

(a) For CFM56-5/-5B/-5C engines that have a stationary number 3 bearing aft air/oil seal, Part Number (P/N) 1364M71G02, installed, inspect the stage 1 disk of the HPCR stage 1-2 spool in accordance with the Accomplishment Instructions of CFM56-5 Service Bulletin (SB) No. 72-440, CFM56-5B SB No. 72-064, or CFM56-5C SB No. 72-229, all Revision 2, dated June 23, 1995, as applicable, as follows:

(1) If the disk has been previously inspected prior to the effective date of this AD, inspect prior to accumulating 2,200 cycles since new (CSN).

(2) If the disk has been previously inspected prior to the effective date of this AD, and the disk was found *not* to be rubbed or scratched, reinspect prior to accumulating 2,200 cycles since last inspection (CSLI).

(b) Thereafter, for disks that have been inspected in accordance with paragraph (a)(1) or (a)(2) of this AD, inspect in accordance with the Accomplishment Instructions of CFM56-5 SB No. 72-440, CFM56-5B SB No. 72-064, or CFM56-5C SB No. 72-229, all Revision 2, dated June 23, 1995, as applicable, at intervals not to exceed 2,200 CSLI.

(c) Remove from service HPCR stage 1-2 spools with rubbed or scratched stage 1 disks and replace with a serviceable part, as follows:

(1) For spools with less than 2,200 CSN on the effective date of this AD, at the next engine shop visit after the effective date of this AD, or prior to accumulating 2,200 CSN, whichever occurs first.

(2) For spools with 2,200 CSN or more on the effective date of this AD, at the next engine shop visit after the effective date of this AD, or prior to accumulating 2,200 CSLI, whichever occurs first.

(d) Remove from service stationary number 3 aft air/oil seals, P/N 1364M71G02, at the next engine shop visit after the effective date of this AD, and replace with a serviceable part. Compliance with this paragraph constitutes terminating action to the inspection requirements of paragraphs (a)(1), (a)(2), and (b) of this AD.

(e) For the purpose of this AD, a serviceable HPCR stage 1-2 spool is defined as a spool without a rub or scratch indication on the stage 1 disk, a P/N 1834M55G01 spool, or a spool that has accomplished the stage 1 disk rework in accordance with any revision level of CFM56-5 SB No. 72-442, CFM56-5B SB No. 72-066, or CFM56-5C SB No. 72-230, as applicable.

(f) For the purpose of this AD, a serviceable stationary number 3 bearing aft air/oil seal is defined as any seal other than a P/N 1364M71G02 seal.

(g) For the purpose of this AD, an engine shop visit is defined as the induction of an engine into the shop for any reason.

(h) 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: Information concerning the existence of approved alternative methods of

compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(i) 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 May 22, 1996.

Robert E. Guyotte,  
*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
[FR Doc. 96-13890 Filed 6-3-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 93-ANE-79]

RIN 2120-AA64

#### Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This notice revises an earlier proposed airworthiness directive (AD), applicable to Pratt & Whitney (PW) JT8D series turbofan engines, that would have superseded a current AD by reducing the rear flange inspection interval for combustion chamber outer cases (CCOC's) when only the aft face of the rear flange has been inspected, and introducing an improved ultrasonic probe assembly. That proposal was prompted by reports of crack origins in the forward face of the rear flange that could not be detected by the inspection methods for installed CCOC's that were mandated in the current AD. This action retains the elements of the original proposal, but simplifies the compliance instructions, and incorporates a new PW Alert Service Bulletin (ASB). This action also revises the proposed rule by introducing new non-destructive inspection procedures (NDIP's), and introducing a rotating eddy current probe for shop inspections in which the case is removed from the engine. In addition, this action eliminates fluorescent penetrant inspection (FPI), fluorescent magnetic particle inspection (FMPI), and visual inspections from hot section disassembly level inspection procedures. This action also revises the proposed rule by consolidating the inspection requirements of an additional current AD, 95-08-15, into this proposed AD. The actions specified by this proposed AD are intended to prevent CCOC flange cracks that could

result in uncontained engine failure, inflight engine shutdown, engine cowl release, and airframe damage.

**DATES:** Comments must be received by August 5, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 93-ANE-79, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be submitted to the Rules Docket by using the following Internet address: "epd-adcomments@mail.hq.faa.gov".

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, 400 Main Street, East Hartford, CT 06108. 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:** Mark A. Rumizen, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7137, 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 93-ANE-79." 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. 93-ANE-79, 12 New England Executive Park, Burlington, MA 01803-5299.

#### Discussion

On October 3, 1989, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 87-11-07 R1, Amendment 39-6360 (54 FR 46045, November 1, 1989), applicable to Pratt & Whitney (PW) JT8D series turbofan engines, to require repetitive eddy current, fluorescent penetrant, or visual inspections for cracks in the rear flange, and ultrasonic, fluorescent penetrant, or fluorescent magnetic penetrant inspections for cracks in the PS4 boss, and drain bosses of the combustion chamber outer case (CCOC). That action was prompted by reports of uncontained rupture of the CCOC. That condition, if not corrected, could result in CCOC flange cracks that if undetected could result in uncontained engine failure, inflight engine shutdown, engine cowl release, and airframe damage.

Since the issuance of that AD, the FAA has received reports of crack origins in the forward face of the rear flange that cannot be detected by the inspection methods for installed CCOC's that were mandated in that AD. While no failures have been attributed to these undetected cracks, analysis indicates that a reduced inspection interval is necessary to prevent crack propagation to critical lengths as the CCOC's age. The FAA has determined that to reduce the fleet-wide risk to an acceptable level, the inspection interval should be reduced if only the aft face of the rear flange is inspected.

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an AD, applicable to PW JT8D series turbofan engines, was published as a notice of proposed rulemaking (NPRM) in the Federal Register on March 15, 1994 (59 FR 11942). That NPRM would have reduced the inspection interval for CCOC's that have had only the aft face of the rear flange inspected and introduced an improved ultrasonic probe assembly. That NPRM was

prompted by reports of rupture of CCOC's that had only the aft face of the rear flange inspected in accordance with the current AD.

Since the issuance of that NPRM, the manufacturer has introduced improved non-destructive inspection procedures (NDIP's) that are applicable to the existing CCOC inspection requirements of AD 87-11-07 R1. The FAA has determined that the improved NDIP's should be incorporated into the CCOC inspection requirements, that the FPI, FMPI, and visual inspections should be eliminated from the hot section inspection level of disassembly inspection requirements, that a new rotating eddy current probe should be introduced for shop level inspections in which the case is removed from the engine, and that the compliance section should be simplified.

In addition, since issuance of the NPRM the FAA has issued AD 95-08-15, Amendment 39-9204 (60 FR 20019, April 24, 1995), which requires an additional inspection of the CCOC rear flange for intergranular cracking. In addition, PW has issued Revision 1 to the Alert Service Bulletin (ASB) incorporated in that AD, No. A6202, dated January 4, 1996, which removes the in-shop ultrasonic inspection requirement and clarifies the borescope inspection requirements. The FAA has determined that AD 95-08-15 should be superseded and the compliance requirements of that AD and that PW ASB No. A6202, Revision 1, dated January 4, 1996, should be consolidated into the existing CCOC inspection requirements of AD 87-11-07 R1.

In addition, PW has issued ASB No. A6228, dated November 7, 1995, which introduces the improved NDIP's, eliminates the FPI and FMPI from the hot section disassembly level inspection requirements, and consolidates inspection procedures for the CCOC. This ASB is incorporated in this proposed rule. Pratt & Whitney ASB No. A6228, dated November 7, 1995, also includes an inspection of PS4 and drain bosses for a thin walled condition in Paragraph 2.C, Part III of that ASB. The FAA has determined, however, that this condition does not pose a significant risk to continued safe flight and therefore is not included in this proposed AD.

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

Two commenters state that the new, reduced, rear flange inspection interval should only apply to future inspections, and not be retroactive, such that some

engines would require inspection immediately upon AD effectivity. The FAA agrees. This proposed AD allows the inspection interval previously established under AD 87-11-07 R1 to be completed prior to imposing the new, reduced intervals.

One commenter states that inspection records may not specifically state whether or not both faces of the rear flange were inspected, or if only the aft face was inspected, thus precluding determination of the appropriate reinspection interval in accordance with PW ASB No. A6228, dated November 7, 1995. The FAA agrees. As stated above, the previously established inspection interval, determined in accordance with AD 87-11-07 R1, may be used for the initial inspection without the need for a more comprehensive records search.

One commenter states that an inspection should not be required at shop visits that occur within a short time period of a previous shop visit in which the CCOC was inspected. The FAA agrees. Shop visits that occur within 1,000 cycles of a previous shop visit that included a CCOC inspection do not need to be reinspected.

Three commenters state that the shop visit definition conflicted with the definition contained in the PW ASB, and in some instances CCOC inspections and associated extensive engine disassembly could be required during limited scope maintenance activities. The FAA agrees. This proposed AD requires use of the shop visit definition in the ASB, and this definition has been refined in response to operators' concerns.

One commenter states that an incorrect Table reference was specified in paragraph (d) of the NPRM. The FAA agrees. This proposed AD contains a simplified compliance section that limits references to only the applicable major paragraphs of the ASB compliance section.

Three commenters state that the AD applicability section should specify the applicable CCOC part numbers as well as the applicable engine models. The FAA agrees. The applicability section in this proposed AD includes these part number references.

One commenter states that the ASB is complex and could lead to non-compliance with the AD. The FAA agrees. Both the ASB and the proposed AD have been simplified.

One commenter states that the equipment and procedures used for the inspection of the PS4 and drain bosses produce unreliable results. The FAA agrees in part. The FAA acknowledges that the inspections are complex and require skilled and trained inspectors,

and refinements have been made to these inspection procedures and tools based on past in-service experience and reports from operators of the PW JT8D series engines.

One commenter concurs with the proposed AD as written.

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

The FAA estimates that 6,815 engines installed on aircraft of U.S. registry would be affected by this proposed AD and that it would take approximately 4.5 work hours per engine to accomplish the proposed actions. Since publication of the NPRM, the FAA has revised its average labor rate estimate from \$55 per work hour to \$60 per work hour to better reflect current costs. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$1,840,050.

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 39-6360 (54 FR 46045, November 1, 1989) and amendment 39-9204 (60 FR 20019, April 24, 1995) and by adding a new airworthiness directive to read as follows:

Pratt & Whitney: Docket No. 93-ANE-79.  
Supersedes AD 87-11-07 R1,  
Amendment 39-6360, AD 87-11-07,  
Amendment 39-5619, and AD 95-08-15,  
Amendment 39-9204.

*Applicability:* Pratt & Whitney (PW) Models JT8D-1, -1A, -1B, -7, -7A, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and -17AR turbofan engines, with combustion chamber outer case (CCOC) part numbers (P/Ns) 490547, 542155, 616315, 728829, 728829-001, 730413, 730413-001, 730414, 730414-001, 767197, 767279, 767279-001 installed. These engines are installed on but not limited to Boeing 737 and 727 series, and McDonnell Douglas DC-9 series aircraft.

*Note:* 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 use the authority provided in paragraph (c) to request approval from the Federal Aviation Administration (FAA). This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any engine from the applicability of this AD.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent CCOC flange cracks that could result in uncontained engine failure, inflight engine shutdown, engine cowl release, and airframe damage, accomplish the following:

(a) Inspect, disposition, and report CCOC distress, in accordance with the intervals and procedures described in Paragraphs 2.A and 2.C of PW Alert Service Bulletin (ASB) No. A6202, Revision 1, dated January 4, 1996. Reporting requirements have been approved by the Office of Management and Budget and assigned OMB control number 2120-0056.

(1) For the purposes of this AD, the accomplishment effective date to be used for determination of inspection intervals, as required by Section 2.A of PW ASB A6202, Revision 1, dated January 4, 1996, is defined as the effective date of this AD.

(b) Inspect, disposition, and report CCOC distress in accordance with the intervals and procedures described in Paragraphs 2.A. (Part I), 2.B. (Part II), and 2.D of PW ASB No. A6228, dated November 7, 1995. Reporting requirements have been approved by the Office of Management and Budget and assigned OMB control number 2120-0056.

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

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

Issued in Burlington, Massachusetts, on May 22, 1996.

Robert E. Guyotte,

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 96-13889 Filed 6-3-96; 8:45 am]

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### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### Food and Drug Administration

#### 21 CFR Parts 1, 2, 3, 5, 10, 12, 20, 56, and 58

[Docket No. 96N-0163]

RIN 0910-AA69

#### Reinvention of Administrative Procedures Regulations

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Food and Drug Administration (FDA) is considering ways to further streamline its administrative procedures regulations as a result of a page-by-page review of the agency's regulations. This regulatory review is part of the administration's "Reinventing Government" initiative that seeks to streamline Government and to ease the burden on regulated industry and consumers. FDA is seeking public comment on ways to streamline its administrative procedures regulations.

**DATES:** Written comments by September 3, 1996.