

making of this amendment. Due consideration has been given to the three comments received.

All three commenters support the proposed rule.

#### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 115 airplanes of U.S. registry will be affected by this AD, that it will take approximately 24 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operator. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$165,600, or \$1,440 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 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 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:

96-16-03 Airbus Industries: Amendment 39-9703. Docket 95-NM-267-AD.

*Applicability:* Model A320-200 series airplanes on which Airbus Modification 24594 (reference Airbus Service Bulletin A320-32-1144) has not been installed, 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 damage to the internal area of the shock absorber sub-assembly, which could cause an overextension of the shock absorber and failure of the torque link, accomplish the following:

(a) Prior to the accumulation of 6,000 total landings since the shock absorber of the main landing gear (MLG) was removed, built, or overhauled; or within 6 months after the effective date of this AD; whichever occurs later: Modify the shock absorber assembly of the MLG, in accordance with Airbus Service Bulletin A320-32-1144, dated December 8, 1994.

Note 2: Airbus Service Bulletin A320-32-1144 references Dowty Aerospace Service Bulletin 200-32-215, dated July 7, 1994, and Dowty Aerospace Service Bulletin 200-32-216, Revision 1, dated November 18, 1994, as additional sources of service information for modification of the shock absorber.

(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 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.

(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 Airbus Service Bulletin A320-32-1144, dated December 8, 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 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.

(e) This amendment becomes effective on September 3, 1996.

Issued in Renton, Washington, on July 22, 1996.

S.R. Miller,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96-19013 Filed 7-26-96; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 95-NM-218-AD; Amendment 39-9698; AD 96-15-08]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 747-400 Series Airplanes Equipped With BFGoodrich Evacuation Slide/Rafts

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747-400 series airplanes, that requires modification of door 5 evacuation slide/rafts. This amendment is prompted by reports that the door 5 evacuation slide/raft failed to deploy properly due to adverse loads caused by the geometry of this evacuation slide/raft. The actions specified by this AD are intended to prevent failure of the door 5 evacuation slide/raft to deploy properly, which could contribute to injury of passengers on the slide and could delay or impede the evacuation of passengers during an emergency.

**DATES:** Effective September 3, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 3, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from BFGoodrich Company, Aircraft Evacuation Systems, Department 7916, Phoenix, Arizona 85040. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Andrew Gfrerer, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5338; fax (310) 627-5210.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 747-400 series airplanes was published in the Federal Register on April 29, 1996 (61 FR 18705). That action proposed to require modification of the door 5 evacuation slide/rafts.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

#### Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 150 BFGoodrich evacuation slide/rafts installed on 75 Boeing Model 747-400 series airplanes (2 slides per airplane) of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per slide to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$84 per slide. Based on these figures, the cost impact of the AD on U.S.

operators is estimated to be \$21,600, or \$144 per slide.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 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 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:

96-15-08 Boeing: Amendment 39-9698.  
Docket 95-NM-218-AD.

*Applicability:* Model 747-400 series airplanes equipped with BFGoodrich

Evacuation Slide/Rafts at door 5; having slide/raft assembly part number 7A1469-1, -2, -3, -4, -7, -8, -9, -10, -11, or -12 (all unit serial numbers); 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 (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 failure of the door 5 evacuation slide/raft to deploy properly, which could contribute to injury of passengers on the slide and could delay or impede the evacuation of passengers during an emergency, accomplish the following:

(a) Within 36 months after the effective date of this AD, modify the door 5 evacuation slide/rafts in accordance with BFGoodrich Service Bulletin 7A1469-25-283, dated November 6, 1995.

Note 2: Modification previous to the effective date of this AD in accordance with Boeing Alert Service Bulletin 747-25A3096, which references BFGoodrich Service Bulletin 7A1469-25-283, dated November 6, 1995, is considered acceptable for compliance with the modification requirements of paragraph (a) of this AD.

(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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(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 BFGoodrich Service Bulletin 7A1469-25-283, dated November 6, 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 BFGoodrich Company, Aircraft Evacuation Systems, Department 7916, Phoenix, Arizona 85040. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton,

Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on September 3, 1996.

Issued in Renton, Washington, on July 18, 1996.

Stewart R. Miller,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-18786 Filed 7-26-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-ANE-18; Amendment 39-9697; AD 96-15-04]

#### **Airworthiness Directives; Hartzell Propeller Inc. HC-B3TN, HC-B5MP, HC-E4A, and HC-D4N Series Propellers**

**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 propeller blades, identified by serial number, installed on Hartzell Propeller Inc. HC-B3TN, HC-B5MP, HC-E4A, and HC-D4N series propellers. This action requires, within specified hours time in service after the effective date of this AD, a one-time fluorescent dye penetrant inspection of a twelve-inch long area on both the face and camber sides of propeller blade shanks for forging flaws or cracks, and replacement of defective propeller blades with serviceable parts. In addition, this action requires this inspection prior to further flight for propellers that experience sudden or unusual vibration. This amendment is prompted by a report of an inflight propeller blade separation. The actions specified in this AD are intended to prevent propeller blade separation caused by propeller blade shank cracks emanating from forging flaws, which could result in loss of control of the aircraft.

**DATES:** Effective July 29, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 29, 1996.

Comments for inclusion in the Rules Docket must be received on or before September 27, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation

Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-ANE-18, 12 New England Executive Park, Burlington, MA 01803-5299.

Comments may also be submitted to the Rules Docket by using the following Internet address: "epd-adcomments@mail.hq.faa.gov". All comments must contain the Docket No. in the subject line of the comment.

The service information referenced in this AD may be obtained from Hartzell Propeller Inc., One Propeller Place, Piqua, OH 45356-2634, ATTN: Product Support; telephone (513) 778-4388, fax (513) 778-4321. This information may be examined 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.

#### **FOR FURTHER INFORMATION CONTACT:**

Tomaso DiPaolo, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Ave., Des Plaines, IL 60018; telephone (847) 294-7031, fax (847) 294-7834.

**SUPPLEMENTARY INFORMATION:** The Federal Aviation Administration (FAA) received a report of an inflight blade separation of a Hartzell Propeller Inc. Model HC-D4N-5C/D9327K propeller installed on a Short Brothers plc S-312 Tucano military aircraft in the United Kingdom. The investigation revealed that the propeller blade separation resulted from a crack emanating from a forging flaw in the propeller blade. This condition, if not corrected, could result in propeller blade separation caused by propeller blade shank cracks emanating from forging flaws, which could result in loss of control of the aircraft.

The FAA has reviewed and approved the technical contents of Hartzell Propeller Inc. Alert Service Bulletin (ASB) No. HC-ASB-61-220, dated July 8, 1996, that contains a list of affected propellers by model and serial number, and describes procedures for a one-time fluorescent dye penetrant inspection of a twelve-inch long area on both the face and camber sides of propeller blade shanks for forging flaws or cracks. The propeller blades identified by serial numbers are limited to those manufactured between March 1992 and June 1996, and represent a group of aluminum propeller blade designs, which are: D9327(), D9512A(), LT10673(), LT10673() - 2Q, M10282()+6, M10876(), LT10876() - 2Q, and E10477K.

Since an unsafe condition has been identified that is likely to exist or

develop on other propeller blades manufactured from the same forging die and same forging process, this AD is being issued to prevent propeller blade separation due to propeller blade shank cracks emanating from forging flaws, which could result in loss of control of the aircraft. This AD requires a one-time fluorescent dye penetrant inspection of a twelve-inch long area on both the face and camber sides of propeller blade shanks for forging flaws or cracks, and replacement of flawed propeller blades with serviceable parts. For propellers installed on agricultural or acrobatic aircraft, such as certain Air Tractor, Inc., Ayres Corporation, Norman, Pilatus Aircraft Ltd., PZL, and Short Brothers Ltd. aircraft, compliance is required within 10 hours TIS after the effective date of this AD. These agricultural and acrobatic aircraft operate in an environment that subjects the propeller to high loads. For all other propellers, regardless of aircraft installation, compliance is required within 60 hours TIS after the effective date of this AD. In addition, this AD requires the fluorescent dye penetrant inspection prior to further flight for propellers that have not been inspected in accordance with this AD, which experience a sudden or unusual vibration. This compliance prior to further flight is necessary because a timely investigation of such conditions can prevent propeller failure. The actions are required to be accomplished in accordance with the ASB described previously.

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 should 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