

**14 CFR Part 39****[Docket No. 95-CE-34-AD]****RIN 2120-AA64****Airworthiness Directives; Fairchild Aircraft SA226 and SA227 Series Airplanes****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to Fairchild Aircraft SA226 and SA227 series airplanes. The proposed action would require modifying the electrical power generation system. Three reports of both generators going off-line on the affected airplanes while in-flight prompted this action. The actions specified by the proposed AD are intended to prevent failure of both generators during critical phases of flight (such as night operation or while in icing conditions), which could result in loss of control of the airplane.

**DATES:** Comments must be received on or before February 3, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-34-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Field Support Engineering, Fairchild Aircraft, P.O. Box 790490, San Antonio, Texas 78279-0490; telephone (210) 824-9421; facsimile (210) 820-8609. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Ms. Ingrid D. Knox, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone (817) 222-5190; facsimile (817) 222-5960.

**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 should 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 that summarizes 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 No. 95-CE-34-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-34-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Discussion**

The FAA has received three reports of both generators going off-line during flight operations on Fairchild Aircraft SA226 and SA227 series airplanes. In one instance, both generators went off-line when the airplane was cruising at 21,500 feet. The pilot immediately began resetting the generators without initial success. After the airplane had descended to an altitude of 13,000 feet, the pilot was able to bring the generators back on-line. In all three incidents, the generator control unit required replacement.

**Applicable Service Information**

Fairchild Aircraft has issued several service bulletins to address these electrical power generation system problems. The following presents and briefly describes the technical modification intent of each service bulletin (SB):

- SB 226-24-027, Issued: May 19, 1988, Revised: February 22, 1989: Specifies procedures for replacing the existing generator fault transformer wiring with dual conductor shielded wiring on Fairchild SA226 series airplanes.
- SB 227-24-008, Issued: March 18, 1988, Revised: February 22, 1989:

Specifies the same procedures as SB 226-24-027, but provides these procedures for Fairchild Aircraft SA227 series airplanes.

- SB 226-24-023, Issued: October 25, 1985, Revised: January 23, 1989: Specifies procedures for rewiring the direct current (DC) generation system to reduce the possibility of 325-amp current limiter failure on Fairchild Aircraft SA226 series airplanes.
- SB 227-24-005, Issued: October 25, 1985, Revised: January 23, 1989: Specifies the same procedures as SB 226-24-023, but provides these procedures for Fairchild Aircraft SA227 series airplanes.
- SB 226-24-026, Issued: May 27, 1987: Specifies procedures for modifying the voltage regulator access panel and installing a connector in the wire bundle on Fairchild Aircraft SA226 series airplanes.
- SB 24-018, Issued: October 22, 1980, Revised: January 7, 1981: Specifies procedures for installing new voltage regulators, rerouting certain wires, and replacing the entire voltage regulator panel assembly on Fairchild Aircraft SA226 series airplanes.
- SB 226-24-031, dated July 27, 1989: Specifies procedures for modifying the DC generator control system so that it will operate off its respective generator output on Fairchild Aircraft SA226 series airplanes. This includes removing field current and reset resistors, removing the reset and generator relays and associated diodes, installing a 10-amp generator control circuit breaker to the left-hand and right-hand essential bus panels, and replacing the 10-amp generator control circuit breakers in the left-hand and right-hand wheelwells with 15-amp circuit breakers that are wired in series with the generator control circuit breakers.
- SB 227-24-012, Issued: May 4, 1989, Revised: July 27, 1989: Specifies the same procedures as SB 226-24-031, but provides these procedures for Fairchild Aircraft SA227 series airplanes.

**The FAA's Determination**

After examining the circumstances and reviewing all available information related to the incidents described above, including the referenced service information, the FAA has determined that AD action should be taken to prevent failure of both generators during critical phases of flight (such as night operation or while in icing conditions), which could result in loss of control of the airplane.

### Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Fairchild Aircraft SA226 and SA227 series airplanes of the same type design, the proposed AD would require modifying the electrical power generation system. Accomplishment of the proposed modifications would be in accordance with the service bulletins previously referenced.

### Cost Impact

The FAA estimates that 34 SA226 series airplanes and 206 SA227 series airplanes in the U.S. registry would be affected by the proposed modifications, that it would take approximately 80 workhours per SA226 series airplane and 50 workhours per SA227 series airplane to accomplish the proposed modifications, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$12,400 for SA226 series airplanes and \$6,000 for SA227 series airplanes. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$584,800 for SA226 series airplane operators (or \$17,200 per airplane) and \$1,854,000 for SA227 series airplane operators (or \$9,000 per airplane). This figure is based on the assumption that no owner/operator of the affected airplanes has accomplished the proposed modifications. Fairchild Aircraft has informed the FAA that no parts have been distributed to any affected airplane owner/operator.

The proposed AD allows 2,000 hours time-in-service (TIS) after the proposed AD would become effective before mandatory accomplishment of the design modifications. The average utilization of the fleet for those airplanes in commercial commuter service is approximately 25 to 50 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation would have to accomplish the proposed modification within 24 to 48 calendar months after the proposed AD would become effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this would allow 24 to 48 years before the proposed modification would be mandatory.

### Regulatory Flexibility Determination and Analysis

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily or disproportionately burdened by government regulations.

The RFA requires government agencies to determine whether rules would have a "significant economic impact on a substantial number of small entities," and, in cases where they would, conduct a Regulatory Flexibility Analysis in which alternatives to the rule are considered. FAA Order 2100.14A, Regulatory Flexibility Criteria and Guidance, outlines FAA procedures and criteria for complying with the RFA. Small entities are defined as small businesses and small not-for-profit organizations that are independently owned and operated or airports operated by small governmental jurisdictions. A "substantial number" is defined as a number that is not less than 11 and that is more than one-third of the small entities subject to a proposed rule, or any number of small entities judged to be substantial by the rulemaking official. A "significant economic impact" is defined by an annualized net compliance cost, adjusted for inflation, which is greater than a threshold cost level for defined entity types. FAA Order 2100.14A sets the size threshold for small entities operating aircraft for hire at 9 aircraft owned and the annualized cost thresholds at \$69,000 for scheduled operators and \$5,000 for unscheduled operators.

The FAA has determined that, for four entities (two nonscheduled air carriers and two scheduled air carriers), the compliance costs of the proposed AD would impose a significant economic impact. Because at least 11 small entities are not affected, the proposed AD would not affect a "substantial number of small entities" as defined in Order 2100.14A.

A copy of the full Cost Analysis and Regulatory Flexibility Determination for the proposed action may be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-34-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri.

### 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 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) 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 has been placed 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 a new airworthiness directive (AD) to read as follows:

Fairchild Aircraft: Docket No. 95-CE-34-AD.

*Applicability:* The following model and serial number airplanes, certificated in any category:

Model	Serial Nos.
SA226-T .....	T201 through T275 and T277 through T291.
SA226-T(B) .....	T(B)276 and T(B)292 through T(B)417.
SA226-AT .....	AT001 through AT074.
SA226-TC .....	TC201 through TC419.
SA227-TT .....	TT421 through TT541.
SA227-AT .....	AT423 through AT631.
SA227-AC .....	AC406, AC415, AC416, AC420 through AC705, and AC707 through AC733.

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 (g) 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 2,000 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent failure of both generators during critical phases of flight (such as night operation or while in icing conditions), which could result in loss of control of the airplane, accomplish the following:

(a) For the model and serial number airplanes presented below, replace the existing generator fault transformer wiring with new dual conductor shielded wire in accordance with Fairchild Service Bulletin (SB) 226-24-027, Issued: May 19, 1988, Revised: February 22, 1989, or Fairchild SB 227-24-008, Issued: October 25, 1985, Revised: January 23, 1989, as applicable.

(1) Model SA226-T airplanes, serial numbers T201 through T275 and T277 through T291; Model SA226-T(B) airplanes, serial numbers T(B)276 and T(B)292 through T(B)417; Model SA226-AT airplanes, serial numbers AT001 through AT074; and Model SA226-TC airplanes, serial numbers TC201 through TC419.

(2) Model SA227-TT airplanes, serial numbers TT421 through TT541; Model SA227-AT airplanes, serial numbers AT423 through AT631; and Model SA227-AC airplanes, serial numbers AC406, AC415, AC416, and AC420 through AC683.

(b) For the model and serial number airplanes presented below, rewire the electrical power generation system to reduce the possibility of 325-amp current limiter failure in accordance with Fairchild SB 226-24-023, Issued: October 25, 1985, Revised: January 23, 1989, or Fairchild SB 227-24-005, Issued: October 25, 1985, Revised: January 23, 1989, as applicable.

(1) Model SA226-T airplanes, serial numbers T249 through T275 and T277 through T291; Model SA226-T(B) airplanes, serial numbers T(B)276 and T(B)292 through T(B)417; Model SA226-AT airplanes, serial numbers AT025 through AT074; and Model SA226-TC airplanes, serial numbers TC209 through TC419.

(2) Model SA227-TT airplanes, serial numbers TT421 through TT541; Models SA227-AT airplanes, serial numbers AT423 through AT591; and SA227-AC airplanes, serial numbers AC420 through AC594.

(c) For Model SA226-T airplanes, serial numbers T249 through T275 and T277 through T291; Model SA226-T(B) airplanes, serial numbers T(B)276 and T(B)292 through T(B)417; Model SA226-AT airplanes, serial numbers AT025 through AT074; and Model SA226-TC airplanes, serial numbers TC209 through TC419, modify the voltage regulator access panel and install a connector in the wire bundle in accordance with Fairchild SB 226-24-026, Issued: May 27, 1987.

(d) For Model SA226-T airplanes, serial numbers T201 through T275 and T277 through T291; Model SA226-T(B) airplanes, serial numbers T(B)276 and T(B)292 through T(B)347; Model SA226-AT airplanes, serial numbers AT001 through AT074; and Model SA226-TC airplanes, serial numbers TC201 through TC348, install new voltage

regulators, reroute certain wires, and replace the entire voltage regulator panel assembly in accordance with Fairchild SB 24-018, Issued: October 22, 1980, Revised: January 7, 1981.

(e) For the model and serial number airplanes presented below, modify the direct current (DC) generator control system so that it will operate off its respective generator output in accordance with Fairchild SB 226-24-031, dated July 27, 1989, or Fairchild SB 227-24-012, Issued: May 4, 1989; Revised: July 27, 1989, as applicable. This includes removing field current and reset resistors, removing the reset and generator relays and associated diodes, installing a 10-amp generator control circuit breaker to the left-hand and right-hand essential bus panels, and replacing the 10-amp generator control circuit breakers in the left-hand and right-hand wheelwells with 15-amp circuit breakers that are wired in series with the generator control circuit breakers.

(1) Model SA226-T airplanes, serial numbers T249 through T275 and T277 through T291; Model SA226-T(B) airplanes, serial numbers T(B)276 and T(B)292 through T(B)417; Model SA226-AT airplanes, serial numbers AT025 through AT074; and Model SA226-TC airplanes, serial numbers TC209 through TC419.

(2) Model SA227-TT airplanes, serial numbers TT421 through TT541; Model SA227-AT airplanes, serial numbers AT423 through AT695; and Model SA227-AC airplanes, serial numbers AC406, AC415, AC416, AC420 through AC556, AC558 through AC705, and AC707 through AC733.

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Fort Worth Airplane Certification Office (ACO), FAA, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth ACO.

(h) All persons affected by this directive may obtain copies of the document referred to herein upon request to Fairchild Aircraft, P.O. Box 790490, San Antonio, Texas 78279-0490; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 28, 1996.

John R. Colomy,

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

[FR Doc. 96-28165 Filed 11-1-96; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 71

[Airspace Docket No. 96-AWP-27]

### Proposed Amendment of Class E Airspace; San Jose, CA

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend the Class E airspace area at San Jose, CA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 14/32 at South County Airport of Santa Clara County has made this proposal necessary. The intended effect of this proposal is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at South County Airport of Santa Clara County, San Martin, CA.

**DATES:** Comments must be received on or before November 8, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Attn: Manager, Operations Branch, AWP-530, Docket No. 96-AWP-27, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California 90261.

An informal docket may also be examined during normal business at the Office of the Manager, Operations Branch, Air Traffic Division at the above address.

**FOR FURTHER INFORMATION CONTACT:** William Buck, Airspace Specialist, Operations Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, telephone (310) 725-6556.

#### 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.