

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:

97-03-09 FOKKER: Amendment 39-9915.
Docket 95-NM-02-AD.

Applicability: Model F28 Mark 0100 series airplanes; equipped with Menasco Aerospace Elevator Booster Control Unit (BCU) having part number (P/N) 23400-3 or P/N 23400-5 with serial numbers MC-001 through MC-288 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 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 backlash in the elevator controls and reduced elevator control authority in the manual mode, accomplish the following:

(a) Within 500 flight cycles or 60 days after the effective date of this AD, whichever occurs first, perform an operational check to detect backlash in the elevator mechanical control system, in accordance with Part 1 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-052, Revision 1, dated March 29, 1994. If no backlash is detected, repeat the check thereafter at intervals not to exceed 500 flight cycles or 60 days, whichever occurs first.

(b) If any backlash of the elevator mechanical control system is detected during any operational check required by paragraph (a) of this AD, prior to further flight, perform

an inspection to determine whether the backlash remover lever and pistons are in the proper position, in accordance with Part 2 (paragraph I.) of Fokker Service Bulletin SBF100-27-052, Revision 1, dated March 29, 1994.

(1) If the backlash remover lever and pistons are in the proper position: Prior to further flight, perform appropriate troubleshooting procedures in accordance with the Airplane Maintenance Manual.

(2) If the backlash remover lever and pistons are not in the proper position: Prior to further flight, perform an inspection to determine whether the elevator booster control unit (BCU) bolts, having part numbers (P/N) NAS6204C22D and P/N NAS6204C13D, rotate and slide freely; and to detect corrosion on the bolts of the backlash remover lever mechanism; in accordance with Part 2 (paragraph J.) of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-052, Revision 1, dated March 29, 1994.

(i) If no anomaly is detected, prior to further flight, perform appropriate troubleshooting procedures in accordance with the Airplane Maintenance Manual.

(ii) Except as provided by paragraph (b)(2)(iii) of this AD, if any anomaly is detected, prior to further flight, replace the elevator BCU or bolts, as applicable, with serviceable parts, in accordance with the service bulletin.

(iii) If any anomaly is detected, replacement of the elevator BCU or the bolt having P/N NAS6204C22D, as applicable, may be deferred for a period of 10 days, provided that the three conditions specified below are met:

(A) The bolt having P/N NAS6204C22D can be freed so that it rotates and slides freely; and

(B) That bolt is lubricated subsequent to the inspection; and

(C) An operational check, as specified in paragraph (a) of this AD, is accomplished subsequent to lubrication and is successful.

Note 2: The deferral provision of paragraph (b)(2)(iii) of this AD does *not* apply to the bolt having P/N NAS6204C13D. Replacement of that part-numbered bolt, when necessary, cannot be deferred.

(c) Terminating action for the repetitive check and inspection requirements of this AD consists of the accomplishment of the actions specified in either paragraph (c)(1) or (c)(2) of this AD:

(1) Modification of the affected elevator BCU having P/N 23400-3 or -5, in accordance with Fokker Service Bulletin SBF100-27-061, dated March 2, 1994; or

(2) Replacement of any affected elevator BCU having P/N 23400-3 or -5 with a unit having a serial number other than MC-001 through MC-288 inclusive, in accordance with the Airplane Maintenance Manual.

(d) As of the effective date of this AD, no person shall install in any airplane a Menasco Aerospace BCU having P/N 23400-3 or P/N 23400-5 with serial numbers MC-001 through MC-288, inclusive.

(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.

(g) The actions shall be done in accordance with Fokker Service Bulletin SBF100-27-052, Revision 1, dated March 29, 1994; and Fokker Service Bulletin SBF100-27-061, dated March 2, 1994. 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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. 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.

(h) This amendment becomes effective on March 19, 1997.

Issued in Renton, Washington, on January 28, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-2608 Filed 2-11-97; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 71

[Airspace Docket No. 97-AGL-3]

Modification of Class D Airspace; Minot, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This action modifies Class D airspace areas at Minot AFB and Minot International Airport, Minot, ND, by amending the areas' effective hours to coincide with the associated control tower's hours of operation. The intended effect of this action is to clarify when two-way radio communication with these air traffic control towers is required.

DATES: *Effective date.* 0901 UTC, March 27, 1997.

Comment date. Comments must be received on or before February 27, 1997.

ADDRESSES: Send comments on the rule in triplicate to: Manager, Air Traffic

Division, Operations Branch, AGL-530, Docket No. 97-AGL-3, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 E. Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the address listed above.

FOR FURTHER INFORMATION CONTACT: John A. Clayborn, Air Traffic Division, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, and was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. If the FAA receives no adverse comments in response to this action, this rule will become effective on the date specified in the **DATES** section. After the review, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the rule which might suggest the need to modify the rule.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies the Class D airspace areas at Minot AFB and Minot International Airport, Minot, ND, by amending the areas' effective hours to coincide with the associated control tower's hours of operation. Prior to Airspace Reclassification, an airport traffic area (ATA) and a control zone (CZ) existed at these airports. However, Airspace Reclassification, effective September 16, 1993, discontinued the use of the term "airport traffic area" and "control zone," replacing them with the designation "Class D airspace." The former CZ was continuous, while the former ATA was contingent upon the operation of the air traffic control tower.

The consolidation of the ATA and CZ into a single Class D Airspace designation makes it necessary to modify the effective hours of the Class D airspace to coincide with the control tower's hours of operation. The intended effect of this action is to clarify when two-way radio communication with these air traffic control towers is required.

The coordinates for this airspace docket are based on North American Datum 83. Class D airspace designations are published in Paragraph 5000 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designations listed in this document will be published subsequently in the Order. Under the circumstances presented, the FAA concludes that there is an immediate need to modify these Class D airspace areas in order to promote the safe and efficient handling of air traffic in these areas.

The FAA has determined that this regulation only involves 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. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points,

dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 5000 General

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AGL ND D Minot, ND [Revised]

Minot International Airport, ND
(Lat. 48°15'34" N, long. 101°16'53" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 4.2-mile radius of Minot International Airport. This Class D airspace area is effecting during the specific dates and times established in advance by a Notice to Airmen. The effective dates and time will thereafter be continuously published in the Airport/Facility Directory.

AGL ND D Minot AFB, ND [Revised]

Minot AFB, ND
(Lat. 48°24'56" N, long. 101°21'28" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 4.5-mile radius of Minot AFB. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Des Plaines Illinois on January 17, 1997.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 97-3408 Filed 2-11-97; 8:45 am]

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14 CFR Part 71

[Airspace Docket No. 97-AGL-1]

Modification of Class D Airspace; Mount Clemens, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This section modifies Class D airspace area at Mount Clemens, Selfridge Air National Guard Base, MI, by amending the areas' effective hours to coincide with the associated control tower's hours of operation. The intended effect of this action is to clarify when two-way radio communication with the air traffic control tower is required.

DATES: *Effective date.* 0901 UTC, March 27, 1997.

Comment date. Comments must be received on or before February 27, 1997.

ADDRESSES: Send comments on the rule in triplicate to: Manager, Air Traffic Division, Operations Branch, AGL-530, Docket No. 97-AGL-1, Federal Aviation