14 CFR Part 39

[Docket No. 95–CE–67–AD; Amendment 39–9766; AD 95–19–18]

RIN 2120–AA64

Airworthiness Directives; SOCATA Groupe AEROSPATIALE TBM 700 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain SOCATA Groupe AEROSPATIALE (Socata) TBM 700 airplanes. This action requires installing four rivets on the right side of the rudder and drilling drainage holes at the areas of the elevators and rudder. Reports of water accumulating in the areas of the elevators and rudder and a report of a bonding defect between the skin and rudder rear spar on the affected airplanes prompted this action. The actions specified by this AD are intended to prevent the wing skin and the rear spar from becoming unbonded or water accumulating in either the elevators or rudder, which could result in loss of control of the airplane.

DATES: Effective November 8, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 8, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from the SOCATA Groupe AEROSPATIALE, Socata Product Support, Aeroport Tarbes-Ossun-Lourdes, B P 930, 65009 Tarbes Cedex, France; telephone 62.41.74.26; facsimile 62.41.74.32; or the Product Support Manager, U.S. AEROSPATIALE, 2701 Forum Drive, Grand Prairie, Texas 75053; telephone (214) 641–3614; facsimile (214) 641–3527. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–CE–67–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. William J. Timberlake, Program Officer, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (32 2) 513.38.30; facsimile (32 2) 230.68.99; or Mr. Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut Street, suite 900, Kansas City, Missouri 64106; telephone (816) 426- 6934; facsimile (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Events Leading to This Action

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Socata TBM 700 airplanes registered in the United States was published in the Federal Register on April 9, 1996 (61 FR 15738). The action proposed to require installing four rivets on the right side of the rudder and drilling drainage holes at the specified areas of the elevators and rudder. Accomplishment of the proposed installation as specified in the notice of proposed rulemaking (NPRM) would be in accordance with Socata Service Bulletin (SB) TBM 70–027 and Socata SB TBM 70– 028, both dated September 1993.

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

Comment Issue No. 1: Divide the Proposal Into Two Different AD's

Socata suggests that the actions specified by the NPRM would be clearer if they were broken out into two separate AD's. The reasons that Socata gives are:

- the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, issued two separate AD's;
- there are two separate Socata service bulletins: Socata SB TBM 70–027 and Socata SB TBM 70–028, both dated September 1993; and
- justification, causes, and effects of each action proposed in the NPRM are different.

The FAA concurs that the DGAC issued two separate AD's and that there are two service bulletins. However, the FAA does not concur that the justification, causes, and effects of each action proposed in the NPRM are entirely different. Socata SB TBM 70–027 requires installing four rivets on the rudder. If this is not accomplished and debonding occurs, then moisture can accumulate in the rudder. Thus, Socata SB TBM 70–028 contains procedures for drilling drainage holes in the elevator and rudder to reduce corrosion effects caused by moisture accumulation that could lead to control surface imbalance. The FAA has determined that one AD is justified because accomplishment of the actions specified in both service bulletins will help prevent control surface imbalance and the compliance times are exactly the same (thus preventing the owner/operator from having to schedule the accomplishment of two separate AD actions). No changes have been made to the AD as a result of this comment.

Comment Issue No. 2: Need More Justification for Stating That the Existing Conditions Could Cause Loss of Control of the Airplane

Socata states that, if the FAA believes that the conditions specified in the NPRM, ''* * * if not detected and corrected, could result in loss of control of the airplane'', then the FAA should be more precise in stating how this is correct. Also, concerning the bonding defect between the skin and the rear spar (Socata SB TBM 70–027), Socata states that loss of control of the airplane is improbable with the assumption that the safe life of the rudder will be affected over time without corrective action.

The FAA believes that the conditions, if not detected and corrected, could result in loss of control of the airplane. The objective of Socata SB 70–028 is to provide control surface drainage (elevator and rudder). Moisture that accumulates in the control surfaces can freeze when the aircraft climbs to a high altitude, which then could result in control surface imbalance. This effect can cause flutter, which can result in loss of control of the airplane. As earlier explained (Comment Issue No. 1), the accomplishment of the actions specified in both Socata SB TBM 70–027 and Socata SB TBM 70–028 will help prevent these control surface imbalances. No changes to the AD have been made as a result of this comment.

Comment Issue No. 3: Problems With the Absence of Elevator and Rudder Drainage Holes

Socata states that different problems could occur with the absence of drainage holes in the elevator and rudder. These problems are:

—Corrosion for airplanes which could stay at parking for a long time where water would stagnate,

—if the water freezes, it may slightly affect the controls balance.

No specific changes to the AD or recommendations for additional or different AD action were presented by the commenter regarding this issue. No changes to the AD have been made as a result of this comment.

Comment Issue No. 4: Workhours for Accomplishing Actions are Incorrect

Socata states that the workhours for accomplishing the actions specified in the NPRM are incorrect. For example:

—For installing the rivets, one workhour is required instead of two as specified in the NPRM; and

—For drilling the drainage holes, 1.5 hours is needed instead of two as specified in the NPRM.

The FAA concurs. However, FAA policy is to round fractional numbers concerning workhours to the next whole number. Therefore, the workhours for installing rivets will be changed in the AD to reflect 1 workhour; however, the workhours for drilling the drainage holes will remain at 2 workhours.

The FAA's Determination

After careful review of all available information related to the subject presented above, including the referenced service information, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for the change to the economic information and minor editorial corrections. The FAA has determined that the change and minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 31 airplanes in the U.S. registry will be affected by the required rivet installation and 35 airplanes will be affected by the required drainage hole drillings, that it will take 1 workhour to install the rivets and 2 workhours to drill the drainage holes, and that the average labor cost is $60 per hour. No cost is attributed to parts that would be necessary to accomplish the required actions since these parts are available through common operator stock and an approximate cost cannot be traced. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $1,860 or $60 per airplane for the rivet installation and $4,200 or $120 per airplane for the drainage hole drilling. Since parts are not sold through the manufacturer, the FAA has no method of determining the number of parts already distributed, and thus bases this cost impact upon the assumption that no owner/operator of the affected airplanes has accomplished the required actions.

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.

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 copy of the final 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, 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 a new airworthiness directive (AD) to read as follows:

96–19–18 Socata Groupe Aerospatiale: Amendment 39–9766; Docket No. 95–CE–67–AD.

Applicability: TBM 700 airplanes (serial numbers 1 through 19, 21, 22, 25 through 34, 38, 39, 46, 49, 50, 52, 53, 57, 59 through 63, 67, 68, 70 through 78, 80, and 82 through 85), 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 (d) 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 within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent the wing skin and the rear spar from becoming unbonded or water accumulating in either the elevators or rudder, which could result in loss of control of the airplane, accomplish the following:

(a) For any TBM 700 airplane with a serial number in the following range: 1 through 19, 21, 22, 25 through 34, 38, 39, 46, 49, 50, 52, 53, 57, 59, 61 through 63, 67, 68, and 71 through 75; install four rivets on the right side of the rudder in accordance with the DESCRIPTION section of Socata Service Bulletin (SB) TBM 70–027, dated September 1993.

(b) For any TBM 700 airplane with a serial number in the following range: 2 through 19, 21, 22, 24 through 34, 38, 39, 46, 49, 50, 52, 53, 57, 59 through 63, 67, 68, 70 through 78, 80, and 82 through 85; drill drainage holes in the area of the elevators and rudder in accordance with the DESCRIPTION section of Socata SB TBM 70–028, dated September 1993.

(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.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Division.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division.

(e) The rivet installation required by this AD shall be done in accordance with Socata Service Bulletin TBM 70–027, dated September 1993. The drainage hole drilling required by this AD shall be done in accordance with Socata Service Bulletin TBM 70–028, dated September 1993. 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 the SOCATA Groupe AEROSPATIALE, Socata Product Support, Aeroport Tarbes-Ossun-Lourdes, BP 930, 65009 Tarbes Cedex, France; or the Product Support Manager, U.S. AEROSPATIALE, 2701 Forum Drive, Grand Prairie, Texas 75053. 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 (39–9766) becomes effective on November 8, 1996.

Issued in Kansas City, Missouri, on September 12, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–23989 Filed 9–18–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 71

[Airspace Docket No. 96–ASO–15]

Amendment to Class D Airspace; Smyrna, TN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies Class D surface area airspace at Smyrna, TN. Due to the relocation of the Nashville VORTAC, an airspace review of the Smyrna, TN, Class D airspace area was conducted. As a result of the airspace review, it was determined that the Smyrna Class D airspace area for the Smyrna Airport requires redefinition by removing a small exclusion and reducing the height from 3,000 feet to 2,000 feet MSL in the northwest quadrant of the Smyrna Class D airspace area.

EFFECTIVE DATE: 0901 UTC, December 5, 1996.

FOR FURTHER INFORMATION CONTACT: Benny L. McGlamery, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5570.

SUPPLEMENTARY INFORMATION:

History

On July 17, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by modifying Class D airspace at Smyrna, TN (61 FR 37230). This action would provide adequate Class D airspace for IFR operations at the Smyrna Airport.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class D airspace designations are published in Paragraph 5000 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies Class D airspace at Smyrna, TN, for Smyrna Airport by removing a small exclusion and reducing the height from 3,000 feet to 2,000 feet MSL in the northwest quadrant of the Smyrna Class D airspace area.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 5000 Class D airspace.

* * * * *

ASO TN D Smyrna, TN [Revised]

Smyrna Airport, TN,
(Lat. 36°00′32″ N, long. 86°31′12″ W)

That airspace extending upward from the surface to and including 3,000 feet MSL within a 3.9-mile radius of the Smyrna Airport, excluding that airspace within the Nashville Class C airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

* * * * *

Issued in College Park, Georgia, on September 10, 1996.

Benny L. McGlamery

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 96–23947 Filed 9–18–96; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 96–ASO–16]

Establishment of Class E Airspace; Currituck, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes Class E airspace at Currituck, NC. A GPS RWY 22 Standard Instrument Approach Procedure (SIAP) has been developed for Currituck County Airport. Controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for instrument flight rules (IFR) operations at the airport. The operating status of the airport will change from VFR to include IFR operations concurrent with publication of this SIAP.

EFFECTIVE DATE: 0901 UTC, December 5, 1996.

FOR FURTHER INFORMATION CONTACT: Benny L. McGlamery, Operations Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5570.

SUPPLEMENTARY INFORMATION:

History

On July 10, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing Class E airspace at Currituck, NC, (61 FR 36312). This action will provide adequate Class E airspace for IFR operations at Currituck County Airport.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Designations for Class E airspace extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9D dated September 4, 1996,