

"During sustained banks of greater than 15 degrees, the Honeywell Windshear Detection and Recovery Guidance System (WSS) is desensitized and alerts resulting from encountering windshear conditions will be delayed."

(c) As of 12 months after the effective date of this AD, no person shall install on any airplane an LRU that has not been modified in accordance with paragraph (b) of this AD. However, an unmodified LRU may be installed on the airplane for up to 12 months after the effective date of this AD, provided that, during that time, the AFM limitation required by paragraph (a) of this AD remains in effect.

(d) 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 ACO. 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(e) 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.

(f) This amendment becomes effective on January 27, 1997.

Issued in Renton, Washington, on December 11, 1996.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-32050 Filed 12-18-96; 8:45 am]

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14 CFR Part 39

[Docket No. 95-CE-99-AD; Amendment 39-9841; AD 96-24-17]

RIN 2120-AA64

Airworthiness Directives; The Don Luscombe Aviation History Foundation Models 8, 8A, 8B, 8C, 8D, 8E, 8F, T-8F Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to The Don Luscombe Aviation History Foundation (referred to as Luscombe from hereon) Models 8, 8A, 8B, 8C, 8D, 8E, 8F, T-8F airplanes. This action requires installing new inspection holes, modifying the wing tip fairings, and inspecting the wing spars for intergranular corrosion. Reports of intergranular corrosion occurring in the

wings prompted this action. The actions specified by this AD are intended to prevent wing spar failure resulting from intergranular corrosion, which, if not detected and corrected, could result in structural failure of the wings and loss of control of the airplane.

DATES: Effective January 27, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 27, 1997.

ADDRESSES: Service information that applies to this AD may be obtained from The Don Luscombe Aviation History Foundation, P. O. Box 63581, Phoenix, Arizona 85082; telephone (602) 917-0969 and facsimile (602) 917-4719. 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-99-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: Ms. Lirio L. Liu, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Blvd., Lakewood, California, 90712; telephone (310) 627-5229; facsimile (310) 627-5210.

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 Luscombe Models 8, 8A, 8B, 8C, 8D, 8E, 8F, T-8F airplanes was published in the Federal Register on May 29, 1996 (61 FR 26854). The action proposed to require installing a total of four additional wing inspection holes in the metal covered wings to assist in conducting a more thorough examination of the wing spars, modifying the wing tip fairing so that it is removable, and providing easier access to the interior of the wings. A one time inspection for intergranular corrosion was proposed for both metal covered and fabric covered wings on these Luscombe airplanes in the areas of the front and rear spar extrusions of the wing installations.

Related Service Information

Accomplishment of the proposed action would be in accordance with The Don Luscombe Aviation History Foundation Recommendation #2, dated December 15, 1993, Revised November 21, 1995.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Comments were received from three commenters on the proposed rule and no comments were received on the FAA's determination of the cost to the public. Following are the comments and FAA's response.

The first commenter agreed with the content of the AD, but proposed an alternative method for gaining access to the wing spars of the metal covered wings, rather than installing the four additional inspections holes required by the Don Luscombe Aviation History Foundation Service Recommendation #2.

The FAA concurs and has found the alternative method acceptable. This change is justified based on the submittal of analysis and acceptability of the method to meet the intent of the AD. Therefore, the alternative method procedure suggested by the commenter has been included as an Appendix to this AD as an option to paragraphs (a)(1) and (a)(2) of this AD.

The second commenter states that, based on their empirical field evidence and maintenance experience, a one-time inspection is inadequate and a repetitive inspection on a bi-annual basis should be required.

The FAA does not agree. The corrosive problems prompting this AD are intergranular corrosion. This type of corrosion is an attack along the grain boundaries of a material (reference Advisory Circular (AC) 43-4A, Corrosion Control of Aircraft, dated July 25, 1991). Aluminum alloys which contain appreciable amounts of copper and zinc are highly vulnerable to intergranular corrosion if the alloy is not quenched rapidly during heat treatment or other special treatment. This is the case for the Luscombe Models 8, 8A, 8B, 8C, 8D, 8E, 8F, T-8F airplane wing spars. The intergranular corrosion is a result of manufacturing, which affected only a small number of wing spars in the fleet. If intergranular corrosion has affected the spars, it should be detectable with a one-time inspection, given the age of the fleet in service.

The third commenter states that the inspection for only intergranular corrosion is inadequate and that a repetitive inspection on a bi-annual basis should be required to inspect for all other forms of corrosion which may be attributed to rodent and bird infestation nest residue, which is corrosive to aluminum.

The FAA partially agrees and partially disagrees with this statement. The FAA

agrees, that while conducting the one-time inspection per the AD, that it be noted that other forms of corrosion may be present and should be repaired as necessary. However, checking for corrosion on a regular basis should be a part of normal care of the airplane. Mandating an inspection for corrosion because of a lack of normal maintenance is not the function of an AD. Therefore, the AD will not be changed to require a repetitive inspection, but the FAA will include a "Note" recommending inspecting for other forms of corrosion while performing the required inspection.

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 the additional incorporation of an Appendix with an alternative method of inspection, a Note recommending inspection for other forms of corrosion, and some minor editorial corrections which include changing the model designation from Luscombe Model 8 Series (which was how it was described in the NPRM), to Luscombe Models 8, 8A, 8B, 8C, 8D, 8E, 8F, T-8F airplanes. This is the way the airplane is described in the type certificate data sheet. Also, the NPRM did not state that if corrosion was found, prior to further flight, replace the corroded part. This language has been added in paragraph (b) of the AD. The FAA has determined that these 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 2,029 airplanes in the U.S. registry would be affected by this AD, that it would take approximately 7 hours per airplane to accomplish the action, and that the average labor rate is approximately \$60 an hour. The Luscombe Installation Kit #8007 costs approximately \$125 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$1,105,805. This figure includes the cost of the installation, modification, and inspection and only applies to Model 8 airplanes that have metal covered wings. For airplanes that have fabric covered wings, the cost will only be for the one-time inspection, which is estimated to take approximately 1 hour per airplane, and does not include labor and parts costs if corrosion is found and a replacement is made.

Luscombe has informed the FAA that these Installation Kits have been distributed to equip approximately 150 airplanes. Assuming that these distributed kits are incorporated on the affected airplanes, the cost of this AD would be reduced by \$81,750 from \$1,105,805 to \$1,024,055.

Compliance Time of This AD

The FAA has determined that a calendar time compliance is the most desirable method because the unsafe condition described by this AD is caused by corrosion. Corrosion initiates as a result of airplane operation, but can continue to develop regardless of whether the airplane is in service or in storage. Therefore, to ensure that the above-referenced condition is detected and corrected on all airplanes within a reasonable period of time without inadvertently grounding any airplanes, a compliance schedule based upon calendar time instead of hours time-in-service (TIS) is required.

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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

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

96-24-17 The Don Luscombe Aviation History Foundation (formerly The Luscombe Aircraft Company): Amendment 39-9841; Docket No. 95-CE-99-AD.

Applicability: Models 8, 8A, 8B, 8C, 8D, 8E, 8F, and T-8F airplanes (all 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 (e) 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 12 calendar months after the effective date of this AD, unless already accomplished.

To prevent wing spar failure resulting from intergranular corrosion, which, if not detected and corrected, could result in structural failure of the wings and loss of control of the airplane, accomplish the following:

(a) For airplanes with metal covered wings:

(1) Install two additional wing inspection holes (left wing and right wing) using the Don Luscombe Aviation History Foundation (DLAHF) Kit #8007, Wing Access and Inspection Kit, in accordance with the Compliance Procedures section, paragraphs "1B Metal Covered Wings.", (a), (a1.) through (a9.), and (b.) of The Don Luscombe Aviation History Foundation Recommendation #2, dated December 15, 1993, Revised November 21, 1995; and,

(2) Modify the wing tip fairing using the DLAHF Kit #8007, Wing Access and Inspection Kit, in accordance with the Compliance Procedures section, paragraphs "1B Metal Covered Wings.", (c), and (c1.) through (c5.) of The Don Luscombe Aviation History Foundation Recommendation #2, dated December 15, 1993, Revised November 21, 1995.

(b) For all affected airplanes, inspect one time for intergranular corrosion in the areas of the front and rear spar extrusions of the wing installations and if corrosion is found, prior to further flight, replace the corroded

part in accordance with the Compliance Procedures section, paragraph "1A. Fabric Covered Wings." or paragraph "2. Inspect" of The Don Luscombe Aviation History Foundation Recommendation #2, dated December 15, 1993, Revised November 21, 1995, whichever paragraph is applicable to the wing construction of the airplane.

(c) For airplanes with metal covered wings, an alternative method of compliance for the required modification in paragraphs (a)(1) and (a)(2) of this AD can be accomplished in accordance with the procedures contained in the Appendix to this AD.

Note 2: Although not required by this AD, the FAA recommends inspection of the spars for other forms of corrosion which may be a result of nest residue from rodent and bird infestation within the cavity of the wing. If corrosion is detected, it should be treated by the recommended maintenance procedures (reference Advisory Circular 43-4A, Corrosion Control for Aircraft, dated July 25, 1991).

(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 airplane to a location where the requirements of this AD can be accomplished.

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Los Angeles Aircraft Certification Office, 3960 Paramount Blvd., Lakewood, California, 90712. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office.

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

(f) The inspections and modifications required by this AD shall be done in accordance with The Don Luscombe Aviation History Foundation Recommendation #2, dated December 15, 1993, Revised November 21, 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 The Don Luscombe Aviation History Foundation, P. O. Box 63581, Phoenix, Arizona 85082; telephone (602) 917-0969 and fax (602) 917-4719.

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.

(g) This amendment (39-9841) becomes effective on January 27, 1997.

Appendix to AD 96-24-17

I. Inspection Procedures for Luscombe Model 8, 8A, 8B, 8C, 8D, 8E, 8F, T-8F Airplanes That Have Not Accomplished the Inspection in Accordance With the Procedures in the Don Luscombe Aviation History Foundation Recommendation #2, Dated December 15, 1993; Revised November 21, 1995

1. Remove ALL existing wing root fairings, wing inspection hole covers, and wing strut cover plates on both the right and left wing.

2. Loosen the four wing spar root attach bolts on both the right and left wings to permit a small wing angulation.

3. Perform a visual inspection of the extruded rear spar aft face of the left and right wing.

4. Inspect the spar from the root to the spliced sheet metal tip spar at the wing root fairing location.

5. To permit removal of the wing strut, unbolt the wing strut and remove the strut.

Note: In the location under a spar, support the wing half at normal height by any stable means, such as a ladder and padded lashed block. Avoid excess vertical angulation of the wing as this may stress the wing root attach point.

6. Using suitable light and the access gained by the wing strut hole, visually inspect the front of the rear spar and the rear of the front spar for abnormal bulges or erupted spar surfaces. (See also Note 2 in the body of AD 96-24-17)

7. Remove the wing tip fairing by drilling out the rivets (using a #30 drill or smaller), and inspect the spars for abnormal bulges or erupted spar surfaces in the "U channel attach area" of each spar, and the outer lengths to the splices of the sheet metal spar extrusions. (See Note 2 in the body of AD 96-24-17)

Note: Inspection of the front of the front spar may be performed by using the existing inspection holes and a "light trolley" on the upper aileron cable. The light trolley is made from a standard clear 110 volt bathroom night light connected to a candelabra socket lamp extension cord. Attach the light trolley to the upper aileron cable with a tie wrap, connect a wire of suitable length to the tie wrap and use this as a means to move the light along the face of the spar.

8. Reattach wing tip fairings with approved sheet metal screws or approved pop rivets.

9. Reassemble wing strut on inspected wing, protecting the root joint by avoiding excess vertical deflection. Check the lock nuts for wear and replace as necessary. Torque the strut ends and wing root bolts using adequate torque (do not over torque the attach fittings).

10. If evidence of intergranular corrosion is detected, remove and replace the corroded part with an airworthy part.

11. Upon completion of the inspection, replace the wing root fairings, wing inspection hole covers and wing strut covers.

Issued in Kansas City, Missouri, on November 25, 1996.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-30684 Filed 12-18-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 71

[Airspace Docket No. 93-AWA-13]

RIN 2120-AA66

Modification of the Los Angeles Class B Airspace Area; California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule modifies the Los Angeles (LAX) Class B airspace area, California (CA). Specifically, this action lowers the ceiling of the LAX Class B airspace area from 12,500 feet mean sea level (MSL) to 10,000 feet MSL; reconfigures and/or raises the lower limits of several existing subareas to provide additional airspace for general aviation (GA) aircraft to navigate outside or under the LAX Class B airspace area; and creates several subareas in order to contain operations within the LAX Class B airspace area. The FAA is taking this action to enhance safety, to reduce the potential for midair collision in this high density traffic area, and to improve the management of air traffic operations into, out of, and through the LAX Class B airspace area.

EFFECTIVE DATE: 0901 UTC, July 17, 1997.

FOR FURTHER INFORMATION CONTACT: William C. Nelson, 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:

Background

Airspace reclassification, which became effective September 16, 1993, discontinued the use of the term "Terminal Control Area" (TCA) and replaced it with the term "Class B airspace." This change in terminology is reflected in this rule.

On May 21, 1970, the FAA published Amendment No. 91-78 to part 91 of the Federal Aviation Regulations (35 FR 7782). This rule provided for the establishment of Class B airspace. Class B airspace was developed to reduce the potential for midair collision in the congested airspace surrounding airports with high density air traffic by