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

result in reduced controllability of the airplane during flight.

The fasteners in the flap tracks on the Model DC–10 series airplanes are identical to those installed on Model MD–11 series airplanes. Therefore, the FAA has determined that Model MD–11 series airplanes may be subject to the same failed/corroded fastener problem.

Discussion of Relevant Service Documents

The FAA has reviewed and approved McDonnell Douglas Service Bulletin DC10–57–134, dated August 15, 1995 [for Model DC–10 series airplanes and KC–10 (military) airplanes], and McDonnell Douglas Service Bulletin MD11–57–031, dated August 15, 1995 (for Model MD–11 series airplanes). These service bulletins describe procedures for repetitive visual 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 Hi-Lok fasteners made of inconel.

These service bulletins also provide instructions for replacing all steel Hi-Lok fasteners with inconel Hi-Lok fasteners, which, if accomplished, eliminates the need for the repetitive inspections. Replacement of steel fasteners with corrosion-resistant inconel fasteners will minimize the possibility of fastener failure.

Discussion of the Proposed Rule

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 repetitive visual inspections to detect corrosion or failure of the steel Hi-Lok fasteners at the inboard flap inboard track. The proposed AD also would require replacement of corroded/failed steel Hi-Lok fasteners with inconel Hi-Lok fasteners. In addition, the proposed AD provides for an optional terminating action for the repetitive inspection requirements by replacing all the steel Hi-Lok fasteners with Hi-Lok fasteners made of inconel. The actions would be required to be accomplished in accordance with the service bulletins described previously.

The FAA is not proposing to mandate the replacement of all steel Hi-Lok fasteners for several reasons:

1. Accessing the inboard flap inboard track area for inspection is easily accomplished.

2. The corroded/failed fasteners are easily detectable by means of a visual inspection.

3. The failure of a fastener may adversely affect the controllability of the airplane; however, the visual inspections will preclude the potential occurrence of multiple failed fasteners, which could result in a catastrophic failure.

Differences Between the Proposed Rule and Relevant Service Documents

Operators should note that the proposed compliance time of 18 months for the initial and repetitive inspections differs from the compliance times recommended in both of the referenced McDonnell Douglas service bulletins:

- Service Bulletin DC10–57–134 (for Model DC–10 series airplanes) recommends a compliance time of 24 months.
- Service Bulletin MD11–57–031 (for Model MD–11 series airplanes) recommends a compliance time of 15 months. (The manufacturer advised the FAA that it inadvertently specified a 15-month compliance time in this service bulletin, and had intended that it be consistent with the 24-month compliance time recommended in Service Bulletin DC10–57–134.)

In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the susceptibility of the subject area to stress corrosion cracking. In addition, the FAA finds a compliance time of 18 months will allow the inspection to be performed at a base during regularly scheduled maintenance where special equipment and trained maintenance personnel will be available, if necessary. In consideration of these items, the FAA finds that the initial and repetitive visual inspections conducted at the proposed compliance time of 18 months will better ensure that any detrimental effect associated with stress corrosion will be identified and corrected prior to the time that it could adversely affect the fasteners in the inboard flap inboard track.

Cost Impact

There are approximately 514 McDonnell Douglas Model DC–10 and Model MD–11 series airplanes, and KC–10A (military) airplanes of the affected design in the worldwide fleet. The FAA estimates that 276 airplanes of U.S. registry would be affected by the inspection requirements proposed in this AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed inspection requirements on U.S. operators is estimated to be $33,120, or $120 per airplane, per inspection cycle.

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:

McDonnell Douglas: Docket 95–NM–212–AD.

Applicability: All Model DC–10 and MD–11 series airplanes, and KC–10A (military) airplanes, 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 as indicated, unless accomplished previously. To prevent stress corrosion cracking in the fasteners in the inboard flap inboard track, which could result in binding of the flap and inability of the flap to extend or retract, accomplish the following:

(a) For Model DC–10 series airplanes and KC–10A (military) airplanes: Within 18 months after the effective date of this AD, perform a visual inspection to detect corrosion or failure of the steel Hi-Lok fasteners at the inboard flap inboard track in accordance with McDonnell Douglas Service Bulletin DC–10–57–134, dated August 15, 1995.

(1) If no corrosion or failure is detected, accomplish either paragraph (a)(1)(i) or (a)(1)(ii) of this AD.

(i) Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 18 months until paragraph (a)(1)(ii) of this AD is accomplished.

(ii) Replace all steel Hi-Lok fasteners with inconel Hi-Lok fasteners in accordance with McDonnell Douglas Service Bulletin DC–10–57–134, dated August 15, 1995. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirements of paragraph (a)(1)(i) of this AD.

(2) If any corrosion or failure is detected, prior to further flight, accomplish either paragraph (a)(2)(i) or (a)(2)(ii) of this AD, in accordance with McDonnell Douglas Service Bulletin DC–10–57–134, dated August 15, 1995.

(i) Replace all corroded/failed steel Hi-Lok fasteners with inconel Hi-Lok fasteners in accordance with the service bulletin. Repeat the visual inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 18 months until paragraph (a)(2)(ii) of this AD is accomplished

(ii) Replace all steel Hi-Lok fasteners with inconel Hi-Lok fasteners, in accordance with McDonnell Douglas Service Bulletin DC–10–57–134, dated August 15, 1995. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirements of paragraph (a)(2)(i) of this AD.

(b) For Model MD–11 series airplanes: Within 18 months after the effective date of this AD, perform a visual inspection to detect corrosion or failures of the steel Hi-Lok fasteners at the inboard flap inboard track in accordance with McDonnell Douglas Service Bulletin MD11–57–031, dated August 15, 1995.

(1) If no corrosion or failures are detected, accomplish either paragraph (b)(1)(i) or (b)(2)(ii) of this AD.

(i) Repeat the inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 18 months until paragraph (b)(1)(ii) of this AD is accomplished.

(ii) Replace all steel Hi-Lok fasteners with inconel Hi-Lok fasteners in accordance with McDonnell Douglas Service Bulletin MD11–57–031, dated August 15, 1995. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirements of paragraph (b)(1)(i) of this AD.

(2) If any corrosion or failure is detected during the inspection required by paragraph (b) of this AD, prior to further flight, accomplish either paragraph (b)(2)(i) or (b)(2)(ii) of this AD, in accordance with McDonnell Douglas Service Bulletin MD11–57–031, dated August 15, 1995.

(i) Replace all corroded/failed steel Hi-Lok fasteners with inconel Hi-Lok fasteners in accordance with the service bulletin. Repeat the visual inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 18 months until paragraph (b)(2)(ii) of this AD is accomplished.

(ii) Replace all steel Hi-Lok fasteners with inconel Hi-Lok fasteners in accordance with McDonnell Douglas Service Bulletin MD11–57–031, dated August 15, 1995. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirements of paragraph (b)(2)(i) 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, 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.

(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. 96–9690 Filed 4–18–96; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 35

[Docket Nos. RM95–8–000 and RM94–7–001]

Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities; Availability of Final Environmental Impact Statement

April 12, 1996.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Proposed rule; availability of final environmental impact statement.

SUMMARY: The staff of the Federal Energy Regulatory Commission has prepared a final environmental impact statement (FEIS) for the proposed rulemaking published April 7, 1995, providing for open access non-discriminatory transmission services by public utilities to satisfy the requirements of the National Environmental Policy Act. The FEIS also addresses the comments received on the Draft Environmental Impact Statement.

DATES: The FEIS was made available on April 12, 1996.

ADDRESSES: Public Reference Room, 888 First Street NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT:

Public Reference Room staff at (202) 208–1371.

SUPPLEMENTARY INFORMATION: The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a final environmental impact statement (FEIS) for the proposed rulemaking referenced above to satisfy the requirements of the National Environmental Policy Act. The FEIS also addresses the comments received on the Draft Environmental Impact Statement (DEIS) issued by the