

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-198-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.

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 adding the following new airworthiness directive:

96-20-09 Jetstream Aircraft Limited (Formerly British Aerospace Commercial Aircraft, Limited): Amendment 39-9775. Docket 96-NM-198-AD.

**Applicability:** All Model HS 748 series 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 the flight control cable tension regulators from jamming, which could result in the inability to achieve full deflection of the associated flight control surfaces, and lead to reduced controllability of the airplane, accomplish the following:

(a) Within 600 hours time-in-service or 6 months after the effective date of this AD, whichever occurs first, perform an inspection to ensure proper operation, positioning, and lubrication of the aileron, rudder, and elevator cable tensioners; gust lock levers; and cable pressure seals, in accordance with paragraphs A. and B. (1) through (27) of the Accomplishment Instructions of Jetstream Service Bulletin HS 748-27-126, dated February 29, 1996. If any discrepancy is detected, prior to further flight, correct it in accordance with the service bulletin.

(b) Within 30 days after the effective date of this AD, revise the FAA-approved maintenance program to include a schedule of repetitive inspections to ensure proper operation, positioning, and lubrication of the aileron, rudder, and elevator cable tensioners; gust lock levers; and cable pressure seals; in accordance with Jetstream Service Bulletin HS 748-27-126, dated February 29, 1996. The inspections are to be repeated every 12 months after the accomplishment of the inspection required by paragraph (a) of this AD. If any discrepancy is detected, it must be corrected in accordance with the service bulletin prior to further flight.

(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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-13.

**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.

(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 and correction of discrepancies shall be done in accordance with Jetstream Service Bulletin HS 748-27-126, dated February 29, 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 Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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 October 25, 1996.

Issued in Renton, Washington, on September 24, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-25037 Filed 10-9-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-91-AD; Amendment 39-9777; AD 96-21-01]

RIN 2120-AA64

### Airworthiness Directives; McDonnell Douglas Model DC-9-10, -20, -30, -40, and -50 Series Airplanes and C-9 (Military) Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-9 series airplanes, that requires either replacement or modification of the hydraulic damper assembly. This amendment is prompted by reports indicating that insufficient damping of the hydraulic shimmy damper in the main landing gear (MLG) can allow high torsional vibration to occur. The actions specified by this AD are intended to prevent such vibration, which can damage the MLG assembly and lead to its collapse.

**DATES:** Effective November 14, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director

of the Federal Register as of November 14, 1996.

**ADDRESSES:** The service information referenced in this AD 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Walter Eierman, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5336; fax (310) 627-5210.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC-9 series airplanes and C-9 (military) airplanes was published in the Federal Register on July 10, 1996 (61 FR 36307). That action proposed to require either replacing or modifying the hydraulic damper assembly.

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

#### Support for the Proposal

Four commenters support the proposal.

#### Request to Withdraw Proposal

One commenter contends that all reports of torsional vibration that resulted in torque link separations and/or breakage of the apex bolt occurred on Model DC-9-80 series airplanes. Given the number of Model DC-9 series airplanes in service and the number of landings logged on them without reports of torsional vibration caused by insufficient damping, the commenter considers the AD to be unwarranted. Further, this commenter states that the modification should not be mandated; operators should be allowed to accomplish it at their own discretion during a regularly scheduled maintenance visit.

From these comments submitted, the FAA infers that the commenter requests that the proposed rule be withdrawn; in which case, the FAA does not concur. The commenter is incorrect in stating that the problems associated with torsional vibration have occurred only on Model DC-9-80 series airplanes. Such incidents and consequent damage have occurred on several Model DC-9 series airplanes as well. As detailed in the preamble to the notice, the MLG torque link broke on one airplane and, on another airplane, the nut was stripped off of the torque link apex bolt; both of these discrepancies were the result of insufficient damping of the MLG hydraulic shimmy damper. This fact alone affirms the need for this AD action.

As for mandating the modification, the FAA points out that this AD provides operators with the option of either modifying the damper assembly or replacing it with an improved assembly. The compliance time of 24 months assures that operators will be able to schedule the accomplishment of either of these actions during a normal maintenance interval.

#### 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 as proposed.

#### Cost Impact

There are approximately 878 Model DC-9 series airplanes and C-9 (military) airplanes of the affected design in the worldwide fleet. The FAA estimates that 590 airplanes of U.S. registry will be affected by this AD.

To accomplish the replacement will take approximately 5.9 work hours per airplane, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$11,139 per airplane (two assemblies at \$5,569 each). Based on these figures, the cost impact of the replacement action on U.S. operators is estimated to be \$11,492 per airplane.

To accomplish the required modification will take approximately 10.9 work hours per airplane, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$2,907 per airplane. Based on these figures, the cost impact of the modification action on U.S. operators is estimated to be \$3,561 per airplane.

Based on the figures discussed above, the cost impact of this AD on the U.S. fleet is between \$2,100,990 and \$6,780,280. These cost impact figures 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, 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 adding the following new airworthiness directive:

96-21-01 McDonnell Douglas: Amendment 39-9777. Docket 96-NM-91-AD.

*Applicability:* Model DC-9-10, -20, -30, -40, and -50 series airplanes, and C-9 (military) airplanes; as listed in McDonnell Douglas Service Bulletin DC9-32-289, dated March 7, 1996; 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 high torsional vibration from occurring, which can damage the main landing gear (MLG) assembly and lead to its collapse, accomplish the following:

(a) Within 24 months after the effective date of this AD, either replace or modify the MLG hydraulic damper assembly, in accordance with the procedures specified as either "Option 1" or "Option 2," respectively, in McDonnell Douglas Service Bulletin DC9-32-289, dated March 7, 1996.

(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.

(d) The actions shall be done in accordance with McDonnell Douglas Service Bulletin DC9-32-289, dated March 7, 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on November 11, 1996.

Issued in Renton, Washington, on September 30, 1996.

James V. Devany,

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

[FR Doc. 96-25576 Filed 10-9-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-240-AD; Amendment 39-9776; AD 96-20-10]

RIN 2120-AA64

#### Airworthiness Directives; Lockheed Model L-1011-385 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 Lockheed Model L-1011-385 series airplanes. This action requires inspections to detect cracking of the canted pressure bulkhead at fuselage station (FS) 1212, and inspections to detect cracking of the web at the fastener rows of the vertical stiffener-to-web; and repair or replacement of the web with a new web, if necessary. This amendment is prompted by a report of fatigue cracking of the canted pressure bulkhead at FS 1212. The actions specified in this AD are intended to detect and correct such fatigue cracking, which could result in blowout of a panel between adjacent stiffeners and consequent cabin depressurization.

**DATES:** Effective October 25, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 25, 1996.

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

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-240-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Lockheed Aeronautical Systems Support Company (LASSC), Field Support Department, Dept. 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta

Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Curtis Jackson, Aerospace Engineer, Airframe Branch, ACE-117A, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7358; fax (404) 305-7348.

**SUPPLEMENTARY INFORMATION:** The FAA received a report indicating that fatigue cracking was found of the canted pressure bulkhead at fuselage station (FS) 1212 on a Lockheed Model L-1011-385 series airplane that had accumulated 31,749 total landings. Three vertical cracks, each approximately 11 inches long, were found in the areas of left buttock line (LBL) 30.0, LBL 10.0, and right buttock line (RBL) 22.5 along the fastener rows of the vertical stiffener-to-web. Subsequently, another operator found similar fatigue cracking on two other airplanes. Such fatigue cracking, if not detected and corrected in a timely manner, could result in blowout of a panel between adjacent stiffeners and consequent cabin depressurization.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved Lockheed L-1011 Service Bulletin 093-53-277, dated July 2, 1996, which describes procedures for repetitive close visual inspections to detect cracking of the entire aft surface of the canted pressure bulkhead at FS 1212 between LBL 103 and RBL 103, and repetitive optical inspections to detect cracking of the web at the fastener rows of the vertical stiffener-to-web; and repair or replacement of the web with a new web, if necessary.

#### Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other Lockheed Model L-1011-385 series airplanes of the same type design, this AD is being issued to detect and correct fatigue cracking of the canted pressure bulkhead at FS 1212, which could result in blowout of a panel between adjacent stiffeners and consequent cabin depressurization. This AD requires repetitive close visual inspections to detect cracking of the entire aft surface of the canted pressure bulkhead at FS 1212 between LBL 103