

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 copy of the final 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, 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 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:

96-19-02. Industrie Aeronautiche E Meccaniche: Amendment 39-9750; Docket No. 95-CE-78-AD.

*Applicability:* Model Piaggio P-180 airplanes (serial numbers 1002, and 1004 through 1022), 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 (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 within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent the possibility of not being able to open the emergency exit door during an emergency evacuation of the airplane, which could result in injury to the passengers, accomplish the following:

(a) Modify the passenger seat cushion in accordance with I.A.M. Rinaldo Piaggio Service Bulletin SB-80-0043; Original Issue: July 28, 1993.

(b) 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.

(c) 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 Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium or the Manager, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Division or the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division or the Small Airplane Directorate.

(d) The modification required by this AD shall be done in accordance with I.A.M. Rinaldo Piaggio Service Bulletin SB-80-0043; Original Issue: July 28, 1993.

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 I. A. M. Rinaldo Piaggio, S.p.A., Via Cibrario, 4 16154 Genoa, Italy. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment (39-9750) becomes effective on October 28, 1996.

Issued in Kansas City, Missouri, on August 30, 1996.

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

[FR Doc. 96-22952 Filed 9-13-96; 8:45 am]

**BILLING CODE 4910-13-U**

### **14 CFR Part 39**

[Docket No. 96-NM-225-AD; Amendment 39-9754; AD 96-19-06]

RIN 2120-AA64

### **Airworthiness Directives; Jetstream Model 4101 Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Jetstream Model 4101 airplanes. This action requires a one-time inspection of the airplane records to determine the serial number, the total number of hours time-in-service accumulated, and the date of installation of the yaw damper servo in the autopilot system; and to determine the date of installation of a particular kit, if installed. This action also requires removing and replacing the yaw damper servo, or rendering the yaw damper servo inoperative. This action also provides for optional terminating action for the requirements of this AD. This amendment is prompted by reports of smoke in the flight deck due to overheat failure of the Flight Control Computer (FCC). The actions specified in this AD are intended to prevent such overheat failure, which could result in smoke in the flight deck that could inhibit the ability of the flightcrew to safely operate and land the airplane.

**DATES:** Effective October 1, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 1, 1996.

Comments for inclusion in the Rules Docket must be received on or before November 15, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-225-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

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 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.

**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:** 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 advises that it received several reports indicating that smoke was observed in the flight deck of these airplanes due to overheat failure of the Flight Control Computer (FCC). Investigation revealed that this failure occurred due to contamination and internal corrosion of the yaw damper servo, which is mounted in the tailcone of the airplane. This condition caused corrosion deposits to build up in the pins and shell of the electrical connector of the yaw damper servo and consequent electrical breakdown and high current flow through the connecting wires to the FCC, which is mounted under the flight deck floor. While this current flow was not high enough to trip the 7.5A circuit breaker that protects the FCC, it was sufficient to cause burning of the circuit boards within the FCC. Such burning, if not corrected, could result in smoke in the flight deck, which could inhibit the ability of the flightcrew to safely operate and land the airplane.

#### Explanation of Relevant Service Information

Jetstream has issued Alert Service Bulletin J41-A22-005, dated July 1, 1996, which describes procedures for a one-time inspection of the airplane records (Part 1 of the Accomplishment Instructions) to determine the serial number, the total number of hours time-in-service accumulated, and the date of installation of the yaw damper servo in the autopilot system; and to determine the date of installation of Kit JK42716 (reference Jetstream Service Bulletin J41-53-016 or J41-22-007), if installed. In addition, the alert service bulletin describes procedures for accomplishment of one of the following actions after accomplishment of the inspection:

- Remove and replace the yaw damper servo (Part 2 of the Accomplishment Instructions of the alert service bulletin). Among other things, this involves removal of the yaw damper servo; installation of a new protective box (Kit JK42716), if not installed previously; an inspection of the connector for damage, and replacement of damaged parts;

installation of a serviceable yaw damper servo; and an operational test of the autopilot system.

- Render the yaw damper servo inoperative (Part 3 of the Accomplishment Instructions of the alert service bulletin). Among other things, this involves disconnecting, capping, and stowing a cable that supplies current to the clutch of the yaw damper servo; installation of a temporary placard near the autopilot controller; and an operational test of the autopilot system.

Jetstream also has issued Service Bulletin J41-22-006, dated July 1, 1996, which describes procedures for installation of circuit breakers on the avionic relay panel (Kit JK42867) that will open when the current through certain servos is more than a set value. This installation entails installing a bracket and two circuit breakers on the avionic relay panel, re-routing two cables, installing two new cables, and performing an operational test of the autopilot system. Accomplishment of the installation will prevent overheat failure of the FCC. In addition, accomplishment of the installation eliminates the need for the one-time inspection, removing and replacing the yaw damper servo and installing a new protective box (if not installed previously), or rendering the yaw damper servo inoperative.

The CAA classified these service bulletins as mandatory, and issued British airworthiness directive 002-07-96, dated July 1996, in order to assure the continued airworthiness of these airplanes in the United Kingdom.

#### FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent overheat failure of the FCC,

which could result in smoke in the flight deck that could inhibit the ability of the flightcrew to safely operate and land the airplane. This AD requires a one-time inspection of the airplane records to determine the serial number, the total number of hours time-in-service accumulated, and the date of installation of the yaw damper servo in the autopilot system; and to determine the date of installation of Kit JK42716, if installed. This AD also requires removing and replacing the yaw damper servo and installing a new protective box (if not installed previously), or rendering the yaw damper servo inoperative. This AD also provides for an optional terminating action for the requirements of this AD. The actions are required to be accomplished in accordance with the service bulletins described previously.

#### Interim Action

This is considered to be interim action. The FAA may consider further rulemaking action to require the accomplishment of the optional terminating action currently specified in this AD. However, the proposed compliance time for accomplishment of that action is sufficiently long so that prior notice and time for public comment will be practicable.

#### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 96-NM-225-AD." The postcard will be date stamped and returned to the commenter.

#### 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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in airplane, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

96-19-06 Jetstream Aircraft Limited:  
Amendment 39-9754. Docket 96-NM-225-AD.

*Applicability:* Model 4101 airplanes having serial numbers 41004 through 41092 inclusive, on which Jetstream Service Bulletin J41-22-006, dated July 1, 1996 (Kit JK42867), has not been accomplished; 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 overheat failure of the Flight Control Computer (FCC), which could result in smoke in the flight deck that could inhibit the ability of the flightcrew to safely operate and land the airplane, accomplish the following:

(a) Within 14 days after the effective date of this AD, perform a one-time inspection of the airplane records to determine the serial number, the total number of hours time-in-service accumulated, and the date of installation of the yaw damper servo in the autopilot system; and to determine the date of installation of Kit JK42716 (reference Jetstream Service Bulletin J41-53-016 or J41-22-007), if installed. Accomplish the inspection in accordance with Part 1 of the Accomplishment Instructions of Jetstream Alert Service Bulletin J41-A22-005, dated July 1, 1996. Thereafter, either remove and replace the yaw damper servo and install Kit JK42716 (if not installed previously), or render the yaw damper servo inoperative, in accordance with Part 2 or 3 of the alert service bulletin, respectively, at the time specified in paragraph (a)(1), (a)(2), or (a)(3) of this AD, as applicable.

(1) If Kit JK42716 has not been installed: Prior to the accumulation of 1,000 hours total

time-in-service on the yaw damper servo, or within 30 days after the effective date of this AD, whichever occurs later.

(2) If Kit JK42716 has been installed and the yaw damper servo was installed prior to the installation of Kit JK42716: Prior to the accumulation of 1,000 hours total time-in-service on the yaw damper servo, or within 30 days after the effective date of this AD, whichever occurs later.

(3) If Kit JK42716 has been installed and the yaw damper servo was installed after the installation of Kit JK42716: Prior to the accumulation of 3,000 total hours time-in-service on the yaw damper servo, or within 30 days after the effective date of this AD, whichever occurs later.

(b) Installation of circuit breakers on the avionic relay panel (Kit JK42867) in accordance with Jetstream Service Bulletin J41-22-006, dated July 1, 1996, constitutes terminating action for the requirements of this AD.

(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 2: 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 actions shall be done in accordance with Jetstream Alert Service Bulletin J41-A22-005, dated July 1, 1996. 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 October 1, 1996.

Issued in Renton, Washington, on September 4, 1996.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.  
[FR Doc. 96-23099 Filed 9-13-96; 8:45 am]

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