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FEDERAL ELECTION COMMISSION

11 CFR Part 111

[Notice 1997-9]

Adjustments to Civil Monetary Penalty Amounts

AGENCY: Federal Election Commission.

ACTION: Final rules; correction of effective date.

SUMMARY: On March 12, 1997, the Commission published in the **Federal Register** final rules implementing the Debt Collection Improvement Act of 1996 ("DCIA"). The Commission is correcting the effective date of these new regulations to April 29, 1997.

EFFECTIVE DATE: April 29, 1997.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, or Ms. Rita A. Reimer, Attorney, 999 E Street, NW., Washington, DC 20463, (202) 219-3690 or (800) 424-9530.

SUPPLEMENTARY INFORMATION: On March 12, 1997, the Commission published in the **Federal Register** final rules implementing the Debt Collection Improvement Act of 1996 ("DCIA"), Public Law 104-134, section 31001(s), 110 Stat. 1321-358, 1321-373 (April 26, 1996). 62 FR 11316. In compliance with this statutory mandate, the rules created a new section 11 CFR 111.24 to increase by regulation the maximum amount of each civil monetary penalty enforced by the Commission by 10%. The DCIA states that the increased civil penalties apply only to violations that occur after the effective date of the new rules.

Because the Commission had no discretion in taking this action, these technical amendments were exempt from the notice and comment requirements of the Administrative Procedure Act at 5 U.S.C. 553(b)(B) and the legislative review requirements of the Federal Election Campaign Act at 2

U.S.C. 438(d). The Commission therefore announced that the new rules would become effective immediately upon publication in the **Federal Register**, i.e., March 12, 1997.

However, 5 U.S.C. 801(a)(4) now provides that final rules do not take effect until the date on which they are submitted to Congress for a congressional review that exists independently of the 2 U.S.C. 438(d) legislative review requirement. These rules were submitted to Congress for purposes of this latter review on April 29, 1997, so they became effective on that date. Therefore, the increased civil penalties apply to any violation that occurs after April 29, 1997.

Correction of Effective Date: 11 CFR 111.24, as published at 62 FR 11316, is effective as of April 29, 1997.

Dated: June 6, 1997.

John Warren McGarry,

Chairman, Federal Election Commission.

[FR Doc. 97-15238 Filed 6-11-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM-138, Special Conditions No. 25-ANM-129]

Special Conditions: Jetstream Aircraft Limited Model 4101 Airplane; Continuous Power Reserve (CPR) System

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for the Jetstream Aircraft Limited Model 4101 airplane. This airplane will have a novel or unusual design feature associated with installation of the CPR system. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the airworthiness standards of 14 CFR Part 25.

EFFECTIVE DATE: July 14, 1997.

FOR FURTHER INFORMATION CONTACT: William Schroeder, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft

Certification Service, 1601 Lind Avenue SW, Renton, Washington 98055-4056; telephone 425-227-2148; fax 425-227-1149.

SUPPLEMENTARY INFORMATION:

Background

On June 7, 1994, Jetstream Aircraft Limited applied for approval of a design change (without a new airplane model designation) to Type Certificate No. A41NM for the installation of a CPR system on the Jetstream Model 4101 airplane. The Jetstream Model 4101 is a 30 passenger, 23,000 pounds maximum take-off weight, transport category airplane with two Allied Signal TPE331-14GR/HR series turbopropeller engines. The CPR system makes a CPR power rating available for the final take-off climb and en route phases of flight after failure of one engine.

The CPR power rating for this engine installation is equivalent to the maximum continuous power rating established for the engine under 14 CFR Part 33. Following engine failure, the CPR system automatically increases the engine maximum exhaust gas temperature (EGT) limit, which permits the operating engine's maximum continuous power rating to be obtained at higher ambient air temperatures. Increased engine hour and cycle maintenance factors apply for CPR power rating operation. Since the CPR power rating will only be available during engine-out conditions, the maximum power normally available with all engines operating will be less than the part 33-certified maximum continuous power rating at certain higher ambient temperature ranges.

The CPR system is novel when compared to those systems envisaged when the applicable regulations in part 25 were promulgated. Therefore, the airworthiness regulations in part 25 do not contain adequate or appropriate safety standards for airplanes with CPR systems installed. Special conditions are therefore prescribed to supplement the certification basis of record for the Jetstream Model 4101 airplane with a CPR system installed.

Type Certification Basis

Under the provisions of 14 CFR § 21.101, Jetstream Aircraft Limited must show that the Jetstream Model 4101, as changed, continues to meet the applicable provisions of the regulations

incorporated by reference in Type Certificate No. A41NM or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The regulations incorporated by reference in Type Certificate No. A41NM are part 25 dated February 1, 1965, as amended by Amendments 25-1 through 25-66. The regulations incorporated by reference also include certain special conditions, exemptions, and later amended sections of part 25 that are not relevant to these final special conditions.

In addition, if the regulations incorporated by reference do not provide adequate standards with respect to the change, the applicant must comply with certain regulations in effect on the date of application for the change. The FAA has determined that the areas of the Jetstream Model 4101 that are affected by the installation of the CPR system must also be shown to comply with all sections of part 25 as amended by Amendments 25-1 through 25-81 in effect on the date of application.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25 as amended) do not contain adequate or appropriate safety standards for the Jetstream Model 4101 because of a novel or unusual design feature, special conditions are prescribed under the provisions of 14 CFR § 21.16. In addition to the applicable airworthiness regulations and special conditions, the Jetstream Model 4101 must comply with the fuel vent and exhaust emission requirements of 14 CFR Part 34 and the noise certification requirements of 14 CFR Part 36.

Special conditions, as appropriate, are issued in accordance with 14 CFR § 11.49 after public notice, as required by 14 CFR §§ 11.28 and 11.29(b), and become part of the type certification basis in accordance with 14 CFR § 21.101(b)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

The Jetstream Model 4101 will incorporate a CPR system that provides an engine power rating (as defined on the airplane) that is equivalent to the engine's part 33 certified maximum

continuous power rating. Since the CPR power rating will only be available during engine-out conditions, the maximum power available with all engines operating will normally be less than the part 33 certified maximum continuous power rating at certain higher ambient temperatures. The CPR system is integrated into the existing approved Automatic Power Reserve (APR) system. On the Jetstream 4100 airplane, the APR system is equivalent to an Automatic Takeoff Thrust Control System (ATTCS) as defined in Appendix I of Part 25. The currently approved APR system automatically makes additional thermodynamic power and torque available on the operating engine after engine failure during takeoff and for approach climb (go-around). For certain ambient temperature ranges, the proposed CPR system automatically increases the engine's EGT limit and torque available on the operating engine for final take-off climb and en route flight phases after failure of one engine. The CPR-related increased EGT limit, which is above the two-engines-operating EGT maximum continuous power and take-off limits, enables the operating engine to achieve the flat-rated maximum continuous power (torque) level at higher outside air temperature (OAT). Engine operation in the APR and CPR modes requires application of engine hour and cycle maintenance factors as specified in engine Type Certificate Data Sheet E18NE.

Discussion of Comments

Notice of Proposed Special Conditions No. SC-97-1-NM for the Jetstream Aircraft Limited Model 4101 airplane, was published in the **Federal Register** on March 14, 1997. No comments were received.

Applicability

As discussed above, these special conditions are applicable to the Jetstream Aircraft Limited Model 4101 airplane. Should Jetstream Aircraft Limited apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of 14 CFR § 21.101(a)(1).

Conclusion

This action affects only certain novel or unusual design features on one model of airplane. It is not a rule of general applicability, and it affects only the applicant who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Part 25

Air transportation, Aircraft, Aviation safety, Safety.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Jetstream Model 4101 airplane.

Installation of a Continuous Power Reserve (CPR) System

(a) General. With the CPR system functioning normally as designed, all applicable requirements of part 25 must be met without requiring any unusual action (other than arming the system prior to dispatch) by the crew to set power or thrust.

(b) Performance and Reliability Requirements.

(1) A CPR failure or combination of failures:

(i) That prevents the automatic insertion of CPR thrust or power must be shown to be an improbable event;

(ii) That prevents the automatic insertion of APR thrust or power during the critical time interval defined in Appendix I of Part 25 must be shown to be an improbable event; and

(iii) Shall not result in the significant loss or reduction in thrust or power, or must be shown to be an extremely improbable event.

(2) All applicable performance requirements of part 25 must be met with an engine failure occurring at the most critical time with the CPR system functioning.

(c) Thrust Setting. The maximum continuous thrust or power setting specified for use with all engines operating may not be less than any of the following:

(1) Ninety (90) percent of the thrust or power set by the CPR system for which AFM performance credit is approved;

(2) That required to permit normal operation of all safety-related systems and equipment dependent upon engine thrust or power lever position; or

(3) That shown to be free of hazardous engine response characteristics when thrust or power is advanced from the initial all-engines-operating thrust or power setting to the maximum approved maximum continuous/CPR mode thrust or power setting.

(d) Powerplant Controls.

(1) In addition to the requirements of § 25.1141, no single failure or malfunction, or probable combination thereof, of the CPR, including associated systems, may cause the failure of any powerplant function necessary for safety.

(2) The CPR system must be designed to:

(i) In the event of a CPR system failure, permit manual decrease or increase in thrust or power up to the highest maximum continuous thrust or power approved for the airplane under existing conditions through

the use of the power lever. For airplanes equipped with limiters that automatically prevent engine operating limits from being exceeded under existing ambient conditions, other means may be used to increase the thrust or power in the event of a CPR failure provided the means is located on or forward of the power levers; is easily identified and operated under all operating conditions by a single action of either pilot with the hand that is normally used to actuate the power levers; and meets the requirements of § 25.777 (a), (b), and (c);

(ii) Provide a means for the flightcrew to deactivate the automatic CPR function. This means must be designed to prevent inadvertent deactivation.

(iii) Provide a means for the flightcrew to verify that the CPR system is in a condition to operate.

(e) Powerplant Instruments. In addition to the requirements of § 25.1305, a means must be provided to indicate when the CPR is in the armed or ready condition.

Issued in Renton, Washington, on June 5, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.

[FR Doc. 97-15433 Filed 6-11-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-ANE-22-AD; Amendment 39-10046; AD 97-12-04]

RIN 2120-AA64

Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to General Electric Company (GE) GE90 series turbofan engines. This action requires initial and repetitive borescope inspections of compressor discharge pressure (CDP) manifolds for cracks, and replacement, if necessary, with an improved design CDP manifold. In addition, this AD requires, as terminating action to the inspections, replacement with an improved design CDP manifold. This amendment is prompted by reports of CDP manifold cracking that has resulted in liberated material causing high pressure compressor (HPC) blade damage. The actions specified in this AD are intended to prevent inflight engine

power loss or shutdown due to HPC blade damage caused by liberated material from the CDP manifold.

DATES: Effective June 27, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 27, 1997.

Comments for inclusion in the Rules Docket must be received on or before August 11, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97-ANE-22-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.dot.gov". Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from General Electric Technical Services, Attention: Leader for distribution/microfilm, 10525 Chester Road, Cincinnati, OH 45215; telephone (513) 672-8400 Ext. 114, fax (513) 672-8422. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. **FOR FURTHER INFORMATION CONTACT:** John E. Golinski, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7135, fax (617) 238-7199.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) has received reports of cracked compressor discharge pressure (CDP) manifolds, Part Number (P/N) 1686M48G11, installed on General Electric Company (GE) GE90 series turbofan engines. In two reports, the cracked CDP manifold liberated material that resulted in high pressure compressor (HPC) blade damage beyond serviceable limits. The failure investigation has determined that the cause of the crack initiation and propagation is attributed to excessive stresses in the manifold. The cracks may initiate in a localized area around any one of the six outer diameter bolts that attach the CDP manifold to the combustor case. Multiple cracks that initiate can propagate in a direction that allow CDP manifold material to become liberated. This material can enter the

HPC and result in hard body impact damage to the HPC blades. The FAA has determined that an earlier configuration CDP manifold, P/N 1686M48G10, is also susceptible to cracking, which could result in liberated CDP manifold material. This condition, if not corrected, could result in inflight engine power loss or shutdown due to HPC blade damage caused by liberated material from the CDP manifold.

The FAA has reviewed and approved the technical contents of GE Aircraft Engines GE90 Service Bulletin (SB) No. 72-263, dated February 5, 1997, that describes procedures for initial and repetitive borescope inspections for cracks in the CDP manifold, P/Ns 1686M48G10, 1686M48G11, and 1686M48G12. This AD, however, only requires inspection of CDP manifolds, P/Ns 1686M48G10 and 1686M48G11. The FAA has also reviewed and approved the technical contents of GE Aircraft Engines GE90 SB No. 72-126, Revision 1, dated April 29, 1997, that describes procedures for installation of improved design CDP manifolds.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of the same type design, this AD is being issued to prevent liberation of CDP manifold material. This AD requires initial and repetitive borescope inspections for cracks in CDP manifolds, P/Ns 1686M48G10 and 1686M48G11. The repetitive inspection intervals, or possible removal and replacement prior to further flight, are defined by the condition of the CDP manifold based on the borescope inspections. In addition, this AD requires, at the next shop visit after the effective date of this AD, installing the improved design CDP manifold, P/N 1686M48G12. Installation of the improved design CDP manifold constitutes terminating action to the inspection requirements of this AD. The actions are required to be accomplished in accordance with the SBs described previously.

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