to incorporating a new modified spigot and spigot housing plate would be to require repetitive inspections. FAA aging commuter-class aircraft policy states that reliance on critical repetitive inspections carries an unnecessary safety risk when a design change exists that could eliminate or, in certain instances, reduce the number of those critical inspections. Therefore, the proposed action, if incorporated as a final rule, would be consistent with the FAA's aging commuter-class aircraft policy.

The FAA estimates that 120 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 23 workhours per

airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts will be provided by the manufacturer at no cost to the owner/operator. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$165,600. These figures take into account that none of the affected airplanes have the proposed modification incorporated.

Jetstream Aircraft Limited has informed the FAA that parts have been distributed to equip approximately 30 airplanes (approximately 25 percent of the fleet in the U.S. registry). Assuming that each set of parts is installed on an affected Jetstream Model 3201 airplane, the proposed cost impact upon U.S. operators would be further reduced \$41,400 from \$165,600 to \$124,200.

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 USC 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

Jetstream Aircraft Limited: Docket No. 93-CE-34-AD.

Applicability: Jetstream Model 3201 airplanes (serial numbers 790 through 960), 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) 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 after the effective date of this AD, unless already accomplished.

To prevent structural failure of the wing/fuselage area caused by a cracked spigot housing assembly, accomplish the following:

(a) Upon the accumulation of 7,200 hours time-in-service (TIS) or within the next 500 hours TIS after the effective date of this AD, whichever occurs later, inspect the spigot housing plate at the wing/fuselage forward attachment sliding joint for corrosion or cracks. Accomplish this inspection in accordance with Part 1 of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream Service Bulletin (SB) 57-JA 921144, Revision 1, dated April 19, 1994.

(1) If any corrosion or cracks are found, prior to further flight, modify the spigot and spigot housing plate in accordance with either Part 2 or Part 3, as applicable, of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream SB 57-JA 921144, Revision 1, dated April 19, 1994.

(2) If no corrosion or cracks are found, within the next 3,000 hours TIS after the inspection required by paragraph (a) of this AD, modify the spigot and spigot housing plate in accordance with either Part 2 or Part 3, as applicable, of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream SB 57-JA 921144, Revision 1, dated April 19, 1994.

(b) Accomplishing the inspection required by this AD in accordance with the original issue of Jetstream SB 57-JA 921144, dated March 4, 1993, is considered already accomplished for that particular portion of this AD.

(c) 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.

(d) An alternative method of compliance or adjustment of the compliance time that

provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office (ACO), Europe, Africa, Middle East office, FAA, c/o American Embassy, 1000 Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels ACO.

(e) All persons affected by this action may obtain copies of the documents referred to herein upon request to Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC, 20041-6029; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on January 4, 1996.

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

[FR Doc. 96-489 Filed 1-18-96; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 39

[Docket No. 95-NM-159-AD]

### Airworthiness Directives; Jetstream Model 4101 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Jetstream Model 4101 series airplanes. This proposal would require modification of the existing diaphragms on the surround structure of the Type II emergency exit. This proposal is prompted by a report that, during fatigue tests on a Model 4101 test article, cracking was found in the surround structure of a Type II emergency exit due to fatigue-related stress. The actions specified by the proposed AD are intended to prevent fatigue-related cracking in the surround structure of the Type II emergency exit, which could result in reduced structural integrity of the fuselage pressure vessel.

**DATES:** Comments must be received by February 22, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103,

Attention: Rules Docket No. 95-NM-159-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule 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 FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

**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) 227-2141; fax (206) 227-1149.

#### 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 shall 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 95-NM-159-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No.

95-NM-159-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

##### Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Jetstream Model 4101 airplanes. The CAA has received a report indicating that, during fatigue tests on a Model 4101 test article, cracking was found in the surround structure of a Type II emergency exit. Such cracking is attributed to fatigue-related stress. Fatigue-related cracking in the surround structure of the type II emergency exit, if not detected and corrected in a timely manner, could result in reduced structural integrity of the fuselage pressure vessel.

Jetstream has issued Service Bulletin J41-53-014, dated July 24, 1995, which describes procedures for modification of the existing diaphragms on the surround structure of the Type II emergency exit. The modification involves removing the existing integral flange from ten diaphragms located forward and aft of the Type II exit door frame and adding an aluminum machined cleat at each location. Accomplishment of the modification will prevent fatigue-related cracking and restore the fatigue life of the surround structure.

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 modification of the existing diaphragms on the surround structure of the Type II emergency exit. The actions would be required to be accomplished in accordance with the service bulletin described previously.

There are approximately 61 Jetstream Model 4101 airplanes of the affected design in the worldwide fleet. The FAA estimates that 35 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 35 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$73,500, or \$2,100 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.