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:

Airbus Industrie: Docket 95–NM–249–AD.

Applicability: Model A320–111, -211, and -231 series airplanes; manufacturer's serial numbers 002 through 008 inclusive, 010 through 014 inclusive, 016 through 078 inclusive, and 080 through 104 inclusive; on which Airbus Modification 21282P01497 (reference Airbus Service Bulletin A320–57–1029) has not been installed; 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 fatigue cracking on the pressurized floor fitting at frame 36 under the lower surface panel, which could result in failure of a fitting and subsequent depressurization of the fuselage, accomplish the following:

(a) Prior to the accumulation of 16,000 total landings, or within 6 months after the effective date of this AD, whichever occurs later, perform a visual inspection to detect cracks of the 6 fittings of the pressurized floor at frame 36 under the lower surface panel, in accordance with Airbus Service Bulletin A320–57–1028, dated August 12, 1991.

(1) If no cracking is found, prior to further flight, renew the zone protective finish in accordance with the service bulletin. Repeat the visual inspection thereafter at intervals not to exceed 12,000 landings.

(2) If only 1 of the 6 fittings is found to be cracked and that crack is less than or equal to 0.59 inch (15 mm) in length, prior to further flight, replace the cracked fitting with a new fitting in accordance with the service bulletin. Thereafter, prior to the accumulation of 500 landings following accomplishment of this replacement, replace the remaining 5 fittings with new fittings in accordance with the service bulletin.

(3) If only 1 of the 6 fittings is found to be cracked and that crack is greater than 0.59 inch (15 mm) in length, prior to further flight, replace all six fittings with new fittings in accordance with the service bulletin.

(4) If 2 or more fittings are found to be cracked, prior to further flight, replace all 6 fittings with new fittings in accordance with the service bulletin.

(b) Replacement of all 6 fittings with new fittings in accordance with Airbus Service Bulletin A320–57–1028, dated August 12, 1991, constitutes terminating action for the inspection 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.

Issued in Renton, Washington, on April 15, 1996.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–9692 Filed 4–18–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–211–AD]

Airworthiness Directives; McDonnell Douglas Model MD–11 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 McDonnell Douglas Model MD–11 series airplanes. This proposal would require either replacement or modification of the inboard and outboard flap actuators. This proposal is prompted by a report of failure of the piston rod of the inboard flap actuator due a manufacturing process error. The actions specified by the proposed AD are intended to prevent failure of the piston rod, which could result in uncommanded flap extension and could lead to an asymmetric flap configuration, which could reduce controllability of the airplane.

DATES: Comments must be received by May 31, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–211–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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Andrew Gfrerer, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5338; fax (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 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 95–NM–211–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. 95–NM–211–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

Discussion

The FAA has received a report of failure of the piston rod of the inboard flap actuator on a Model MD–11 series airplane. This failure occurred on the ground as the pilot was commanding the flaps to retract. Analysis of the incident determined that hydraulic fluid flowed through the broken piston rod and forced the flap to extend. The extending inboard piston rod and flap had enough power to drive the two outboard flaps to the extend position by way of the linking cables used to keep the flaps symmetrical. Initial investigation revealed that the apparent cause of this failure was an isolated case of a manufacturing process error. However, further review revealed that the existing design of the subject area is such that a broken piston rod is a single-point failure of the flight control system that can drive a flap to the extend position during any phase of flight. Such an uncommanded flap extension, if not corrected, could cause an asymmetric flap condition in the airplane and possibly could result in an uncommanded roll. In addition, if this situation were to occur at altitude on an extended overwater flight, the flap extension would cause increased drag and decrease the airplane's range so that it may be unable to reach its final destination.

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin MD11–27A057, dated August 31, 1995, which describes procedures for:

- Option 1: replacement of the inboard and outboard flap actuators with new actuators; or
- Option 2: modification and reidentification of the inboard and outboard flap actuators; or
- Option 3: modification and reidentification of the inboard flap inboard actuator, the inboard flap outboard actuator, and the outboard flap actuators.

The modification of the actuators involves drilling a hole in the rod assembly and installing a rivet blow-out plug.

Accomplishment of any one of these options will minimize the possibility of uncommanded flap extension in the event of a piston rod failure.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require either the replacement or modification of the flap actuators in accordance with either Option 1, Option 2, or Option 3, as described in the alert service bulletin discussed previously.

There are approximately 143 McDonnell Douglas Model MD–11 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 52 airplanes of U.S. registry would be affected by this proposed AD.

To accomplish the proposed actions associated with Option 1 (replacement of flap actuators) would take approximately 9 work hours per airplane, at an average labor rate of $60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of Option 1 proposed by this AD on U.S. operators is estimated to be $540 per airplane.

To accomplish the proposed action associated with Option 2 (modification and reidentification of the inboard and outboard flap actuators) would take approximately 25 work hours per airplane, at an average labor rate of $60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of Option 2 proposed by this AD on U.S. operators is estimated to be $1,500 per airplane.

To accomplish the proposed actions associated with Option 3 (modification and reidentification of the inboard flap inboard actuator, the inboard flap outboard actuator, and the outboard flap actuators) would take approximately 27 work hours per airplane, at an average labor rate of $60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of Option 3 proposed by this AD on U.S. operators is estimated to be $1,620 per airplane.

Based on the figures discussed above, the cost impact of this proposed AD action on U.S. operators is estimated to be between $28,080 and $82,240 for the affected fleet. These cost impact figures are 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.

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:

McDonnell Douglas: Docket 95–NM–211–AD.

Applicability: Model MD–11 series airplanes, manufacturer's fuselage numbers 0447 through 0589 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 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 failure of the piston rod, which could result in uncommanded flap extension and resultant asymmetric flap configuration, which could reduce controllability of the airplane, accomplish the following:

(a) Within 6 months after the effective date of this AD, accomplish either paragraph (a)(1), (a)(2), or (a)(3) of this AD, in accordance with McDonnell Douglas Alert Service Bulletin MD11–27A057, dated August 31, 1995.

(1) Accomplish the actions specified as Option 1 (replacement of the inboard and outboard flap actuators) in the Accomplishment Instructions of the alert service bulletin; or

(2) Accomplish the actions specified as Option 2 (modification and reidentification of the inboard and outboard flap actuators) in the Accomplishment Instructions of the alert service bulletin; or

(3) Accomplish the actions specified as Option 3 (modification and reidentification of the inboard flap inboard actuator, inboard flap outboard actuator, and outboard flap actuators) in the Accomplishment Instructions of the alert 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, Los Angeles Aircraft Certification Office (ACO), 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, 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.

(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 April 15, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–9691 Filed 4–18–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–212–AD]

Airworthiness Directives; McDonnell Douglas Model DC–10 and MD–11 Series Airplanes and KC–10A (Military) 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 all McDonnell Douglas Model DC–10 and MD–11 series airplanes and KC–10A (military) airplanes. This proposal would require repetitive inspections to detect corrosion or failure of the steel Hi-Lok fasteners at the inboard flap inboard track, and replacement of corroded/failed steel Hi-Lok fasteners with inconel Hi-Lok fasteners. The proposed AD also provides for termination of the repetitive inspections by replacing all of the steel Hi-Lok fasteners with inconel Hi-Lok fasteners. This proposal is prompted by reports of failed and/or corroded steel fasteners found in the inboard flap inboard track due to stress corrosion. The actions specified by the proposed AD are intended to prevent such stress corrosion, which could result in binding of the flap and inability of the flap to extend or retract; this situation may lead to asymmetric flap deployment and subsequent reduced controllability of the airplane during flight.

DATES: Comments must be received by May 31, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–212–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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Ron Atmur, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5224; fax (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 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 95–NM–212–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. 95–NM–212–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

Discussion of Service History

The FAA has received several reports of failed and/or corroded fasteners found in the inboard flap inboard track on Model DC–10 series airplanes. The failed fasteners were found on two airplanes, which had accumulated 18,357 and 23,901 total landings, respectively. Investigation revealed that the fasteners on these airplanes are made of H–11 steel, which is susceptible to stress corrosion. Stress corrosion in the fasteners in the inboard flap inboard track could result in binding of the flap and inability of the flap to extend or retract. If the flap fails to extend or retract, the resultant asymmetric flap deployment could