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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 CFM International, Technical Publications Department, One Neumann Way, Cincinnati, OH 45215; telephone (513) 552-2981, fax (513) 552-2816. Copies may be inspected 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.

(k) This amendment becomes effective on June 3, 1997.

Issued in Burlington, Massachusetts, on February 27, 1997.

**James C. Jones,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 97-7979 Filed 4-3-97; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 96-NM-131-AD; Amendment 39-9982; AD 97-07-08]

RIN 2120-AA64

#### Airworthiness Directives; Jetstream Model 4101 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Jetstream Model 4101 airplanes, that requires the replacement of weight limitation placards in the aft main baggage bay and in the aft right stowage compartment with new placards indicating lower maximum weight limits. It also requires a revision of the Airplane Flight Manual to delete references to the current higher weight limits for these areas. This amendment is prompted by a report indicating that existing weight limitations could result in failure of the front bulkhead of the aft main baggage bay and doors of the aft right stowage compartment during emergency dynamic landing conditions. The actions specified by this AD are intended to prevent such failure, which consequently could result in injury to passengers and flight crew, and hinder

evacuation of the airplane through the exit adjacent to this bulkhead.

**DATES:** Effective May 9, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 9, 1997.

**ADDRESSES:** The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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 Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

**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 Jetstream Model 4101 airplanes was published in the **Federal Register** on December 6, 1996 (61 FR 64643). That action proposed to require removal of the weight limitation placards in the aft main baggage bay and aft right stowage compartment, and replacement with new placards that establish lower maximum weight limits in these areas. It also proposed to require a revision to the AFM for certain airplanes that would remove references to higher weight limits in effect before the new placards are installed.

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

#### Support for the Proposal

One commenter supports the proposed AD.

#### Request to Withdraw Proposal

One commenter requests that the proposal be withdrawn since there would be no U.S. airplanes subject to it. The commenter points out that the applicability statement of the proposal indicates that airplanes listed in Jetstream Service Bulletin J41-11-004 would be subject to the AD. However, that service bulletin states that it does not affect any airplanes on which the procedures specified in Jetstream

Service Bulletin J41-53-006 have been accomplished. The commenter states that only 18 U.S. airplanes would be applicable to the proposed AD, and all of those airplanes are owned by one U.S. operator (the commenter). All of these airplanes have been modified in accordance with Jetstream Service Bulletin J41-53-006. In light of this, the proposal would not be applicable to any U.S. airplane and, therefore, should be withdrawn.

The FAA does not concur with the commenter's request to withdraw the proposal, for the following reasons:

First, the FAA acknowledges that the Cost Impact section of the preamble to the notice erroneously indicated that 44 airplanes would be affected by the proposed AD; although this number was in error, the correct number of airplanes affected is 25, not 18, as stated by the commenter. (The referenced Jetstream Service Bulletin J41-11-014 also lists a total of 25 possibly affected airplanes.) Accordingly, the Cost Impact information, below, has been corrected to show that 25 airplanes are affected by the requirements of the AD.

Second, the FAA has no evidence to prove that all 25 affected airplanes have been modified in accordance with Jetstream Service Bulletin J41-53-006, and thus would not be subject to the AD.

Third, even if all affected airplanes have been modified in accordance with Jetstream Service Bulletin J41-53-006, the issuance of this AD is still necessary to make it mandatory that the correct placards are installed and the AFM revision is accomplished on all affected airplanes on the U.S. register. This AD is also required to ensure that, if the modification described in Service Bulletin J41-53-006 is removed from a modified airplane at a later date, the placards and AFM revision required by this AD are implemented.

#### 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 25 Jetstream Model 4101 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour 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 operators. Based on these figures, the cost impact of the AD on

U.S. operators is estimated to be \$1,500, or \$60 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:

**97-07-08 Jetstream Aircraft Limited:** Amendment 39-9982. Docket 96-NM-131-AD.

**Applicability:** Model 4101 airplanes, as listed in Jetstream Service Bulletin J41-11-

014, dated January 18, 1996; 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 (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 as indicated, unless accomplished previously.

To prevent failure of the front bulkhead of the aft main baggage bay and the doors of the aft right stowage compartment during emergency landing dynamic conditions, which consequently could result in injury to passengers and flight crew and hinder evacuation of the airplane through the exit adjacent to the bulkhead, accomplish the following:

(a) For all airplanes: Within 30 days after the effective date of this AD, replace the weight limitation placards in the aft main baggage bay and aft right stowage compartment with new placards indicating lower maximum weight limitations, in accordance with Jetstream Service Bulletin J41-11-014, dated January 18, 1996.

(b) For airplanes having constructor numbers 41041 through 41043 inclusive, 41045, 41055, 41058, 41059, 41063, and 41064: Within 30 days after the effective date of this AD, after accomplishment of the requirements of paragraph (a) of this AD, revise the FAA-approved Airplane Flight Manual by removing Amendment P25, in accordance with Jetstream Service Bulletin J41-11-014, dated January 18, 1996.

(c) 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.

(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) The actions shall be done in accordance with Jetstream Service Bulletin J41-11-014, dated January 18, 1996. 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 Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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.

(f) This amendment becomes effective on May 9, 1997.

Issued in Renton, Washington, on March 26, 1997.

**Darrell M. Pederson,**

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

[FR Doc. 97-8265 Filed 4-3-97; 8:45 am]

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### 14 CFR Part 39

[Docket No. 96-NM-101-AD; Amendment 39-9983; AD 97-07-09]

RIN 2120-AA64

### Airworthiness Directives; Airbus Model A300 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A300 series airplanes, that requires repetitive checks and testing of certain equipment that regulates the flow of fuel from wing tank 2A to the number 2 engine. This amendment also requires replacement of this equipment with equipment that has been designed to prevent incorrect installation; this replacement is considered to be terminating action for the repetitive equipment checks and tests. This amendment is prompted by reports indicating that the incorrect installation of this equipment has caused the flight crew to shut off, rather than open, certain valves that regulate the flow of fuel from between this tank and engine. The actions specified by this AD are intended to detect and rectify incorrect installations, which could result in the flight crew inadvertently shutting off the flow of fuel to the engine, and consequent engine failure during flight.

**DATES:** Effective May 9, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 9, 1997.

**ADDRESSES:** The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex,