

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 a new airworthiness directive (AD) to read as follows:

Aerospace Technologies of Australia Pty Ltd.: Docket No. 95-CE-98-AD.

Applicability: Models N22B, N22S, and N24A airplanes (all serial numbers), 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 prior to accumulating 1,700 hours time-in-service (TIS) or within the next 300 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished, and thereafter at intervals not to exceed 2,650 hours TIS.

To prevent structural failure of the front spar caused by cracks in the stub wing upper front spar cap flanges, which could result in loss of control of the airplane, accomplish the following:

(a) Inspect, using both visual and eddy current methods, the stub wing front spar cap flanges in the area of Buttock Line (BL) 47.6 for fatigue cracks in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Nomad Service Bulletin NMD-53-6, dated October 21, 1986.

(b) If any crack is found during any inspection required by this AD, prior to further flight, obtain a repair scheme from the manufacturer through the Los Angeles Aircraft Certification Office (ACO) at the address specified in paragraph (d) of this AD, and incorporate this repair scheme.

(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, FAA, Los Angeles ACO, 3960 Paramount Boulevard, Lakewood, California 90712. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to Aerospace Technologies of Australia Pty Ltd., ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia; or may examine this document 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 December 2, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-31267 Filed 12-9-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 96-CE-57-AD]

RIN 2120-AA64

Airworthiness Directives; Aerospace Technologies of Australia Pty Ltd. (Formerly Government Aircraft Factory) Models N22B, N22S, and N24A Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to Aerospace Technologies of Australia Pty Ltd. (ASTA) Models N22B, N22S, and N24A airplanes. The proposed action would require repetitively inspecting the horizontal stabilizer upper and lower skin, intercostal angles, and the horizontal stabilizer trailing edge channel for cracks; and repairing any cracks or replacing any cracked parts, as applicable. The proposed AD results from numerous reports of cracking in these horizontal stabilizer areas on the affected airplanes. The actions specified by the proposed AD are intended to prevent structural failure of the

horizontal stabilizer caused by fatigue cracks, which could result in loss of control of the airplane.

DATES: Comments must be received on or before February 21, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-57-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 Aerospace Technologies of Australia Pty Ltd., ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Ron Atmur, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5224; facsimile (310) 627-5210.

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. 96-CE-57-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-57-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Civil Aviation Safety Authority (CASA), which is the airworthiness authority for Australia, recently notified the FAA that an unsafe condition may exist on certain ASTA Models N22B, N22S, and N24A airplanes. The CASA reports a number of incidents of fatigue cracking in the areas of the horizontal stabilizer upper and lower skin, intercostal angles, and the horizontal stabilizer trailing edge channel. These conditions, if not detected and corrected, could lead to structural failure of the horizontal stabilizer, which could result in loss of control of the airplane.

Applicable Service Information

ASTA has issued Nomad Service Bulletin (SB) NMD-55-34, dated April 22, 1996, which includes procedures for inspecting the horizontal stabilizer upper and lower skin, intercostal angles, and the horizontal stabilizer trailing edge channel.

The CASA of Australia classified this service bulletin as mandatory and issued FCAA AD/GAF-N22/72, dated August 1996, in order to assure the continued airworthiness of these airplanes in Australia.

The FAA's Determination

This airplane model is manufactured in Australia 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 CASA of Australia has kept the FAA informed of the situation described above. The FAA has examined the findings of the CASA of Australia; reviewed all available information, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or

develop in other ASTA Models N22B, N22S, and N24A airplanes of the same type design that are registered in the United States, the proposed AD would require repetitively inspecting the horizontal stabilizer upper and lower skin, intercostal angles, and the horizontal stabilizer trailing edge channel for cracks; and repairing any cracks or replacing any cracked parts, as applicable.

Accomplishment of the proposed inspections would be in accordance with Nomad SB NMD-55-34, dated April 22, 1996. Accomplishment of any proposed repair or replacement, as necessary and as applicable, would be in accordance with the Nomad Structural Repair Manual, Chapter 55-10-11.

Cost Impact

The FAA estimates that 15 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 2 workhours per airplane to accomplish the proposed initial inspections, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$1,800 or \$120 per airplane. This figure does not take into account the cost of repetitive inspections or the cost to repair or replace any horizontal stabilizer upper and lower skin, intercostal angles, or horizontal stabilizer trailing edge channel. The FAA has no way of determining the number of repetitive inspections each operator would incur over the life of each affected airplane or the number of horizontal stabilizer upper and lower skins, intercostal angles, or horizontal stabilizer trailing edge channels that may be found cracked during the inspections proposed by this action.

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 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.

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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 a new airworthiness directive (AD) to read as follows:

Aerospace Technologies of Australia Pty Ltd.
Docket No. 96-CE-57-AD.

Applicability: Models N22B, N22S, and N24A airplanes (all serial numbers), 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 within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 100 hours TIS.

To prevent structural failure of the horizontal stabilizer caused by fatigue cracks, which could result in loss of control of the airplane, accomplish the following:

(a) Inspect the horizontal stabilizer upper and lower skin, intercostal angles, and the horizontal stabilizer trailing edge channel for cracks in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Nomad Service Bulletin (SB) NMD-55-34, dated April 22, 1996.

(b) If any crack is found during any inspection required by this AD, prior to further flight, repair or replace the cracked part or area, as applicable, in accordance with the Nomad Structural Repair Manual, Chapter 55-10-11. Those cracked areas that can be repaired and those cracked areas that must be replaced are defined in Nomad SB NMD-55-34, dated April 22, 1996, and the Nomad Structural Repair Manual, Chapter 55-10-11.

(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, FAA, Los Angeles ACO, 3960 Paramount Boulevard., Lakewood, California 90712. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to Aerospace Technologies of Australia Pty Ltd., ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia; or may examine this document 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 December 2, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-31268 Filed 12-9-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 96-CE-35-AD]

RIN 2120-AA64

Airworthiness Directives; Glasflugel Models Standard Libelle and Standard Libelle 201 B Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Glasflugel Models Standard Libelle and Standard Libelle 201 B sailplanes. The proposed action would require inspecting the aileron operating lever actuating shaft welded seams for cracks and modifying or replacing the

actuating shaft if cracked. Cracks found in the welded seams of the actuating shaft prompted the proposed action. The actions specified by the proposed AD are intended to prevent cracks in the aileron operating lever's actuating shaft welded seams, which, if not detected and corrected, could cause loss of control of the sailplane.

DATES: Comments must be received on or before February 12, 1997.

ADDRESSES: Send comments on the proposal in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-35-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 is available from Glasflugel, c/o H. Streifeneder, Glasfaser-Flugzeug Service GmbH, Hofener Weg, D-72582 Grabenstetten, Germany. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. J. Mike Kiesov, Project Officer, Sailplanes, FAA, Small Airplane Directorate, 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. 96-CE-35-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-35-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Events Leading to the Proposed Action

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain Glasflugel Models Standard Libelle and Standard Libelle 201 B sailplanes. The LBA has received reports of cracks developing in the aileron operating lever's welded seams. These are fatigue cracks that are occurring because of the adverse loading that takes place during the rigging and derigging operation, if the aileron control has not first been disconnected. This condition, if not detected and corrected, could result in the aileron operating lever breaking, causing total loss of aileron control.

Glasflugel has issued Glasfaser-Flugzeug-Service GmbH Technical Note (TN) 201-33, dated March 4, 1996, which specifies procedures for inspecting for cracks, and repairing and modifying the aileron operating lever's welded seams, or replacing the lever with a new reinforced part.

The LBA classified this technical note as mandatory and issued AD LTA-Nr.: 96-116, dated March 18, 1996, in order to ensure the continued airworthiness of these sailplanes in Germany.

Explanation of the Provisions of this AD

These sailplane models are manufactured in Germany and are 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 LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, reviewed all available information including the service information referenced above, and determined that AD action is necessary for products of