

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:

97-07-02 Airbus Industrie: Amendment 39-9975. Docket 96-NM-107-AD.

Applicability: Model A300 airplanes having serial numbers 001 through 0156, inclusive, 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 (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 as indicated, unless accomplished previously.

To prevent fatigue cracking of the rear pressure bulkhead, which could reduce its structural integrity, and consequently lead to rapid depressurization of the airplane, accomplish the following:

(a) Within 12 months after the effective date of this AD, perform a template inspection to detect dents of the rear pressure bulkhead in the area between right hand and left hand radial stiffeners RS 5 and RS 13, in accordance with Airbus Service Bulletin A300-53-302, dated November 3, 1995.

(b) If no dent, or if no dent that is greater than 2 mm in depth, is detected during the template inspection required by paragraph (a) of this AD: No further action is required by this AD.

(c) If any dent that is greater than 2 mm in depth is detected during the template inspection required by paragraph (a) of this AD: Prior to further flight, inspect the dent for cracking, in accordance with Airbus Service Bulletin A300-53-302, dated November 3, 1995.

(1) If no crack is detected: Repeat the inspection for cracking at intervals not to exceed 2,000 landings until the permanent repair specified in paragraph (c)(1)(i) of this AD is accomplished.

(i) Prior to the accumulation of 5 years or 11,000 landings after the effective date of this 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 after 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.

(f) The actions shall be done in accordance with Airbus Service Bulletin A300-53-302, dated November 3, 1995. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

(g) This amendment becomes effective on May 2, 1997.

Issued in Renton, Washington, on March 19, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-7517 Filed 3-27-97; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 96-CE-29-AD; Amendment 39-9976; AD 97-07-03]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. Models PA31, PA31-300, PA31-325, PA31-350, and PA31P Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 81-11-04 that applies to The New Piper Aircraft, Inc. (Piper) Models PA31, PA31-300, PA31-325, and PA31-350 airplanes that have Cleveland nose wheel assembly part number (P/N) 40-76B installed. AD 81-11-04 currently requires inspecting the nose wheel flange for cracks. The repetitive inspections terminate by replacing the nose wheel assembly with

Cleveland P/N 40-140, which is an improved design. This action is prompted by the lack of designation of Piper Model PA31P in the Applicability section of AD 81-11-04, and the subsequent failure of a nose wheel assembly on a Piper Model PA31P airplane during taxiing operations. The actions specified by this AD are intended to prevent the failure of the nose wheel, which if not corrected, could result in loss of control of the airplane during taxiing, take-off, or landing operations.

DATES: Effective May 15, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 15, 1997.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida, 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-29-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: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Ave., suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362, facsimile (404) 305-7348.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to PA31, PA31-325, PA31-350, and PA31P airplanes that have Cleveland nose wheel assembly part number (P/N) 40-76B installed was published in the **Federal Register** on October 10, 1996 (61 FR 53155). This action would supersede AD 81-11-04 with a new AD that retains the same action as AD 81-11-04 and include Piper Model PA31P airplanes in the applicability. Accomplishment of the proposed action would be in accordance with Piper Service Bulletin (SB) 700A, dated October 12, 1981.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the

proposed rule or the FAA's determination of the cost to the public.

The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. One minor editorial correction is a missing model number that is affected by this AD. The FAA inadvertently omitted Model PA31-300 from the applicability listing in the NPRM, however the PA31-300 serial numbers were listed. Piper manufactured Models PA31, PA31-300, and PA31-325 airplanes simultaneously, so the serial number range listed for Models PA31 and PA31-325 airplanes in the NPRM applicability section also included the Model PA31-300 airplanes. The applicability section now contains Model PA31-300 with the appropriate serial numbers. The FAA has determined that these 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 1,842 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 3 workhours per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. The improved parts cost approximately \$450 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$1,160,460 or \$630 per airplane. These figures only account for the replacement of the new part and do not take into account the cost for the repetitive inspections that would be incurred prior to installing the improved parts.

Piper has informed the FAA that parts have been distributed to equip 8 airplanes in the United States which will reduce the total figure from \$1,160,460 to \$1,155,420.

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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

97-07-03 The New Piper Aircraft, Inc.:

Amendment 39-9976; Docket No. 96-CE-29-AD, Supersedes AD 81-11-04, Amendment 39-4114.

Applicability: The following Models and serial numbered airplanes equipped with Cleveland part number (P/N) 40-76B (Piper P/N 451 784) nose wheel assembly, certificated in any category.

Models	Serial numbers
PA31, PA31-300, and PA31-325.	31-2 through 31-8112038
PA31-350	31-5001 through 31-8152088
PA31P	31P-3 through 31P-7730012

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 (TIS) after May 22, 1981 (effective date of AD 81-11-04); within the next 100 hours TIS after the effective date of this AD; or upon the accumulation of 2,000 hours TIS on the nose wheel assembly, whichever occurs later, unless already accomplished.

To prevent the failure of the nose wheel, which if not corrected, could result in loss of control of the airplane during taxiing, take-off, or landing operations, accomplish the following:

(a) Inspect the nose wheel assembly, Cleveland part number (P/N) 40-76B (The New Piper Aircraft, Inc. P/N 451 784), for cracks in accordance with the "Instructions" section of Piper Aircraft Corporation (Piper) Service Bulletin (SB) 700A, dated October 12, 1981.

(1) If cracked, prior to further flight, replace Cleveland P/N 40-76B (Piper P/N 451 784) with a new Cleveland P/N 40-76B (Piper P/N 451 784) nose wheel assembly. Upon the accumulation of 2,000 hours TIS, reinspect at 100 hour intervals or at each tire change, whichever occurs first; or,

(2) As an alternative to paragraph (a)(1), if cracked, replace Cleveland P/N 40-76B (Piper P/N 451 784) with a serviceable Cleveland P/N 40-140 (Piper P/N 551 791) nose wheel assembly of improved design in accordance with the "Instructions" section of Piper SB 700A, dated October 12, 1981.

(3) If no cracks are found and Cleveland P/N 40-140 (Piper P/N 551-791) is not installed, repetitively inspect at intervals not to exceed 100 hours TIS or at each tire change, whichever occurs first.

(b) The installation of Cleveland P/N 40-140 (Piper P/N 551 791) is considered terminating action for the inspection requirements of paragraph (a) and (a)(3) of this AD.

(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 times that provides an equivalent level of safety may be approved by the Manager, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Ave., suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

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

(e) The inspections and replacement required by this AD shall be done in accordance with Piper Aircraft Corporation

Service Bulletin No. 700A, dated October 12, 1981. 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 New Piper Aircraft, Inc., Attn.: Customer Service, 2926 Piper Dr., Vero Beach, Florida, 32960. 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 (39-9976) becomes effective on May 15, 1997.

Issued in Kansas City, Missouri, on March 20, 1997.

Larry E. Werth,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-7680 Filed 3-27-97; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 71

[Airspace Docket No. 96-AAL-27]

Revision of Class E Airspace; Nuiqsut, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This action revises Class E airspace at Nuiqsut Airport, AK. The modifications to the Global Positioning System (GPS) instrument approaches to runway (RWY) 4 and RWY 22 at Nuiqsut, AK, have made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Nuiqsut Airport, AK. **EFFECTIVE DATE:** 0901 UTC, May 22, 1997.

FOR FURTHER INFORMATION CONTACT: Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number: (907) 271-5863; email: Robert.van.Haastert@faa.dot.gov.

SUPPLEMENTARY INFORMATION:

History

On January 24, 1997, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace at Nuiqsut was published in the **Federal Register** (62 FR 3631). The modifications to the GPS instrument approach procedures to RWY 4 and RWY 22 at Nuiqsut Airport, AK, have made this action necessary.

Interested parties were invited to participate in this rulemaking proceeding by submitting written

comments on the proposal to the FAA. No comments to the proposal were received, thus the rule is adopted as written.

The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996. Paragraph 6005 is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The Class E airspace designations 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) revises Class E airspace located at Nuiqsut, AK, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing instrument landing and departing procedures.

The Federal Aviation Administration has determined that these proposed regulations only involve 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. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.