

## Cost Impact

The FAA estimates that 40 Model 4101 airplanes of U.S. registry will be affected by this AD, that it will take approximately 40 work hours per airplane to accomplish the actions, and that the average labor rate is \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$96,000, or \$2,400 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.

## Regulatory Impact

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 U.S.C. 106(g), 40113, 44701.

### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Jetstream Aircraft Limited: Docket 95–NM–271–AD.

*Applicability:* Model 4101 airplanes, constructors numbers 41004 through 41047 inclusive; 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 (b) 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 fatigue-related cracking in the rear pressure bulkhead, which could result in reduced structural integrity of the fuselage and, consequently, lead to the rapid decompression of the pressurized area of the airplane; accomplish the following:

(a) Prior to the accumulation of 10,000 total landings, or within 6 months after the effective date of this AD, whichever occurs later, accomplish paragraphs (a)(1) and (a)(2) of this AD, in accordance Jetstream Service Bulletin J41–53–020, Revision 1, dated June 4, 1996.

(1) Perform a high frequency eddy current inspection to detect cracks of the boundary angle and joint angle of the rear pressure bulkhead, in accordance with the service bulletin. If any crack is detected, prior to further flight, repair it in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(2) Modify the rear pressure bulkhead of the fuselage (Jetstream Modification JM41382A), in accordance with the service bulletin.

(b) 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. 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.

(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.

Issued in Renton, Washington, on October 24, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96–27925 Filed 10–30–96; 8:45 am]

BILLING CODE 4910–13–P

## 14 CFR Part 39

[Docket No. 96–NM–32–AD]

### Airworthiness Directives; Fokker Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 Series 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 Fokker Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes. This proposal would require an ultrasonic inspection to determine if certain tubes are installed in the drag stay units of the main landing gear (MLG), and various follow-on actions. This proposal is prompted by a report that, due to fatigue cracking from an improperly machined radius of the inner tube, a drag stay broke, and, consequently, lead to the collapse of the MLG during landing. The actions specified by the proposed AD are intended to prevent such fatigue cracking, which could result in reduced structural integrity or collapse of the MLG.

**DATES:** Comments must be received by December 10, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–32–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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314; and Dowty Aerospace, Customer Support Center, P.O. Box 49, Sterling,

VA 20166. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Ruth E. Harder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1721; 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 96-NM-32-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. 96-NM-32-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes. The RLD advises that it has received a report that, due to a broken drag stay, the main landing gear (MLG)

on one airplane collapsed during landing. The broken drag stay is attributed to fatigue cracking, which originated at a change in the cross-section of the inner tube. The apparent cause of such fatigue cracking has been attributed to an improperly machined radius of the inner tube of the drag stay. Such fatigue cracking, if not detected and corrected in a timely manner, could result in reduced structural integrity or collapse of the MLG.

##### **Explanation of Relevant Service Information**

Fokker has issued Service Bulletin SBF50-32-029, dated February 11, 1994 (for Model F27 Mark 050 series airplanes) and Service Bulletin F27/32-167, dated November 19, 1993 (for Model F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes). These service bulletins describe procedures for performing an ultrasonic inspection to determine if a tube having part number (P/N) 200485300 with a straight bore, or a tube having P/N 200259300 with a change in section (stepped bore), is installed in the drag stay units (DSU) of the main landing gear (MLG). They also describe procedures for various follow-on actions, including re-identification of certain tubes, replacement of certain DSU's with new/re-identified DSU's, and repetitive ultrasonic inspections of certain DSU's. The RLD classified these service bulletins as mandatory and issued Netherlands airworthiness directive BLA 93-169/2(A), dated April 29, 1994, in order to assure the continued airworthiness of these airplanes in the Netherlands.

##### **FAA's Conclusions**

This airplane model is manufactured in the Netherlands 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 RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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 Proposed Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, the proposed AD would require an ultrasonic inspection to

determine if certain tubes are installed on the DSU's of the MLG, and various follow-on actions. The actions would be required to be accomplished in accordance with the service bulletins described previously.

##### **Cost Impact**

The FAA estimates that 10 Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the inspection proposed by this AD on U.S. operators is estimated to be \$1,200, or \$120 per airplane.

There currently are no Fokker Model F27 Mark 050 series airplanes on the U.S. Register that would require the inspection of the DSU. The only airplanes that would require this inspection are currently operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that inclusion of that requirement in this proposed rule is necessary to ensure that the unsafe condition is addressed in the event that any of these airplanes are imported and placed on the U.S. Register in the future.

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.

##### **Regulatory Impact**

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 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Fokker: Docket 96–NM–32–AD.

*Applicability:* Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes, equipped with Dowty Aerospace main landing gear (MLG) drag stay units (DSU) having part number (P/N) 200684001, 200261001, or 200485001; 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) 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 fatigue cracking in drag stay unit of the main landing gear (MLG), which could result in reduced structural integrity or collapse of the MLG, accomplish the following:

(a) Within 60 days after the effective date of this AD, perform an ultrasonic inspection to determine if a tube having part number (P/N) 200485300 with a straight bore, or a tube having P/N 200259300 with a change in section (stepped bore), is installed on the DSU's of the MLG, in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993 (for Model F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes), or Fokker Service Bulletin SBF50–32–029,

dated February 11, 1994 (for Model F27 Mark 050 series airplanes), as applicable.

Note 2: Fokker Service Bulletin F27/32–167 references Dowty Service Bulletins 23–169B and 32–82W; and Fokker Service Bulletin SBF50–32–029 references Dowty Service Bulletin F50–32–50; as additional sources of service information for procedures to accomplish the actions specified in this AD.

(b) For all airplanes: If any tube having P/N 200485300 with a straight bore is found installed during the inspection required by paragraph (a) of this AD, prior to further flight, reidentify it in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993 (for Model F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes); or Fokker Service Bulletin SBF50–32–029, dated February 11, 1994 (for Model F27 Mark 050 series airplanes); as applicable.

(c) For Model F27 Mark 50 series airplanes: If any tube having P/N 200259300 with a change in section (stepped bore) is found installed during the inspection required by paragraph (a) of this AD, prior to further flight, replace the DSU with a new or serviceable DSU having P/N 200684004, in accordance with Fokker Service Bulletin SBF50–32–029, dated February 11, 1994.

(d) For F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes: If any tube having P/N 200259300 with a change in section (stepped bore) is found installed during the inspection required by paragraph (a) of this AD, prior to further flight, re-identify the DSU in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993. Following accomplishment of the re-identification, prior to further flight, perform an ultrasonic inspection to detect cracks in the re-identified DSU's, in accordance with that service bulletin.

(1) For airplanes equipped with any DSU re-identified as P/N 200684003, 200261003, or 200485003: If no crack is detected, no further action is required by this AD.

(2) For airplanes equipped with any DSU re-identified as P/N 200684002, 200261002, or 200485002: If no crack is detected, accomplish paragraph (c)(2)(i) and (c)(2)(ii) of this AD.

(i) Repeat the ultrasonic inspection required by paragraph (d) of this AD thereafter at intervals not to exceed 1,500 flight cycles.

(ii) At the next MLG overhaul, but no later than 12,000 flight cycles after the effective date of this AD, rework and re-identify the DSU again, or replace the DSU with a re-identified DSU, in accordance with the service bulletin. Accomplishment of the rework and re-identification, or replacement constitutes terminating action for the repetitive inspection requirements of this AD.

(3) If any crack signal indication of any DSU tube is greater than or equal to 80 percent, prior to further flight, replace the DSU with a re-identified DSU, in accordance with the applicable service bulletin.

(4) If any crack signal indication of any DSU tube is greater than or equal to 1 percent but less than 80 percent, accomplish paragraph (d)(4)(i) and (d)(4)(ii) of this AD.

(i) Repeat the ultrasonic inspection required by paragraph (d) of this AD

thereafter at intervals not to exceed 1,500 flight cycles.

(ii) At the next MLG overhaul, but no later than 12,000 flight cycles after the effective date of this AD, replace the DSU with a re-identified DSU, in accordance with the service bulletin. Accomplishment of the replacement constitutes terminating action for the repetitive inspection requirements of this AD.

(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, 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.

(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.

Issued in Renton, Washington, on October 24, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96–27924 Filed 10–30–96; 8:45 am]

BILLING CODE 4910–13–U

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[Docket 153, NJ23–1; FRL–5643–3]

#### Approval and Promulgation of Air Quality Implementation Plans; New Jersey: Enhanced Motor Vehicle Inspection and Maintenance Program

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed conditional interim rule.

**SUMMARY:** EPA is proposing a conditional interim approval of a State Implementation Plan (SIP) revision submitted by the State of New Jersey. This revision establishes and requires the implementation of a statewide enhanced inspection and maintenance (I/M) program. The intended effect of this action is to propose conditional interim approval of an I/M program proposed by the State, based upon the State's good faith estimate, which asserts that the State's network design provides emission reduction credits that