

2. 9 CFR Sec. 1.1 *et seq.*
 3. 2 U.S. Cong. & Admin. News '66, at 2636.
 4. P.L. 91-579.
 5. 7 U.S.C.A. 2132(f).
 6. 9 CFR at 1.1.
 7. See Appendix 1.
 8. See Appendix 2.
 9. 3 Cong. & Admin. News '70, at 5104.
 10. *Id.*
 11. 7 U.S.C.A. 2132(f)(ii).
 12. See letter to Ms. Holly Hazard from P.L. Allen, February 2, 1989 at Appendix 3. See also, letter to Ms. Sara Amundson from Cheryl Oswalt, October 14, 1992 at Appendix 4.
 13. 7 U.S.C.A. 2132(f).
 14. 7 U.S.C.A. 2132(g).
 15. See letter to Holly Hazard from P.L. Allen, February 2, 1989 at Appendix 3.
 16. 2 U.S. Cong. & Admin News '76, at 758-759.
 17. See letter to Amundson at Appendix 4.
 18. For a further analysis of this argument see letter to Ms. Holly Hazard and Mr. William Long from Mark D. Colley, Esq., Davis, Graham & Stubbs, L.L.C., June 9, 1995, at page 3 at Appendix 5 which is herein incorporated by reference.
 19. *Id.* at page 1-2 at Appendix 5 which is herein incorporated by reference.
 20. 2 U.S. Cong. & Admin. News '66, at 2635.
 21. 3 U.S. Cong. & Admin. News '70, at 5104.
- [FR Doc. 97-7454 Filed 3-24-97; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-193-AD]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Model BAC 1-11 200 and 400 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 British Aerospace Model BAC 1-11 200 and 400 series airplanes. This proposal would require inspections of the main landing gear (MLG) A-frame attachment fittings to detect corrosion or cracking, and repair or replacement of cracked or corroded components with new components. This proposal is prompted by findings of corroded and cracked A-frame components of the MLG. The actions specified by the proposed AD are intended to prevent corrosion and cracking of MLG A-frame

components, which could result in collapse of the MLG.

DATES: Comments must be received by May 5, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-193-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 British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; 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 96-NM-193-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. 96-NM-193-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain British Aerospace Model BAC 1-11 200 and 400 series airplanes. The CAA advises that, during regular inspections for corrosion, several cases of cracks were found in the main landing gear (MLG) A-frame attachment fittings of airplanes that had accumulated between 32,000 and 43,000 landings. Laboratory investigation of cracked components revealed that cracks occurred as a result of stress corrosion. The cracks initiated in the bores of the lugs and propagated to the outside radii. This condition, if not corrected, could result in collapse of the MLG.

Explanation of Relevant Service Information

British Aerospace has issued Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, which describes procedures for repetitive detailed visual inspections of MLG A-frame attachment fittings to detect corrosion or cracking. The alert service bulletin also provides procedures for either repair or replacement of cracked or corroded components with new components. The CAA classified the alert service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

These airplane models are manufactured in the United Kingdom and are 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 CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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 repetitive detailed visual inspections of the MLG A-frame attachment fittings to detect corrosion or cracking, and repair or replacement of cracked or corroded components with new components. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Cost Impact

The FAA estimates that 25 Model BAC 1-11 200 and 400 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,500, or \$60 per airplane, per inspection.

The 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. 106(g), 40113, 44701.

§ 39.13 [Amended]

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

British Aerospace Airbus Limited (Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group): Docket 96-NM-193-AD.

Applicability: Model BAC 1-11 200 and 400 series airplanes; equipped with main landing gear (MLG) A-frame attachment fittings having the part numbers listed in British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995; 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 (f) 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 corrosion or cracking of MLG A-frame fittings, which could result in collapse of the MLG, accomplish the following actions.

(a) Conduct a detailed visual inspection to detect corrosion or cracking of the MLG A-frame attachment fittings, in accordance with British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, and at the applicable time specified in paragraph (a)(1) or (a)(2) of this AD:

(1) For airplanes that have accumulated 16,000 or fewer total landings as of the effective date of this AD: Conduct the initial inspection at the later of the times specified in paragraphs (a)(1)(i) and (a)(1)(ii).

(i) Prior to the accumulation of 16,000 total landings or within 8 years since new, whichever occurs first; or

(ii) Within 6 months after the effective date of this AD.

(2) For airplanes that have accumulated more than 16,000 total landings as of the effective date of this AD: Conduct the initial inspection within 4,000 landings or 2 years after the effective date of this AD, whichever occurs first.

(b) If no corrosion or cracking is found, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(c) If corrosion is found and it is within the limits specified in British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, prior to further flight, repair the component in accordance with the alert service bulletin. After repair, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(d) If corrosion is found and it is outside the limits specified in British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995, prior to further flight, replace the corroded component with a new component in accordance with the alert service bulletin. After replacement, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(e) If any cracking is found, prior to further flight, replace the cracked component with a new component in accordance with British Aerospace Alert Service Bulletin 53-A-PM6036, Issue 1, dated November 24, 1995. After replacement, repeat the inspection required by paragraph (a) of this AD thereafter at intervals of 4,000 landings or 2 years, whichever occurs first.

(f) 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.

(g) 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 March 19, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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