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Darrell M. Pederson,

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

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## 14 CFR Part 39

[Docket No. 95-CE-39-AD; Amendment 39-9805; AD 96-22-16]

RIN 2120-AA64

### **Airworthiness Directives; HB Aircraft Industries AG HB-23 2400 Hobbyliner/Scanliner Sailplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain HB Aircraft Industries AG HB-23 2400 Hobbyliner/Scanliner sailplanes. This action requires inspecting the rudder bearing support bracket for cracks, replacing the bracket if cracked, and modifying the bracket with a third bolt, if no cracks are found. Cracks found in the rudder bearing support brackets prompted this action. The actions specified by this AD are intended to prevent cracks in the rudder bearing support bracket, which could cause loss of control of the rudder and possible loss of the sailplane.

**DATES:** Effective December 30, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 30, 1996.

**ADDRESSES:** Service information that applies to this AD may be obtained from Ing. Heino Brditschka, HB-Flugtechnik Ges m.b.H, attn: Dr. Adolf Scharf, Strasse 42, Post Fach 74, A-4053, Haid, Austria. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-39-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:** Mr. J. Mike Kiesov, Project Officer, Sailplanes/Gliders, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

## **SUPPLEMENTARY INFORMATION:**

### **Events Leading to This Action**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain H.B. Flugtechnik GmbH (Flugtechnik) HB-23/2400 sailplanes (also known as HB Aircraft Industries AG HB-23 2400 Hobbyliner/Scanliner sailplanes) was published in the Federal Register on May 13, 1996, (61 FR 21980). The action proposed to require inspecting the rudder bearing support bracket for cracks, and replacing the bracket with a new bracket that has 3 bolt holes, or modifying the bracket by drilling a third hole and installing a new bolt.

Accomplishment of this action would be in accordance with Ing. Heino Brditschka Flugtechnik Ges m.b.H (HB Flugtechnik) Service Bulletin (SB) HB 23/19/91, dated October 5, 1991.

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.

### **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. These editorial corrections involve changing the name of the company and the sailplane cited in the NPRM. The NPRM referred to the sailplane name as H.B. Flugtechnik Models 23/2400, and the company as H.B. Flugtechnik GmbH. The actual company name listed on the company's Type Certificate (TC) data sheet for this sailplane is HB Aircraft Industries AG. The sailplane model listed on the TC data sheet is Model HB-23 2400 Hobbyliner/Scanliner. Therefore, the name for the company and the sailplane have been changed to reflect the correct names in the final rule. 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 one sailplane in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per sailplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$5 per sailplane. Based on these figures, the

total cost impact of the AD on U.S. operators is estimated to be \$65. This figure is based upon the assumption that no affected sailplane owner/operator has accomplished the proposed inspection and replacement.

### **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 U.S.C. 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

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

96-22-16 HB Aircraft Industries AG: Amendment 39-9805; Docket No. 95-CE-39-AD.

*Applicability:* Model HB-23 2400 Hobbyliner/Scanliner Sailplanes, (serial numbers 23001 through 23048), certificated in any category.

Note 1: This AD applies to each sailplane 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 sailplanes 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 (c) 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 50 hours time-in-service (TIS), after the effective date of this AD, unless already accomplished.

To prevent the rudder bearing support bracket from cracking, which could cause loss of rudder control and possible loss of the sailplane, accomplish the following:

(a) Inspect (one time) the rudder bearing support bracket with a 10x magnifying glass for any visible cracks in accordance with the *Actions* section of Ing. Heino Brditschka Flugtechnik Ges m.b.H (HB Flugtechnik) Service Bulletin (SB) HB-23/19/91, dated October 5, 1991.

(1) If cracks are found, prior to further flight, replace the rudder bearing support bracket with a new support bracket that has 3 bolt holes in accordance with the *Actions* section of HB Flugtechnik SB HB-23/19/91, dated October 5, 1991.

(2) If no cracks are found, modify the rudder bearing support bracket by drilling a third hole and installing a third bolt (part number M6x30), or replace the bracket with a new bracket that has 3 bolt holes in accordance with the *Actions* section of HB Flugtechnik SB HB-23/19/91, dated October 5, 1991.

(b) 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 sailplane to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) The inspection, replacement or modification required by this AD shall be done in accordance with Ing. Heino Brditschka Flugtechnik Ges m.b.H Service Bulletin HB-23/19/91, dated October 5, 1991. 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 Ing. H. Brditschka HB-Flugtechnik, Ges m.b.H, attn: Dr. Adolf Scharf, Strasse 42, Post Fach 74, A-4053, Haid, Austria. 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.

(e) This amendment (39-9805) becomes effective on December 30, 1996.

Issued in Kansas City, Missouri, on October 24, 1996.

Michael Gallagher,

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-27934 Filed 11-5-96; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 95-SW-35-AD; Amendment 39-9806; AD 96-23-01]

RIN 2120-AA64

#### **Airworthiness Directives; Bell Helicopter Textron, a Division of Textron Canada, Ltd. Model 206L-1 Helicopters**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to Bell Helicopter Textron, a Division of Textron Canada, Ltd. (BHTC) Model 206L-1 helicopters that have a Kratos turbine outlet temperature (TOT) indicator (Kratos indicator) installed, that requires replacing certain Kratos indicators. This amendment is prompted by manufacturer's tests and FAA analyses that show certain Kratos indicators may incorrectly provide low-temperature readings when the battery voltage is below 10 volts. The actions specified by this AD are intended to prevent false low-temperature indications, which could result in overheating of the engine turbine (turbine) and subsequent thermal fatigue damage to the turbine wheel.

**EFFECTIVE DATE:** December 11, 1996.

**ADDRESSES:** The service information may be obtained from BHTC, 12,800 Rue de L'Avenir, Mirabel, Quebec, Canada J7J1R4, ATTN: Product Support Engineering Light Helicopters.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jennifer Kuehn, Aerospace Engineer, Rotorcraft Certification Office, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5366, fax (817) 222-5960.

**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 BHTC Model 206L-1 helicopters was published in the Federal Register on April 10, 1996 (61 FR 15903). That action proposed to require removing the Kratos indicator and replacing it with an airworthy TOT indicator within 90 days after the effective date of this AD.

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

One commenter states that the AD should refer to the specific TOT indicator as is stated in the BHTC Model 206L-1 Illustrated Parts Catalog; otherwise, the AD will require owners/operators to obtain additional FAA approval since the particular part number referenced in the AD may not be reflected in any BHTC document. The FAA partially concurs. The FAA does not endorse specific vendors or manufacturers of parts unless those parts are the only parts authorized for use as replacements. There are alternative TOT indicator part numbers in the applicable helicopter parts catalog. The final rule will specify replacement TOT indicator part numbers, and the wording in the Compliance section has been revised to refer to using an airworthy replacement TOT indicator that is approved for this helicopter.

The same commenter states that the reference to the Alert Service Bulletin (ASB) should not be contained in a Note, and instead compliance in accordance with the ASB should be mandatory. The FAA does not concur. Generally, ASB's may be mandatory for Part 135 owners/operators, but not for Part 91 owners/operators.

Finally, the same commenter states that the AD should not require replacement of the TOT indicator, and should instead require owners/operators to ensure their helicopters' electrical systems provide at least 10 volts during startup. The FAA does not concur that this should be included in the AD. There are procedures by which owners/operators may request permission to accomplish this as an alternate means of compliance.

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.

The FAA estimates that 100 helicopters of U.S. registry will be affected by this AD, that it will take approximately 8 work hours per helicopter to accomplish the required