

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-CE-29-AD]

RIN 2120-AA64

#### Airworthiness Directives; The New Piper Aircraft Corporation Models PA31, PA31-325, PA31-350, and PA31P Airplanes

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to supersede airworthiness directive (AD) 81-11-04 that applies to The New Piper Aircraft (Piper) Models PA31, 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 inspection may be terminated when the nose wheel assembly is replaced with Cleveland P/N 40-140, which is an improved design. This action was 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:** Comments must be submitted on or before December 16, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-29-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from The New Piper Aircraft Corporation, Inc., Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida, 32960. This information also may be examined at the Rules Docket at the address above.

**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:

##### 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 should 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 that summarizes 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 No. 96-CE-29-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-29-AD, Room

1558, 601 E. 12th Street, Kansas City, Missouri 64106.

##### Discussion

##### Events Leading to the Proposed Action

The FAA has received reports on PA31 series airplanes indicating that after 2,000 hours time-in-service (TIS) cracks have occurred in the flange area of Cleveland (Parker Hannifin) nose wheel assembly, part number (P/N) 40-76B (Piper P/N 451 785). AD 81-11-04 was issued to mandate inspection of the nose wheel assembly on Piper PA31 series airplanes. This required inspection may be terminated by installing a nose wheel assembly of improved design (Cleveland P/N 40-140). The improved nose wheel assembly contains a thicker flange and is rated to a higher static load and limit load rating which will alleviate the unsafe condition.

Since the issuance of AD 81-11-04, the nose wheel on a Piper Model PA31P airplane failed during a taxiing operation. This airplane was not subject to AD 81-11-04 because the AD did not specify Piper Model PA31P airplanes. After the promulgation of AD 81-11-04, Piper issued a superseding service bulletin including the Piper Model PA31P in the applicability. Therefore, the FAA is proposing to supersede AD 81-11-04 with a new AD that includes Piper Model PA31P airplanes in the applicability and would require the same actions as AD 81-11-04.

##### Relevant Service Information

Piper issued service bulletin (SB) 700A, dated October 12, 1981, which specifies inspecting the nose wheel assembly with an option for terminating the inspection requirements by installing an improved nose wheel assembly.

##### FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken 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 and landing operations.

Since an unsafe condition has been identified that is likely to exist or develop in other Piper Models PA31, PA31-325, PA31-350 and PA31P

airplanes of the same type design, the proposed AD would supersede AD 81-11-04 with a new AD that would retain the same requirements as AD 81-11-04, which are inspecting the nose wheel assembly for cracks, and if cracked, replacing the nose wheel assembly with the same kind of nose wheel assembly and maintaining the repetitive inspection requirements, or replacing the nose wheel assembly with one of improved design. If no cracks are found, continue to repetitively inspect at regular intervals or at each tire change. Replacing the old assembly with an assembly of improved design would terminate the repetitive inspections. The proposed AD only changes the applicability of AD 81-11-04 to include Piper Model PA31P airplanes. The actions are to be done in accordance with the instructions in Piper SB 700A, dated October 12, 1981.

#### Cost Impact

The FAA estimates that 1,842 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 3 workhours per airplane to accomplish the proposed 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 the proposed AD on U.S. operators is estimated to be \$1,160,460 or \$630 per airplane. These 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 reduce the total figure from \$1,160,460 to \$1,155,420.

#### 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, 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 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) 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 has been placed 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 USC 106(g), 40113, 44701.

#### **§ 39.13—[Amended]**

2. Section 39.13 is amended by removing airworthiness directive (AD) 81-11-04, Amendment 39-4114, and by adding a new AD to read as follows:

The New Piper Aircraft, Inc.: Docket No. 96-CE-29-AD, Supersedes AD 81-11-04, Amendment 39-4114.

*Applicability:* The following Model and serial number airplanes that are 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 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 (Piper P/N 451 784), for cracks in accordance with the "Instructions" section of 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 Service Bulletin (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 or adjustment of the initial and repetitive compliance time that provides an equivalent level of safety may be approved by the Manager, 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, FAA, Atlanta Aircraft Certification Office.

(e) Alternative methods of compliance approved in accordance with AD 81-11-04 (superseded by this action) are considered approved as alternative methods of compliance with this AD.

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

(f) All persons affected by this directive may obtain copies of the document referred to herein upon request to The New Piper Aircraft, Inc., Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida 32960, or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment supersedes AD 81-11-04, Amendment 39-4114.

Issued in Kansas City, Missouri, on October 4, 1996.

Michael Gallagher,  
Manager, Small Airplane Directorate, Aircraft  
Certification Service.

[FR Doc. 96-26043 Filed 10-9-96; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 71

[Airspace Docket No. 96-AWP-22]

### Proposed Amendment of Class E Airspace; Casa Grande, AZ

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend the Class E airspace area at Casa Grande, AZ. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runways (RWYs) 05/23 has made this proposal necessary. The intended effect of this proposal is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Casa Grande Municipal Airport, Casa Grande, AZ.

**DATES:** Comments must be received on or before October 31, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Attn: Manager, Operations Branch, AWP-530, Docket No. 96-AWP-22, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California 90261.

An informal docket may also be examined during normal business at the Office of the Manager, Operations Branch, Air Traffic Division at the above address.

**FOR FURTHER INFORMATION CONTACT:** William Buck, Airspace Specialist, Operations Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6556.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views,

or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with the comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-AWP-22." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposed contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Operations Branch, Air Traffic Division, at 15000 Aviation Boulevard, Lawndale, California 90261, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Operations Branch, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedures.

#### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend the Class E airspace area at Casa Grande, AZ. The development of GPS SIAP at Casa Grande Municipal Airport has made this proposal necessary. The intended effect of this proposal is to provide adequate Class E airspace for aircraft executing the GPS RWY 05/23 SIAP at Casa Grande Municipal Airport, Casa Grande, AZ. Class E airspace designations for airspace areas extending upward from 700 feet or more

above the surface of the earth are published in Paragraph 6005 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 E airspace designation listed in this document would be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(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 10034; 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 proposed rule would 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).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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, effective September 16, 1996 is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

AWP AZ E5 Casa Grande, AZ [Revised]  
Casa Grande Municipal Airport, AZ  
(Lat. 32°57'17" N, long. 111°46'00" W)

That airspace extending upward from 700 feet above the surface beginning at lat. 32°57'00" N, long. 111°52'30" W, thence clockwise via the 5.3-mile radius of the Casa Grande Municipal Airport to lat. 32°52'30"