

AD, whichever occurs first, accomplish the permanent repair of the dent in accordance with paragraph 2.B.(3)(c) 1 of the Accomplishment Instructions of the service bulletin.

(ii) Accomplishment of the permanent repair of the dent constitutes terminating action for the repetitive inspection requirements of this paragraph, and thereafter, no further action is required.

(2) If only radial cracking is detected in the circumferential strap and no other cracking is found elsewhere in the rear pressure bulkhead: Prior to further flight, accomplish the circumferential strap repair, in accordance with paragraph 2.B.(3)(c) 2 of the Accomplishment Instructions of the service bulletin. Thereafter, inspect the dent for cracking at intervals not to exceed every 1,000 landings until the permanent repair specified in paragraph (c)(2)(i) of this AD is accomplished.

(i) Prior to the accumulation of 5 years or 11,000 landings from the effective date of this AD, whichever occurs first, accomplish permanent repair of the dent in accordance with the paragraph 2.B.(3)(c) 2 of the Accomplishment Instructions of the service bulletin.

(ii) Accomplishment of the permanent repair of the dent constitutes terminating action for the repetitive inspection and repair requirements of this paragraph and thereafter, no further action is required.

(3) If any other cracking not specified in paragraph (c)(1) or (c)(2) of this AD is detected: Prior to further flight, accomplish a permanent repair of the dent in accordance with the paragraph 2.B.(3)(c) 3 or 4, as applicable, of the Accomplishment Instructions of the service bulletin; or in a manner approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Accomplishment of the permanent repair of the dent in accordance with the Accomplishment Instructions of the service bulletin constitutes terminating action for the requirements of this AD and, thereafter, no further action is required.

(d) 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-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.

(e) 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. Issued in Renton, Washington, on October 29, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-28322 Filed 11-4-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-94-AD]

Airworthiness Directives; Fokker Model F28 Mark 0100 and Mark 0070 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 0100 and Mark 0070 series airplanes. This proposal would require modification of the hook and latch engagement assemblies of the engine cowl doors, measurement of the aerodynamic mismatch between the fixed cowl and lower cowl door, and repair, if necessary. This proposal is prompted by reports of operational experience that indicate that an aerodynamic mismatch may exist between the fixed engine cowl and the lower cowl door, and may be the result of one or more hooks of the engagement assemblies not engaging adequately. This condition may cause the other hooks to carry loads higher than they were originally designed to carry, and could result in the failure of those hooks that are engaged. The actions specified by the proposed AD are intended to prevent possible separation of the lower cowl from the airplane due to failure of the hooks of the engagement assemblies.

DATES: Comments must be received by December 16, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-94-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport

Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2141; fax (206) 227-1149.

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 shall 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 summarizing 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 Number 95-NM-94-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-94-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F28 Mark 0100 and Mark 0070 series airplanes. The RLD has received reports indicating that operational experience has shown that an aerodynamic mismatch (gap) may exist between the fixed engine cowl and the lower cowl door. The lower cowl

door is engaged in the "closed" position by two latches and three hooks. An excessive aerodynamic mismatch (or gap) in this assembly indicates that one or more hooks are not engaged properly. If this is the case, the aerodynamic mismatch could cause the hooks that are engaged to carry loads higher than they were originally designed to carry; in the event of a burst engine bypass duct, this situation could result in failure of the hooks that are engaged. Failure of these hooks could result in the lower engine cowl separating from the airplane and subsequently causing damage to other airplane structure or posing a hazard to persons on the ground.

Explanation of Relevant Service Information

Fokker has issued Service Bulletin SBF100-71-019, dated March 21, 1996, which describes procedures for:

1. modifying the hook and latch engagement assemblies of the left and right engine lower cowl door; and
2. measuring the aerodynamic mismatch between the fixed cowl and lower cowl.

If the measurement of the aerodynamic mismatch is beyond the limits specified in the service bulletin, the service bulletin also provides procedures to measure the mis-engagement between the left and right engine hooks of the fixed cowl door and the clevis fittings of the lower cowl door. The service bulletin also describes modification procedures for the mid-clevis fitting on the right and left engine lower cowl door if the mis-engagement is beyond the limits specified in the service bulletin.

The RLD classified this service bulletin as mandatory and issued Netherlands airworthiness directive BLA 1989-049/3 (A), dated June 28, 1996, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

This airplane model is manufactured in the Netherlands and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require modification of the hook and latch engagement assemblies of the left and right engine lower cowl door. It would also require measurement of the aerodynamic mismatch between the fixed cowl and lower cowl, and various follow-on actions, dependent upon whether the measurement of the aerodynamic mismatch is beyond certain limits. These actions would be required to be accomplished in accordance with the service bulletin described previously.

Cost Impact

The FAA estimates that 124 Fokker Model F28 Model 0100 and 0070 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours per airplane to accomplish the initial inspection and modification, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$22,320, or \$180 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Fokker: Docket 95-NM-94-AD.

Applicability: Model F28 Mark 0100 and Mark 0070 series airplanes as listed in Fokker Service Bulletin SBF100-71-019, dated March 21, 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 (e) 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 separation of the lower cowl from the airplane due to failure of the hook and latch engagement assembly of the cowl door, accomplish the following:

- (a) Accomplish the requirements of paragraph (b) of this AD at the later of the times indicated in paragraph (a)(1), (a)(2), or (a)(3) of this AD:

- (1) prior to the accumulation of 2,500 total flight cycles; or

- (2) within 2,500 flight cycles since the last inspection performed in accordance with Fokker Service Bulletin SBF100-71-003, dated April 14, 1989; Revision 1, dated August 8, 1989, or Revision 2, dated November 21, 1994; or

- (3) within 30 days after the effective date of this AD.

(b) At the time specified in paragraph (a) of this AD, accomplish the actions specified in either paragraph (b)(1) or (b)(2) of this AD, as applicable:

(1) For airplanes specified in Part 1 of Fokker Service Bulletin SBF100-71-019, dated March 21, 1996: Modify the hook and latch engagement assemblies of the left and right engine cowl doors, and inspect to determine the aerodynamic mismatch between the fixed cowl and lower cowl door; in accordance with Part 1 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-71-019, dated March 21, 1996.

Note 2: Accomplishment of the modification of the hook and latch engagement assemblies of the left and right engine cowl doors, in accordance with Part 1 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-71-003, dated April 14, 1989; Revision 1, dated August 8, 1989; or Revision 2, dated November 21, 1994; is considered acceptable for compliance with the applicable modification specified in paragraph (b)(1) of this amendment.

(2) For airplanes specified in Part 2 of Fokker Service Bulletin SBF100-71-019, dated March 21, 1996, excluding those airplanes subject to paragraph (b)(1) of this AD: Perform a one-time inspection to determine the aerodynamic mismatch between the fixed cowl and the lower cowl door, in accordance with Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-71-019, dated March 21, 1996.

(c) If the aerodynamic mismatch measured between the fixed cowl and lower cowl door is less than or equal to 4.5 mm, no further action is required by this AD.

(d) If the aerodynamic mismatch measured between the fixed cowl and lower cowl door is greater than 4.5 mm, prior to further flight, perform a one-time inspection to measure the mis-engagement between the left and right engine hooks of the fixed cowl door and the clevis fittings of the lower cowl door; in accordance with Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-71-019, dated March 21, 1996.

(1) If the mis-engagement is less than or equal to 6.5 mm, no further action is required by this AD.

(2) If the mis-engagement is greater than 6.5 mm: Within 1 year after measuring the mis-engagement required by this paragraph, modify the mid-clevis fitting on the right and left engine lower cowl door; in accordance with Part 3 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-71-019, dated March 21, 1996. After accomplishment of this modification, no further action is required by this AD.

(e) 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-113.

Note 3: 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.

Issued in Renton, Washington, on October 29, 1996.

Darrell M. Pederson,
*Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.*

[FR Doc. 96-28323 Filed 11-4-96; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 73

[Airspace Docket No. 96-AGL-16]

Proposed Amendment to Time of Designation for Restricted Area R-4305, Lake Superior, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule amends the time of designation for Restricted Area 4305 (R-4305), Lake Superior, MN, by reducing the requirement for the issuance of a Notice to Airmen (NOTAM) from 12 hours in advance to 2 hours in advance of activation of the airspace. The U.S. Air Force proposed this amendment to permit greater flexibility in scheduling R-4305.

DATES: Comments must be received on or before December 17, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Air Traffic Division, AGL-500, Docket No. 96-AGL-16, Federal Aviation Administration, O'Hare Lake Office Center, 2300 East Devon Avenue, Des Plaines, IL 60018.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

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, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-AGL-16." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, Attention: Airspace and Rules Division, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267-9677 for a copy of Advisory Circular No. 11-2A, which describes the application procedure.

The Proposal

The FAA is proposing an amendment to Title 14 of the Code of Federal Aviation Regulations part 73 (14 CFR part 73) to amend the time of designation for R-4305 from the current "Intermittent by NOTAM, 12 hours in