

actions specified in paragraphs (f)(1) through (f)(9) of this AD.

(1) Perform a visual inspection to detect cracking of the pylon aft bulkhead, in accordance with paragraphs 2.E. and 2.F. of McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979; and an eddy current inspection to detect cracking of the pylon aft bulkhead, in accordance with page 634, dated December 1, 1979, and page 634A, dated August 1, 1990, of Chapter 54-10-11 of the McDonnell Douglas DC-10 Nondestructive Testing Manual.

(2) Perform a visual inspection to detect discrepancies of the front spar bulkhead, in accordance with paragraph 2.H. of McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979.

(3) Perform a visual inspection to detect cracking of the attachment fitting-to-eyebolt forward bulkhead (footstool) of the wing front spar; perform a detailed visual inspection to detect cracking, and loose or missing fasteners, of the wing pylon attachment; and verify that the pre-load indicating (PLI) washers cannot be rotated; in accordance with paragraph 2.L. of McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979.

(4) Perform an inspection to verify that the attach bolt PLI washers on the lower spherical bearing plug cannot be rotated; verify that no interference exists between the plug forward flange aft face, and the forward face of the spherical bearing; and perform a detailed visual inspection of the plug in situ; in accordance with paragraph 2.I. of McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979.

(5) Perform a visual inspection to verify the condition, security, and torque stripe alignment of the plug assembly of the forward upper spherical bearing installation, in accordance with paragraph 2.J. of McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979.

(6) Perform a visual inspection to verify proper installation of the thrust link bolts, nuts, and retaining washers of the thrust link installation, in accordance with paragraph 2.C.(2) of McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979.

(7) Perform an inspection of the aft spherical bearing, as specified in paragraphs (f)(7)(i) through (f)(7)(iv) of this AD.

(i) Remove the aft spherical bearing through bolt. Inspect the inner bore of the bushing in situ using Magnaflux bolt and visual inspection techniques. Perform a visual inspection using a 10x (power) glass (or equivalent) to detect cracks of the forward and aft surfaces of the spherical bearing. Reinstall the through bolt.

(ii) Verify that the torque of the through bolt is 1,200 to 1,300 inch-pounds.

(iii) Inspect the clearance of the aft spherical bearing forward face/clevis.

(iv) Torque stripe the nut to bolt.

(8) Perform an ultrasonic inspection to detect cracking of the bulkhead lug and wing clevis-to-wing attachment, including the bolts, in accordance with pages 635, 636, 638, 638A, and 638B, dated December 1, 1979; page 637, dated September 1, 1993; page 651, dated February 1, 1982; and page 652, dated August 1, 1992; of Chapter 54-10-

11 of the McDonnell Douglas DC-10 Nondestructive Testing Manual.

(9) Accomplish either paragraph (f)(9)(i) or (f)(9)(ii) of this AD.

(i) Perform an X-ray inspection in situ to ensure the integrity of the steel thrust links, in accordance with page 632A, dated August 1, 1984, and page 632B, dated February 1, 1981, of the McDonnell Douglas DC-10 Nondestructive Testing Manual. Or

(ii) Perform an ultrasonic inspection in situ to ensure the integrity of the steel thrust links, in accordance with page 632C, dated August 1, 1985, and page 632D, dated August 1, 1984, of the McDonnell Douglas DC-10 Nondestructive Testing Manual.

(g) Prior to further flight after a pylon has been subjected to vertical or horizontal misalignment, or both (e.g., during maintenance), perform an inspection to detect cracking of the aft pylon bulkhead, in accordance with page 634, dated December 1, 1979, and page 634A, dated August 1, 1990, of Chapter 54-10-11 of the McDonnell Douglas DC-10 Nondestructive Testing Manual.

(h) Prior to further flight following any event that produces high pylon loads: Perform an inspection of the pylon for structural integrity, in accordance with pages 601, 602, 602A, 604, 605, 606, and 608, dated November 1, 1986; page 603, dated May 1, 1986; and pages 604A and 607, dated May 1, 1987; of Chapter 05-51-08 of the McDonnell Douglas DC-10 Maintenance Manual.

Note 2: Examples of events that produce high pylon loads, include, but are not limited to, the following:

- Hard or overweight landings (for the purpose of this AD, overweight landings are made at aircraft weights in excess of 369,000 pounds);
- Severe turbulence encounters;
- Engine vibration that requires engine removal or critical engine failure, or both;
- Ground damage (work stands, etc.);
- Compressor stalls requiring engine removal; and
- Excursions from the runway of a nature that might have imposed loads more severe than those encountered normally on the runway.

(i) Prior to further flight, correct any discrepancy found during any inspection required by this AD, in accordance with a method approved by the Manager, Los Angeles ACO; the Structural Repair Manual; or McDonnell Douglas DC-10 Service Bulletin 54-74, dated December 21, 1979; as appropriate.

(j) Within 10 days after accomplishing the inspections required by this AD, report inspection results, positive or negative, to the FAA Principal Maintenance Inspector. The report shall include the information specified in paragraphs (j)(1) through (j)(5) of this AD. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(1) The "N" number of the airplane.

(2) The total number of hours time-in-service accumulated on the airplane.

(3) The pylon number of the airplane.

(4) The specific paragraph (and subparagraph) of this AD that corresponds with the inspection results being reported.

(5) Specific inspection results: For example, the location and size of cracking, specific location of discrepant fasteners, and part numbers.

(k) 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 ACO. 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(l) 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 June 13, 1996.

James V. Devany,

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

[FR Doc. 96-15601 Filed 6-18-96; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 39

[Docket No. 95-NM-106-AD]

RIN 2120-AA64

### Airworthiness Directives; Boeing Model 727 and 737 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 Boeing Model 727 and 737 series airplanes. This proposal would require replacing the fuel cap assembly with a new assembly on the inlet fitting at the inside top of the auxiliary fuel tank. The proposal would also require replacing the INOP placards with new placards. This proposal is prompted by reports that the fuel cap assembly, due to its design, became loose and allowed fuel to enter the deactivated auxiliary fuel tanks on in-service airplanes. The actions specified by the proposed AD are intended to prevent unwanted fuel transferring to the deactivated auxiliary fuel tanks, due to the problems associated with a loose fuel cap assembly.

**DATES:** Comments must be received by July 29, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-106-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Sulmo Mariano, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2686; fax (206) 227-1181.

#### **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-106-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-106-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

On October 31, 1980, the FAA issued AD 80-02-01 R2, amendment 39-3969 (45 FR 74467, November 10, 1980), applicable to Boeing Model 727 series airplanes on which an operative Boeing-designed auxiliary body fuel system is installed. In addition, the FAA issued a similar AD 80-02-02 R2, amendment 39-3970 (45 FR 74467, November 10, 1980), which is applicable to Boeing Model 737 series airplanes on which an operative Boeing-designed auxiliary body fuel system is installed. Those ADs were prompted by reports of loss of fuel from the auxiliary body fuel tank due to defective and damaged shrouds. The actions required by those AD's are intended to prevent failure of the fuel system and unwanted fuel transfer to the auxiliary body fuel tanks.

##### **Events Since Issuance of Previous AD's**

Since issuance of those AD's, the FAA has received reports indicating that, on certain Boeing Model 727 series airplanes, the fuel cap assembly (which was installed to deactivate the auxiliary fuel tanks, in accordance with AD 80-02-01 R2) became loose and allowed fuel to enter the tanks. Investigation revealed that, due to incorrect procedures that were provided in the relevant service bulletin, the safety lockwire of the fuel cap assembly was attached to the cap, rather than to the nut. This condition, if not corrected, could allow the nut of the fuel cap assembly to back off and the cap to loosen; consequently, unwanted fuel could then transfer to the auxiliary fuel tanks.

The fuel cap assembly on certain Model 737 series airplanes is identical to that on the affected Model 727 series airplanes. Therefore, those Model 737 series airplanes may be subject to this same unsafe condition revealed on the Model 727 series airplanes.

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

The FAA has reviewed and approved Boeing Alert Service Bulletin 727-28A0062, Revision 5, dated May 4, 1995 (for Model 727 series airplanes) and Boeing Alert Service Bulletin 737-28A1032, Revision 2, dated May 4, 1995 (for Model 737 series airplanes). For airplanes equipped with forward and/or aft auxiliary fuel tanks that have been deactivated, these service bulletins contain:

1. Procedures for replacing the fuel cap assembly having part number (P/N) AN929A24 with a new fuel cap assembly having P/N AN929L24 on the inlet fitting at the inside top of the auxiliary fuel tank; and

2. procedures for replacing the INOP placards with new placards, which state that the fuel indicators for the auxiliary fuel tanks are still operational.

For certain other airplanes listed in these service bulletins, no additional work is necessary.

##### **Explanation of Requirements of 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 replacing the fuel cap assembly with a new assembly on the inlet fitting at the inside top of the auxiliary fuel tank. The proposed AD also would require replacing the INOP placards with new placards; these replacement actions would be required only on airplanes on which the auxiliary fuel tank has been deactivated. The actions would be required to be accomplished in accordance with the service bulletins described previously.

##### **Cost Impact**

There are approximately 211 Boeing Model 727 series airplanes and 36 Boeing Model 737 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 134 Boeing Model 727 series airplanes and 25 Boeing Model 737 series airplanes of U.S. registry may be affected by this proposed AD, depending on the current configuration of the airplanes.

For Boeing Model 727 series airplanes, the proposed modification would take approximately 53 work hours per airplane to accomplish, 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 the proposed AD on U.S. operators is estimated to be \$3,180 per airplane.

For Boeing Model 737 series airplanes, the proposed modification would take approximately 18 work hours per airplane to accomplish, 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 the proposed AD on U.S. operators is estimated to be \$1,080 per airplane.

The cost impact figures discussed above 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.

#### 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:

Boeing: Docket 95-NM-106-AD.

*Applicability:* Model 727 and 737 airplanes equipped with forward and/or aft auxiliary fuel tanks that have been deactivated, 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 the nut of the fuel cap assembly from backing off and the cap from loosening, and subsequently, unwanted fuel transferring to the auxiliary fuel tanks, accomplish the following:

(a) Within 6 months after the effective date of this AD, accomplish paragraphs (a)(1) and (a)(2) of this AD, in accordance with Part IV of the Accomplishment Instructions of Boeing Service Bulletin 727-28A0062, Revision 5, dated May 4, 1995 (for Model 727 series airplanes), or Boeing Service Bulletin 737-28A1032, Revision 2, dated May 4, 1995 (for Model 737 series airplanes), as applicable.

(1) Replace the fuel cap assembly having part number (P/N) AN929A24 with a new fuel cap assembly having P/N AN929L24 on the inlet fitting at the inside top of the auxiliary fuel tank, in accordance with the applicable service bulletin. And

(2) Replace the INOP placards with new placards, in accordance with the applicable 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, Seattle 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, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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 June 13, 1996.

James V. Devany,

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

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#### **14 CFR Part 71**

**[Airspace Docket No. 96-ASW-15]**

#### **Proposed Establishment of Class D Airspace; McKinney, TX**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class D airspace extending upward from surface to and including 2,900 feet mean sea level (MSL) at McKinney, TX. An air traffic control tower has begun providing air traffic control services for pilots operating at McKinney Municipal Airport. The intended effect of this proposal is to provide adequate controlled airspace at McKinney Municipal Airport, McKinney, TX.

**DATES:** Comments must be received on or before August 19, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to Manager, Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 96-ASW-15, Fort Worth, TX 76193-0530.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530; telephone: (817) 222-5593.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address