

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.

(f) 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.

(g) The AFM revisions shall be done in accordance with Temporary Revision (TR) 32, Issue No. 2 (Document BAe 3.3), dated July 1996 (for Model BAe 146-100A airplanes); TR 44, Issue No. 2 (Document BAe 3.6), dated July 1996 (for Model BAe 146-200A airplanes); and TR 25, Issue No. 2 (Document BAe 3.11), dated July 1996 (for Model BAe 146-300A airplanes); as applicable. 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 British Aerospace Holding, Inc., Avro International Aerospace Division, P.O. Box 16039, Dulles International Airport, Washington DC 20041-6039. 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.

(h) This amendment becomes effective on July 22, 1996, to all persons except those persons to whom it was made immediately effective by emergency AD 96-14-09, issued July 2, 1996, which contained the requirements of this amendment.

Issued in Renton, Washington, on July 10, 1996.

Darrell M. Pederson,

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

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#### 14 CFR Part 39

[Docket No. 96-NM-161-AD; Amendment 39-9695; AD 96-14-51]

RIN 2120-AA64

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

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the Federal Register an amendment adopting Airworthiness Directive (AD) T96-14-51 that was sent previously to all known U.S. owners and operators of Boeing Model 767 series airplanes by individual telegrams. This AD requires an inspection of the aileron control

cables and the generator feeder cables to detect chafing damage of the cables and to ensure that a minimum clearance exists between them. It also requires the correction of any discrepancies detected and submission of a report of inspection results to the FAA. This amendment is prompted by reports of failure of the aileron control cables due to inadequate clearance between the aileron control cable and the generator power feeder cable, which occurred during manufacture of the airplane. The actions specified by this AD are intended to prevent reduced controllability of the airplane due to failure of the aileron control cable.

**DATES:** Effective July 22, 1996, to all persons except those persons to whom it was made immediately effective by telegraphic AD T96-14-51, issued July 3, 1996, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 22, 1996.

Comments for inclusion in the Rules Docket must be received on or before September 16, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-161-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The applicable service information 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:

Stephen S. Oshiro, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2793; fax (206) 227-1181.

**SUPPLEMENTARY INFORMATION:** On July 3, 1996, the FAA issued telegraphic AD T96-14-51, which is applicable to certain Boeing Model 767 series airplanes. That action was prompted by two reports of failure of the aileron control cable on these airplanes. The failures have been attributed to inadequate clearance between the left side aileron control cable and the right generator power feeder cable, which

occurred during manufacture of the airplane.

One of the reported failures resulted in uncommanded movement of the left side ailerons shortly after takeoff, which required significant compensating control wheel input to correct, and resulted in an air turnback to the departure airport. The uncommanded aileron movement occurred almost concurrently with the right generator tripping off-line. Investigation revealed that the aileron control cable A2B-3 was broken. Further investigation revealed that the right generator power feeder cable (W208) had been damaged (due to chafing) and approximately 1/4-inch of the conductor was exposed. This cable is routed from the aft side of the P32 panel. The power feeder cable can chafe the aileron control cable (A2B-3) at approximately Station 340, Water Line (WL) 190, Right Buttock Line (RBL) 67.5. The airplane involved in this incident had accumulated 5,940 flight hours and 857 flight cycles.

The second reported failure occurred during a pre-flight control check of the airplane while it was on the ground. Investigation revealed that the left side aileron control cable was broken at the same approximate location as breakage found on the airplane involved in the previous incident. Additionally, the right generator power feeder cable was damaged.

Contact between the generator power feeder cable and the aileron control cable on either the left or right side of the airplane could result in chafing damage to the insulation on the feeder cable. Such damage could cause short circuiting and arcing, which could sever the aileron control cable. This condition, if not corrected, could result in failure of the aileron control cable, and consequent reduced controllability of the airplane.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 767-24A0113, Revision 1, dated July 2, 1996, which describes procedures for a one-time inspection of the aileron control cable (A2B-3) and the right generator power feeder cable (W208) on the right side of the airplane, and the aileron control cable (A1A-3) and the left generator power feeder cable (W204) on the left side of the airplane. The intent of this inspection is to detect chafing damage of the cables, and to ensure that a minimum clearance of one inch exists between the power feeder cables and aileron control cables. The service bulletin also describes procedures for

repair or adjustment of the cables, if necessary.

#### Explanation of Requirements of the Rule

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design, the FAA issued Telegraphic AD T96-14-51 to prevent reduced controllability of the airplane due to failure of the aileron control cable. The AD requires a one-time inspection of the aileron control cables and the generator power feeder cables on the left and right sides of the airplane to detect chafing damage of the cables, and to ensure that a minimum clearance of one inch exists between them. The AD also requires repair or adjustment of the cables, if necessary. These actions are required to be accomplished in accordance with the alert service bulletin previously described.

This AD also requires that operators submit a report to the FAA of inspection findings where clearance is found to be less than one inch.

#### Publication and Effectivity of AD

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual telegrams issued on July 3, 1996, to all known U.S. owners and operators of Boeing Model 767 series airplanes. These conditions still exist, and the AD is hereby published in the Federal Register as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

#### 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 arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD

action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 96-NM-161-AD." The postcard will be date stamped and returned to the commenter.

#### Regulatory Impact

The regulations adopted herein will 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 adding the following new airworthiness directive:

96-14-51 Boeing: Amendment 39-9695.  
Docket 96-NM-161-AD.

*Applicability:* Model 767 series airplanes; line numbers 1 through 618 inclusive, except for line numbers 580, 590, 594, 598, and 600; 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 reduced controllability of the airplane due to failure of the aileron control cable, accomplish the following:

(a) Within 10 days after the effective date of this AD: Perform a one-time inspection of the aileron control cables and the generator feeder cables on both the left and right sides of the airplane to detect chafing damage of the cables, and to ensure that a minimum clearance of 1.0 inch exists between the power feeders and aileron control cables, in accordance with Boeing Alert Service Bulletin 767-24A0113, Revision 1, dated July 2, 1996.

(1) If a minimum clearance of 1.0 inch exists between the cables, and if no damage is detected: No further action is required by this AD.

(2) If the clearance between the cables is 0.5 inch or more, but less than 1.0 inch, and if no contact between the cables or damage of the cables is detected: Within 500 flight hours after the inspection, adjust the power feeder cable to achieve a minimum clearance of 1.0 inch from the respective aileron control cables, in accordance with the alert service bulletin.

(3) If the clearance between the cables is less than 0.5 inch, or if any contact between the cables or damage of the cables is detected: Prior to further flight, repair the damage and adjust the cables to achieve a minimum clearance of 1.0 inch from the respective aileron control cables, in accordance with the alert service bulletin.

(b) For any airplane on which damage of the aileron control cable or the generator feeder cable is observed, or for which clearance between the cables is less than 1 inch, as detected by the inspection required by paragraph (a) of this AD: Within 10 days after accomplishing the inspection, submit a report of inspection findings to the FAA, Manager, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; fax (206) 227-1181. The report shall include the items identified in paragraphs (b)(1), (b)(2), (b)(3), and (b)(4) 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 operator's name;  
(2) the line number of the airplane;  
(3) a brief description of the damage detected; and

(4) the amount of separation between the aileron control cable and the power feeder cable.

(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 2: 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 inspection, adjustment, and repair shall be done in accordance with Boeing Alert Service Bulletin 767-24A0113, Revision 1, dated July 2, 1996. 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 July 22, 1996, to all persons except those persons to whom it was made immediately effective by telegraphic AD T96-14-51, issued on July 3, 1996, which contained the requirements of this amendment.

Issued in Renton, Washington, on July 10, 1996.

Darrell M. Pederson,  
*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96-17982 Filed 7-16-96; 8:45 am]

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## 14 CFR Part 71

[Docket No. 96-ACE-8]

### Amendment to Class E Airspace, McCook, NE

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends the Class E airspace area at McCook Municipal Airport, McCook NE. The Federal Aviation Administration has developed a Standard Instrument Approach Procedure (SIAP) based on the Global Positioning System (GPS) which has made this change necessary. The effect of this rule is to provide additional controlled airspace for aircraft executing the new SIAP at McCook Municipal Airport.

**DATES:** *Effective date.* October 7, 1996.  
*Comment date.* Comments must be received on or before August 16, 1996.

**ADDRESSES:** Send comments regarding the rule in triplicate to: Manager, Operations Branch, Air Traffic Division, ACE-530, Federal Aviation Administration, Docket Number 96-ACE-8, 601 East 12th St., Kansas City, MO 64106.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address 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 in the Air Traffic Division at the same address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Operations Branch, ACE-530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** The FAA has developed a Standard Instrument Approach Procedure (SIAP) utilizing the Global Positioning System (GPS) at the McCook Municipal Airport, McCook, NE. The amendment to Class E airspace at McCook, NE, will provide additional controlled airspace to segregate aircraft operating under Visual Flight Rules (VFR) from aircraft operating under Instrument Flight Rules (IFR) procedures while arriving or departing the airport. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to either circumnavigate the area, continue to operate under VFR to and from the airport, or otherwise comply with IFR procedures. Class E airspace areas extending from 700 feet

or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the Federal Register indicating that no adverse or negative comments were received, confirming the date on which the final rule will become effective. If the FAA does receive an adverse or negative comment within the comment period, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the Federal Register, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.