

accomplish those actions in the future if this AD were not adopted.

#### 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, 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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 U.S.C. 106(g), 40113, 44701.

##### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Dornier: Docket 96-NM-118-AD.

*Applicability:* Model 328-100 series airplanes having serial numbers 3005 through 3019 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 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 loosening or loss of the attachment screws, which could lead to loosening or loss of the leading edge of the wing, and consequent reduced controllability of the airplane, accomplish the following:

(a) Within 6 weeks after the effective date of this AD, replace the attachment screws for leading edge 1 of the left and right wings with longer attachment screws having part number NAS7303A5, in accordance with Dornier Service Bulletin SB-328-57-058, dated November 23, 1994.

(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.

Issued in Renton, Washington, on November 29, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-30966 Filed 12-4-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-114-AD]

RIN 2120-AA64

#### Airworthiness Directives; Dornier Model 328-100 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Dornier Model 328-100 series airplanes. This proposal would require

modification of the electrical circuits for certain avionics by rewiring and adding electrical devices. This proposal is prompted by reports indicating that failure of an engine or direct current (DC) generator during takeoff and landing, coupled with an open DC tie, could cause the avionics to fail. The actions specified by the proposed AD are intended to prevent the failure of those avionics during takeoff and landing, which consequently could result in the inability of the flight crew to respond to and control the associated systems during these critical phases of flight.

**DATES:** Comments must be received by January 17, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-114-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Connie Beane, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2796; fax (206) 227-1149.

#### 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 shall 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 summarizing 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 Number 96-NM-114-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-114-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain Dornier Model 328-100 series airplanes. The LBA advises that it has received reports indicating that the failure of an engine or direct current (DC) generator during takeoff and landing, coupled with an open DC tie in the airplane's electrical system, could cause failure of the No. 2 primary flight and multiple function displays, or the autopilot/yaw damper servos. The failure of these avionics during takeoff and landing, if not prevented, could result in the inability of the flight crew to respond to and control the systems associated with these avionics during these critical phases of flight.

#### Explanation of Relevant Service Information

Dornier has issued Service Bulletin SB-328-24-062, Revision 1, dated June 27, 1995, which describes procedures for modification of the wiring that supplies power from the non-essential bus 2 to the bus 2 avionics circuit, and from the non-essential bus 1 to the bus 1 avionics circuit. This modification entails the rewiring of these circuits and the addition of certain electrical devices. This modification is intended to correct circuit logic and wiring design discrepancies that could cause these circuits to fail if the DC tie in the electrical system remains open during takeoff and landing. The LBA classified this service bulletin as mandatory and issued German airworthiness directive 95-284, dated August 4, 1995, in order to assure the continued airworthiness of these airplanes in Germany.

#### FAA's Conclusions

This airplane model is manufactured in Germany 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 LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, 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 Proposed 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, the proposed AD would require modification of the wiring that supplies power from the non-essential bus 2 to the bus 2 avionics circuit, and from the non-essential bus 1 to the bus 1 avionics circuit, by rewiring these circuits and adding electrical devices. The actions would be required to be accomplished in accordance with the service bulletin described previously.

#### Cost Impact

The FAA estimates that 9 Dornier Model 328-100 series airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 220 work hours per airplane to accomplish the proposed modification, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$118,800, or \$13,200 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 proposed herein would 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 proposal would not have sufficient

federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

Dornier: Docket 96-NM-114-AD.

Applicability: Model 328-100 series airplanes having serial numbers 3005 through 3024 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 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 failure, during takeoff and landing, of the No. 2 primary flight and multiple function displays, or the autopilot/

yaw damper servos, which consequently could result in the inability of the flight crew to respond to and control the systems associated with these avionics during these critical phases of flight, accomplish the following:

(a) Within 6 months after the effective date of this AD, modify the wiring that supplies power from the non-essential bus 2 to the bus 2 avionics circuit, and from the non-essential bus 1 to the bus 1 avionics circuit, in accordance with Dornier Service Bulletin SB-328-24-062, Revision 1, dated June 27, 1995.

(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 §§ 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.

Issued in Renton, Washington, on November 29, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-30967 Filed 12-4-96; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 73

[Airspace Docket No. 96-ASO-10]

### Proposed Alteration and Revocation of Restricted Areas, R-3007A, B, C, D, E; Townsend, GA

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to reconfigure Restricted Areas R-3007A, B, C, D, and E at Townsend Range, GA. Specifically, this action proposes to reduce the lateral size and increase the vertical limits of the subareas, and increase the time of designation for each of the revised subareas by 6 hours per day. These amendments are necessary to accommodate Department of Defense (DOD) training requirements and to eliminate those areas of the restricted airspace that are no longer required for military activity. Additionally, this action changes the name of the using agency for the reconfigured R-3007 subareas.

**DATES:** Comments must be received on or before January 21, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ASO-500, Docket No. 96-ASO-10, Federal Aviation Administration, P.O. Box 20636, Atlanta, GA 30320. The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### 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 those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-ASO-10." The postcard will be date/time stamped and returned to the commenter. Send comments on environmental and land-use aspects to: ANG/CEVP, 3500 Fetchet Avenue, Andrews AFB, MD 20331-5157, ATTN: Lt. Col. Kent Adams. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket 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's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, Attention: Airspace and Rules Division, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the Federal Aviation Administration, Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

#### The Proposal

The FAA is proposing an amendment to part 73 of Title 14 of the Code of Federal Regulations (14 CFR part 73) to reconfigure R-3007A, B, C, D, and E, in Townsend, GA, to accommodate DOD training requirements, and eliminate restricted airspace no longer required for military training activity.

This amendment would eliminate all restricted airspace currently designated as R-3007A and approximately one half of the restricted airspace currently designated as R-3007B. The remaining restricted airspace would be reconfigured into three subareas: R-3007A, B, and C. Subarea R-3007D would be redesignated as a new area directly above the revised R-3007A, B, and C. R-3007A would be revised to describe the circular surface target area currently designated as R-3007E. The designation R-3007E would be revoked. The entire subarea currently designated as R-3007D would be redescribed as R-3007B. The existing subarea R-3007C would be revised to retain its original area, plus incorporate the remaining portion of the former R-3007B subarea. The redesignated area, R-3007D, would extend from 13,000 feet above mean sea level (MSL) to flight level 250 (FL 250) in order to accommodate high-altitude, high-angle weapons delivery training. At the present time, the existing 13,000-foot MSL ceiling at Townsend Range precludes the conduct of this essential training at the range. This action also proposes a 6-hour per day increase in the time of designation for the revised Townsend Range complex from the current "Monday-Friday, 0800-1700 local time. Other times by NOTAM at least 24 hours in advance" to "Monday-Friday, 0700-2200 local time; other times by NOTAM at least 24 hours in