

repair scheme provided by the Denver ACO Manager.

(c) Report the results of the initial inspection to the Manager of the Denver Aircraft Certification Office (ACO), FAA, Denver Aircraft Certification Office, 5440 Roslyn St., suite 133, Denver, Colorado, 80216, within 10 days of the inspection. The information provided should include airplane model number, serial number, registration number, location of cracks found, number of cracks, and total TIS. Reporting requirements have been approved by the Office of Management and Budget and assigned OMB control number 2120-0056.

(d) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety, may be approved by the Manager, Roger Caldwell, Project Engineer, FAA, Denver Aircraft Certification Office, 5440 Roslyn St., suite 133, Denver, Colorado, 80216. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Denver Aircraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Denver Aircraft Certification Office.

(e) The inspections and repairs required by this AD shall be done in accordance with Aviat Aircraft Inc. Service Bulletin No. 24, dated March 20, 1996, or in accordance with Aviat Aircraft Inc. Service Bulletin No. 24, dated February 8, 1996, previously incorporated by reference in the Federal Register (61 FR 19540, May 2, 1996) and applicable to AD 96-09-08. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Aviat Aircraft Inc., The Airport-Box No. 1240, 672 South Washington Street, Afton, Wyoming, 83110. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-9690) revises AD 96-09-08, Amendment 39-9584.

(g) This amendment (39-9690) becomes effective on July 26, 1996.

Issued in Kansas City, Missouri, on June 25, 1996.

James E. Jackson,

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

[FR Doc. 96-17294 Filed 7-8-96; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 95-NM-124-AD; Amendment 39-9687; AD 96-14-05]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 767 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, that currently requires an inspection of the control rods of the outboard leading edge slat, and follow-on actions (including repetitive ultrasonic inspections), if necessary. For certain airplanes, that AD also requires replacement of the control rod ends and attach bolts. It also provides for an optional terminating action for follow-on repetitive inspections. That AD was prompted by reports of cracks and worn attach bolts of the control rods of the leading edge outboards slats of the wings due to the high breakout torque in the joint of the control rod end. This amendment requires the installation of the previously optional terminating action. The actions specified by this AD are intended to prevent reduced controllability of the airplane and damage in the slat structure or fixed leading edge of the wing, as a result of cracks and worn attach bolts.

**DATES:** Effective August 13, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 13, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Kristin Larson, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-1760; fax (206) 227-1181.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 90-20-16,

amendment 39-6726 (55 FR 37858, September 14, 1990), which is applicable to certain Boeing Model 767 series airplanes, was published in the Federal Register on December 13, 1995 (60 FR 63990). The action proposed to continue to require a one-time visual inspection to determine the date of manufacture of the control rods of the outboard leading edge slat, and follow-on actions (i.e., repetitive ultrasonic inspection), if necessary. The action also proposed to continue to require replacement of the control rod ends and attach bolts, for certain airplanes. For operators accomplishing the (follow-on) repetitive ultrasonic inspections, that action proposed to require replacement of the control rod with a new control rod manufactured after June 1983; this replacement would constitute terminating action for the repetitive inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

#### Request To Add a Visual Inspection

One commenter requests that the FAA revise paragraph (a)(2)(i) of the proposal to require a visual inspection to detect cracks of the control rods, prior to further flight, rather than the proposed ultrasonic inspection. The commenter suggests that the proposed ultrasonic inspection be accomplished within 300 flight hours following accomplishment of the visual inspection. The commenter points out that the control rods currently are being inspected ultrasonically at 2,000 flight cycles/15-month intervals in accordance with AD 90-20-16. Since the ultrasonic inspections will identify cracks prior to rod failure, the commenter states that it is unnecessary to accomplish an additional ultrasonic inspection.

The FAA finds that clarification is necessary. Paragraph (a)(2)(i) of this AD merely restates the existing requirements of paragraph A.2. of AD 90-20-16. Therefore, for operators who have previously accomplished at least the initial ultrasonic inspection in accordance with AD 90-20-16, paragraph (a)(2)(i) of this AD requires that the next scheduled inspection be performed within 2,000 landings or 15 months, whichever occurs first, after the last inspection performed in accordance with paragraph A.2. of AD 90-20-16. In light of this, the FAA finds that the addition of a visual inspection, as suggested by the commenter, is unnecessary. NOTE 2 has been added to this final rule to clarify the restatement

of the existing requirements of AD 90-20-16.

#### Request To Include Reference to Additional Service Bulletins

Two commenters request that the FAA revise paragraph (a)(2)(ii) of the proposed rule to reference Revision 2 of Boeing Service Bulletin 767-57-0021, dated July 26, 1990, as an additional source of service information for accomplishment of the replacement. One of the commenters points out that this will eliminate unnecessary processing of an alternative method of compliance.

The FAA concurs partially. The FAA has determined that the procedures for replacement of the control rod, specified in Revision 2 of Boeing Service Bulletin 767-57-0021, are identical to those procedures in Revision 5 of the service bulletin (which is referenced in the AD as the appropriate source of service information). In addition, the FAA has determined that Revision 3, dated June 20, 1991, and Revision 4, dated March 19, 1992, of Boeing Service Bulletin 767-57-0021 also contain these identical replacement procedures. The FAA has revised the final rule by adding a new NOTE 2 to clarify that accomplishment of the replacement in accordance with Revision 2, Revision 3, or Revision 4 of Service Bulletin 767-57-0021, is considered acceptable for compliance with paragraph (a)(2)(ii) of the AD. In addition, since paragraph (b) of the final rule also contains these identical replacement procedures, the FAA has also added a similar Note 3 to that paragraph.

#### Request To Correct Referenced Service Bulletin Number

One commenter notes that the service bulletin number referenced in paragraph (b) of the proposal should be corrected to 767-57-0021. The FAA acknowledges that it inadvertently referenced the incorrect service bulletin number (i.e., 767-57-0221) in paragraph (b) of the proposal. Therefore, the FAA has revised paragraph (b) of the final rule to reference service bulletin number 767-57-0021.

#### Request for Assurance of Parts Availability

Two commenters support the rule, but question whether the manufacturer of the control rod assemblies can produce the quantity of required parts within the proposed compliance time.

The FAA has contacted to the manufacturer who has advised that ample parts are currently available; therefore, obtaining them within the required compliance time should not

pose a problem for any affected operator. However, under the provisions of paragraph (c) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.

#### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Cost Impact

There are approximately 271 Boeing Model 767 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 193 airplanes of U.S. registry will be affected by this proposed AD.

The actions that are currently required by AD 90-20-16 take approximately 21 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts cost approximately \$5,500 per airplane. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be \$1,304,680, or \$6,760 per airplane.

For certain affected airplanes, the new replacement (terminating) action that is required by this new AD will take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. The cost of the required replacement parts is estimated to be \$5,500 per airplane. Based on these figures, the cost impact on U.S. operators of the new requirements of this AD is estimated to be \$5,560 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the 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 adopted herein will not have substantial direct effects on the States, or 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 final rule does

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 removing amendment 39-6726 (55 FR 37858, September 14, 1990), and by adding a new airworthiness directive (AD), amendment 39-9687, to read as follows:

96-14-05 Boeing; Amendment 39-9687.

Docket 95-NM-124-AD. Supersedes AD 90-20-16, Amendment 39-6726.

*Applicability:* Model 767 series airplanes; as listed in Boeing Service Bulletin 767-57-0021, Revision 1, dated September 14, 1989, or Revision 5, dated June 15, 1995; 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.

Note 2: Paragraphs (a), (a)(1), (a)(1), (a)(2), and (a)(2)(i) of this AD merely restate the initial and repetitive inspections contained in paragraphs A.1. and A.2. of AD 90-20-16, amendment 39-6726. Therefore, for operators who have previously accomplished at least the initial inspection in accordance with AD 90-20-16, paragraph (a)(2)(i) of this AD requires that the next scheduled inspection be performed within 2,000 landings or within 15 months, whichever occurs first, after the last inspection performed in accordance with paragraph A.2. of AD 90-20-16.

To prevent loss of the pilot's ability to control the affected slat, which could adversely affect the controllability of the airplane, accomplish the following:

(a) For airplanes having line positions 1 through 235 inclusive: Within the next 1,200 landings or 9 months after October 23, 1990 (the effective date of AD 90-20-16, amendment 39-6726), whichever occurs first, unless accomplished within the last 800 landings or 6 months, whichever occurs later, perform a visual inspection to determine the date of manufacture of the control rods of the outboard leading edge slat of the wings, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767-57-0021, dated August 25, 1988; Revision 1, dated September 14, 1989; Revision 2, dated July 26, 1990; or Revision 5, dated June 15, 1995.

(1) If the date of manufacture (stamped on the control rod) is June 1983 or later, no further action is required by this paragraph.

(2) If the date of manufacture is illegible or is prior to June 1983, accomplish paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Prior to further flight, perform an ultrasonic inspection to detect cracks of the control rods in accordance with Figure 1 of Boeing Service Bulletin 767-57-0021, dated August 25, 1988, Revision 1, dated September 14, 1989, or Revision 2, dated July 26, 1990. If any crack or fracture is detected, prior to further flight, replace it in accordance with Figure 2 of the service bulletin. Repeat the ultrasonic inspection of the control rods manufactured prior to June 1983 thereafter at intervals not to exceed 2,000 landings or 15 months, whichever occurs first, until the replacement required by paragraph (a)(2)(ii) of this AD is accomplished.

(ii) Within 3,000 flight hours or 15 months after the effective date of this AD, whichever occurs later, replace the control rod with a new rod manufactured June 1983 or later, in accordance with Boeing Service Bulletin 767-57-0021, Revision 5, dated June 15, 1995. Accomplishment of this replacement constitutes terminating action for the repetitive inspection requirement of paragraph (a)(2)(i) of this AD.

Note 3: Replacement accomplished prior to the effective date of this amendment in accordance with Boeing Service Bulletin 767-57-0021, Revision 2, dated July 26, 1990; Revision 3, dated June 20, 1991, or Revision 4, dated March 19, 1992; is

considered acceptable for compliance with paragraph (a)(2)(ii) of this AD.

(b) For airplanes having line number 1 through 264 inclusive, and 266 through 273 inclusive: Within the next 2,500 landings or 18 months after October 23, 1990 (the effective date of AD 90-20-16, amendment 39-6726, whichever occurs first, replace the control rod end and attach bolt with a new configuration control rod end and attach bolt on each wing, in accordance with Boeing Service Bulletin 767-57-0021, Revision 1, dated September 14, 1989; Revision 2, dated July 26, 1990; or Revision 5, dated June 15, 1995.

Note 4: Replacement accomplished prior to the effective date of this amendment in accordance with Boeing Service Bulletin 767-57-0021, Revision 3, dated June 20, 1991, or Revision 4, dated March 19, 1992, is considered acceptable for compliance with paragraph (b) 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, 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 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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.

(e) The inspections and replacements shall be done in accordance with Boeing Service Bulletin 767-57-0021, dated August 25, 1988; Boeing Service Bulletin 767-57-0021, Revision 1, dated September 14, 1989; Boeing Service Bulletin 767-57-0021, Revision 2, dated July 26, 1990; Boeing Service Bulletin 767-57-0021, Revision 3, dated June 20, 1991; Boeing Service Bulletin 767-57-0021, Revision 4, dated March 19, 1992; or Boeing Service Bulletin 767-57-0021, Revision 5, dated June 15, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on August 13, 1996.

Issued in Renton, Washington, on June 27, 1996.

S.R. Miller,

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

[FR Doc. 96-16950 Filed 7-8-96; 8:45 am]

BILLING CODE 4910-13-P

## 14 CFR Part 39

[Docket No. 96-NM-134-AD; Amendment 39-9688; AD 96-14-06]

RIN 2120-AA64

### Airworthiness Directives; Boeing Model 777-200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 777-200 series airplanes. This action requires repetitive inspections for broken lockwires on the bearing retainer nut of the pivot fittings of the horizontal stabilizer. This AD also requires eventual modification of the bearing nut retention means, which, when accomplished, terminates the repetitive inspections. This amendment is prompted by reports of broken lockwires on the bearing retainer nut of the pivot fittings of the horizontal stabilizer due to inadequate torquing of the nut. The actions specified in this AD are intended to prevent failure of the lockwires, which could result in loosening of the retainer nut for the pivot bearing of the horizontal stabilizer, and subsequent migration of the pivot bearing. This condition, if not corrected, could result in reduced controllability of the airplane.

**DATES:** Effective July 24, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 24, 1996.

Comments for inclusion in the Rules Docket must be received on or before September 9, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-134-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Stan Wood, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind