

49-A7189, Revision 2, dated October 8, 1996, Revision 1, dated July 19, 1996, or Original, dated March 29, 1996; or

(2) Install a containment augmentation ring, P/N 3616426-1, in accordance with AlliedSignal Aerospace ASB No. GTC85-49-A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTC85-49-A6706, Revision 1, dated November 12, 1993, or Garrett ASB No. GTC85-49-A6706, Original, dated December 7, 1992.

(c) 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, Los Angeles Aircraft Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative method of

compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(d) 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 aircraft to a location where the requirements of this AD can be accomplished.

(e) The actions required by this AD shall be done in accordance with the following ASBs:

Document No.	Pages	Revision	Date
AlliedSignal Aerospace, GTC85-49-A7189 ..... Total pages: 14.	1-14 .....	2 .....	Oct. 8, 1996.
AlliedSignal Aerospace, GTC85-49-A7189 ..... Total pages: 12.	1-12 .....	1 .....	July 19, 1996.
AlliedSignal Aerospace, GTC85-49-A7189 ..... Total pages: 10.	1-10 .....	Original .....	Mar. 29, 1996.
AlliedSignal Aerospace, GTC85-49-A6706 .....	1 .....	2 .....	Nov. 28, 1994.
	2, 3 .....	1 .....	Nov. 12, 1993.
	4 .....	2 .....	Nov. 28, 1994.
	5-8 .....	1 .....	Nov. 12, 1993.
	9, 10 .....	2 .....	Nov. 28, 1994.
Total pages: 10.			
AlliedSignal Aerospace GTC85-49-A6706 Total pages: 10.	1-10 .....	1 .....	Nov. 12, 1993
Garrett GTC85-49-A6706 .....	1, 2 .....	Original .....	Dec. 7, 1992
	4-10 .....	Original .....	Dec. 7, 1992.
Total pages: 9.			

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 AlliedSignal Aerospace, Attn: Data Distribution, M/S 64-3/2101-201, P.O. Box 29003, Phoenix, AZ 85038-9003; telephone (602) 365-2493, fax (602) 365-5577. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

(f) This amendment becomes effective on March 24, 1997.

Issued in Burlington, Massachusetts, on February 4, 1997.

James C. Jones,

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 97-4098 Filed 2-20-97; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 39

[Docket No. 97-NM-30-AD; Amendment 39-9939; AD 97-04-14]

RIN 2120-AA64

### Airworthiness Directives; Aerospatiale Model ATR42-200, -300, and -320 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Aerospatiale Model ATR42-200, -300, and -320 series airplanes. This action requires modification of the electrical wiring of the stick pusher/shaker test function to reinforce system protection. This amendment is prompted by a report of at least one occurrence when the stick pusher self-activated during flight. The actions specified in this AD are intended to prevent inadvertent activation of the stick pusher, which could cause reduced controllability of the airplane, especially during takeoff or landing.

**DATES:** Effective March 10, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 10, 1997.

Comments for inclusion in the Rules Docket must be received on or before April 22, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-30-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** Gary Lium, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1112; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Model ATR42-200, -300, and -320 series airplanes. The DGAC advises of at least one occurrence of the inadvertent activation of the stick pusher test function. An electrical fault could be the cause of this anomaly; however, at this time, the exact cause is not known. This condition, if not corrected, could result in self-activation of the stick pusher during flight, which would cause reduced controllability of the airplane, especially during takeoff or landing.

### Explanation of Relevant Service Information

Aerospatiale has issued Service Bulletin ATR42-27-0083, dated November 22, 1996, which describes procedures for modifying the electrical wiring for the stick pusher/shaker test function. This modification is identified in the service bulletin as 04700. After modification, a functional test is performed to ensure proper system operation. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive (CN) 96-256-068(B), dated November 6, 1996, in order to assure the continued airworthiness of these airplanes in France.

### FAA's Conclusions

This airplane model is manufactured in France 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 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, this AD is being issued to prevent the stick pusher from self-activating during flight. This AD requires modifying the electrical wiring for the stick pusher/shaker test function. The actions are required to be accomplished in accordance with the service bulletin described previously.

### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-NM-30-AD." The postcard will be date stamped and returned to the commenter.

### 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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

97-04-14 Aerospatiale: Amendment 39-9939. Docket 97-NM-30-AD.

*Applicability:* Model ATR42-200, -300, and -320 series airplanes; having serial numbers up to and including 414, but excluding serial number 403; and on which Modification 04700 has not been incorporated; 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 (b) 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 self-activation of the stick pusher/shaker test function, accomplish the following:

(a) Within 60 days after the effective date of the AD, modify the electrical wiring for the stick pusher/shaker test function by installing Modification 04700 in accordance with Aerospatiale Service Bulletin ATR42-27-0083, dated November 22, 1996. After the modification is completed, prior to further flight, conduct functional testing in accordance with the service bulletin.

(b) 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.

(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) The modification shall be done in accordance with *Aerospatiale Service Bulletin ATR42-27-0083*, dated November 22, 1996. 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 *Aerospatiale*, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, 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.

(e) This amendment becomes effective on March 10, 1997.

Issued in Renton, Washington, on February 12, 1997.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 97-4103 Filed 2-20-97; 8:45 am]

BILLING CODE 4910-13-U

## Coast Guard

### 33 CFR Part 100

[CGD07-96-063]

RIN 2115-AE46

### Special Local Regulations; Invitational Rowing Regatta, Augusta, GA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** The Coast Guard is establishing permanent special local regulations for the Augusta Invitational Rowing Regatta. The Augusta Invitational Rowing Regatta will be held annually on Thursday, Friday, Saturday, and Sunday of the third week of March, between the hours of 7 a.m. and 5 p.m. local time. The nature of the event and the closure of the Savannah River creates an extra or unusual hazard on the navigable waters. These regulations are necessary to provide for the safety of life on the navigable waters. These regulations are necessary to provide for the safety of life on the navigable waters during the event.

**DATES:** March 24, 1997.

**ADDRESSES:** The docket for this rulemaking is maintained at Commander, U.S. Coast Guard Group, Charleston, 196 Tradd St., Charleston, SC, 29401. Hours are 7:30 a.m. to 3:30 p.m. Monday through Friday except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** ENS M.J. Daponte, Project Officer, Coast Guard Group Charleston, SC at (803) 724-7621.

### SUPPLEMENTARY INFORMATION:

#### Regulatory History

On December 6, 1996 the Coast Guard published a notice of proposed rulemaking entitled [CGD07-96-063] in the Federal Register (61 FR 64645). The comment period ended on February 4, 1997. The Coast Guard received no comments on the notice of proposed rulemaking. A public hearing was not requested, and no hearing was held.

#### Background and Purpose

These regulations are needed to provide for the safety of life during the Invitational Rowing Regatta. These regulations are intended to promote safe navigation on the waters off Augusta on the Savannah River during the races by controlling the traffic entering, exiting, and traveling within these waters. The anticipated concentration of spectator and event participant vessels associated with the Rowing Regatta poses a safety concern which is addressed in these special local regulations.

These regulations will not permit the entry or movement of spectator vessels and other non-participating vessel traffic between the U.S. Highway Route 1 (Fifth Street) Bridge at mile marker 199.45 and Eliot's Fish Camp at mile marker 197 from 7 a.m. and 5 p.m. local time, annually on Thursday, Friday, Saturday, and Sunday of the third week of March. These regulations will permit the movement of spectator vessels and other non-participants after the termination of the race each day, and during intervals between scheduled events at the discretion of the Coast Guard Patrol Commander.

#### Regulatory Evaluation

This regulation is not a significant regulatory action under section 3(f) of executive order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard

expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The proposed regulations will last for only 10 hours on each day of the event. No public comments were received during the notice of proposed rulemaking comment period.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rulemaking will have a significant economic impact on a substantial number of small entities. "Small Entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

The Coast Guard expects the economic impact of this regulation to be minimal and certifies under 5 U.S.C. 605(b) that this rulemaking will not have a significant impact on a substantial number of small entities because the limited area regulated and limited duration of the regulation.

#### Collection of Information

These regulations contain no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and has determined that the rulemaking does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

#### Environmental Assessment

The Coast Guard has considered the environmental impact on this rulemaking consistent with Section 2.B.2. of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994). In accordance with that instruction, specifically sections 2.B.4.g. and h., this action has been environmentally assessed (EA completed), and the Coast Guard has concluded that it will not significantly affect the quality of the human environment. An environmental assessment and a finding of no significant impact have been prepared and are available for inspection or copying where indicated under **ADDRESSES**.