

address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent detonation due to low octane, which can result in severe engine damage and subsequent failure, accomplish the following:

(a) For engines that are certified to operate on only 91 or higher octane aviation gasoline (avgas) within the next 2 hours time in service (TIS) after the effective date of this airworthiness directive (AD) perform an engine teardown and analytical inspection, and replace with serviceable parts as necessary in accordance with the applicable overhaul manuals.

(b) For engines that are certified to operate on 80 octane avgas, within the next 2 hours TIS after the effective date of this AD conduct a differential compression test on all cylinders in accordance with the applicable maintenance manuals, and examine the oil filter by cutting the oil filter apart and spreading the filter paper out to look for metal particles. If metal particles are present, or if one or more cylinders shows unacceptable compression as specified in the applicable maintenance manuals, perform an engine teardown and analytical inspection, and replace with serviceable parts as necessary in accordance with the applicable overhaul manuals.

Note: Additional guidance for conducting differential compression tests is contained in paragraph 692 of Advisory Circular (AC) No. 43.13-1A, dated 1988.

(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, Engine and Propeller Standards Staff. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Engine and Propeller Standards Staff.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine and Propeller Standards Staff.

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

(e) This amendment becomes effective February 13, 1996, to all persons except those persons to whom it was made immediately effective by priority letter AD 94-11-10, issued June 23, 1994, which contained the requirements of this amendment.

Issued in Burlington, Massachusetts, on January 11, 1996.

Jay J. Pardee,

Manager, Engine and Propeller Directorate,
Aircraft Certification Service.

[FR Doc. 96-1411 Filed 1-26-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-ANE-70; Amendment 39-9489, AD 96-02-04]

Airworthiness Directives; Franklin Model 6A4-150-B3 and 6A4-165-B3 Reciprocating Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Franklin Model 6A4-150-B3 and 6A4-165-B3 reciprocating engines, installed on the following U.S. registered aircraft: N6209M, N74231, and N752C. This action supersedes priority letter AD 94-14-11 that currently requires engines certified to operate on 91 octane or higher avgas to undergo a teardown and analytical inspection for detonation damage, and engines certified to operate on 80 octane avgas to undergo inspection for evidence of possible internal engine damage. This action revises incorrect engine model numbers listed in the priority letter AD. This amendment is prompted by updated information that has identified the correct engine model numbers. The actions specified by this AD are intended to prevent detonation due to low octane, which can result in severe engine damage and subsequent failure.

DATES: Effective February 13, 1996.

Comments for inclusion in the Rules Docket must be received on or before March 29, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-ANE-70, 12 New England Executive Park, Burlington, MA 01803-5299.

FOR FURTHER INFORMATION CONTACT: Locke Easton, Aerospace Engineer, Engine and Propeller Standards Staff, FAA, Engine and Propeller Directorate, 12 New England Executive Park; telephone (617) 238-7113, fax (617) 238-7199.

SUPPLEMENTARY INFORMATION: On June 23, 1994, the Federal Aviation Administration (FAA) issued priority

letter airworthiness directive (AD) 94-14-11, applicable to Franklin Model 6A4-150-B3 and 6A4-165-B3 reciprocating engines, installed on the following U.S. registered aircraft: N6209M, N74231, and N752C. That action requires teardown and analytical inspection for engines certified to operate on 91 or higher octane aviation gasoline (avgas), and differential compression test and examination of the oil filter for engines certified to operate on 80 octane avgas. That action was prompted by reports of reports of aviation gasoline (avgas) being contaminated by Jet A fuel. After investigation, the source of the contamination has been determined to be the refiner of the avgas. Through its distribution system, the refiner inadvertently caused Jet A fuel to be loaded into distribution tanks intended for avgas. Contaminated avgas from these distribution tanks was then shipped to local fuel distributors. The FAA has determined that aircraft with certain Franklin engines installed were fueled with this contaminated mixture between May 22 and June 2, 1994, at Sacramento Executive (SAC) airport, or between May 18 and June 2, 1994, at Sacramento Metro (SMF) airport. The list of U.S. registered aircraft specified in the applicability paragraph of this AD is based on investigation of fueling records secured from the two affected airports, which the FAA has determined to represent the population of affected engines. That condition, if not corrected, could result in detonation due to low octane, which can result in severe engine damage and subsequent failure.

This AD requires engines certified to operate on 91 octane or higher avgas to undergo a teardown and analytical inspection for detonation damage, and engines certified to operate on 80 octane avgas to undergo inspection for evidence of possible internal engine damage. Engineering analysis of operating these engines with avgas contaminated with Jet A fuel indicates that actual damage to the engine may range from unnoticeable to very severe, according to the duration of run, engine power level, and level of contamination. Damage may be characterized by increased operating temperatures resulting in damaged intake valves and burned pistons, and excessive loads imposed by detonation. Since internal damage may not be assessed by any other method, engines certified to operate on 91 octane or higher avgas must undergo a teardown and analytical inspection and any parts showing signs of detonation damage must be replaced.

Investigation revealed the lowest octane level of the contaminated fuel to be 83 octane, therefore engines certified to operate on 80 octane avgas need not undergo a teardown and analytical inspection unless evidence of internal engine damage is present by the required differential compression test and examination of the oil filter for metal particles. The refiner has advised the FAA that it may pay for any reasonable expense associated with the inspection and/or disassembly in accordance with the mechanic's and manufacturer's recommendations.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of this same type design, this AD supersedes priority letter AD 94-14-11 to revise incorrect engine model numbers listed in the priority letter AD.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD 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 95-ANE-70." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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), 40101, 40113, 44701.

§ 39.13 [Amended]

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

96-02-04 Franklin: Amendment 39-9489. Docket No. 95-ANE-70. Supersedes AD 94-14-11.

Applicability: Franklin Model 6A4-150-B3 and 6A4-165-B3 reciprocating engines,

installed on the following U.S. registered aircraft: N6209M, N74231, and N752C.

Note: This airworthiness directive (AD) applies to each engine 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 engines that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the Federal Aviation Administration (FAA). This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously. Detonation due to low octane, which can result in severe engine damage and subsequent failure, accomplish the following:

(a) For engines that are certified to operate on only 91 or higher octane aviation gasoline (avgas) within the next 2 hours time in service (TIS) after the effective date of this airworthiness directive (AD) perform an engine teardown and analytical inspection, and replace with serviceable parts as necessary in accordance with the applicable overhaul manuals.

(b) For engines that are certified to operate on 80 octane avgas, within the next 2 hours TIS after the effective date of this AD conduct a differential compression test on all cylinders in accordance with the applicable maintenance manuals, and examine the oil filter by cutting the oil filter apart and spreading the filter paper out to look for metal particles. If metal particles are present, or if one or more cylinders shows unacceptable compression as specified in the applicable maintenance manuals, perform an engine teardown and analytical inspection, and replace with serviceable parts as necessary in accordance with the applicable overhaul manuals.

Note: Additional guidance for conducting differential compression tests is contained in paragraph 692 of Advisory Circular (AC) No. 43.13-1A, dated 1988.

(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, Engine and Propeller Standards Staff. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Engine and Propeller Standards Staff.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine and Propeller Standards Staff.

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

(e) This amendment supersedes priority letter AD 94-11-11, issued June 23, 1994.

(f) This amendment becomes effective on February 13, 1996.

Issued in Burlington, Massachusetts, on January 11, 1996.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 96-1410 Filed 1-26-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-19-AD; Amendment 39-9501; AD 96-03-04]

Airworthiness Directives; General Dynamics (Convair) Model 240 Series Airplanes, Including Model T-29 (Military) Airplanes; Model 340 and 440 Series Airplanes; and Model C-131 (Military) Airplanes; Including Those Modified for Turbo-Propeller Power

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to various General Dynamics (Convair) airplanes, that requires revising the Airplane Flight Manual to require that the flight crew limit the flap settings during certain icing conditions and air temperatures. This amendment is prompted by reports indicating that incidents involving uncommanded pitch excursions have occurred due to ice contaminated tailplane stall (ICTS) that occurred during or following flight in icing conditions. If flap settings are increased for landing when conditions for ICTS are present, elevator control could be affected adversely and the airplane could descend uncontrollably. The actions specified by this AD are intended to ensure that the flight crew is advised of the potential hazard related to increasing the flap settings when conditions for ICTS are present, and the procedures necessary to address it.

EFFECTIVE DATE: February 28, 1996.

ADDRESSES: Information pertaining to this rulemaking action may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT:

Andrew Gfrerer, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5338; fax (310) 627-5210.

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 various General Dynamics (Convair) airplanes was published in the Federal Register on June 16, 1995 (60 FR 31648). That action proposed to require revising the FAA-approved Airplane Flight Manual (AFM) to require that the flight crew limit the flap settings during certain icing conditions and air temperatures.

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 supports the proposed rule.

One commenter supports the proposed rule, but believes that an allowance should be made for using a setting of greater than flaps 30 after icing conditions have been encountered if outside air temperatures in the landing area are well above freezing. The commenter indicates that icing conditions may be encountered at cruising altitudes, but the ground temperatures could be much warmer. The commenter believes that there is virtually no chance that ice would remain on the tail. From the commenter's experience, all ice that has collected on the wing leading edges, engine nacelles, windscreens, and windshield wipers will have disappeared by the time the indicating outside air temperature has reached +5 degrees Celsius on descent.

In light of these remarks, the commenter suggests that the AFM revision required by paragraph (a) of the proposed rule be reworded as follows:

"Flap selection is limited to a maximum of 30 degrees after icing conditions have been encountered if the indicated OAT on approach is +5 degrees Celsius or lower; or if icing conditions are anticipated during approach and landing; or when the outside air temperature is +5 degrees Celsius or below and any visible moisture is present."

The FAA does not concur with the commenter's suggestion. Operators cannot generally assume that accreted ice will not be present on wings and

tailplanes if the outside air temperatures are above +5 degrees Celsius on approach. Ice sublimation, melting, and shedding are not only functions of temperature, but also are dependent upon other factors such as the nature, size, and extent of ice accretion; operation of ice protection systems; time of flight in temperatures above freezing; and airplane speed.

The commenter's concern regarding incurring a flap extension limitation after encountering, and then departing, icing conditions has merit. However, the airplane must be free of ice before the flaps are extended to greater than 30 degrees. Since ice can accrete on tailplanes with a small leading edge radius when there is no evidence of ice accretion on the wings, a method of visual inspection of the wings, tailplanes, and/or proven ice detectors or ice evidence probes would be necessary to assure clean surfaces.

One commenter requests that the proposed AD be withdrawn. The commenter states that the airplane can be operated quite safely within the environment to which it is certified when the anti-icing system is operational and functioning, and when that system is used in the manner in which it was intended.

The FAA does not concur with the commenter's request. Test pilots of Convair Model 5800 series airplanes actually experienced evidence of ice contaminated tailplane stall (ICTS) during pushover maneuver flight tests. (Model 5800 series airplanes are similar to Model 340 series airplanes equipped with turbo-prop engines.) For this reason the type certificate holder agreed with the FAA that a flap extension restriction during operation in icing conditions is necessary. The specific flight test used to determine susceptibility to ICTS is a pushover maneuver to generate an increased angle of attack on the horizontal tailplane. This maneuver is performed with ice shapes on the tailplane and flaps in approach and landing positions, at speeds from near approach to maximum for the configurations. The test procedure requires a push force throughout the maneuver to zero load factor. A force reversal would be indicative of an elevator hinge moment reversal caused by airflow separation due to accreted ice and an increased angle of attack due to pitch rate, and would define the aircraft as susceptible to ICTS. Because all affected Convair airplane models have tailplane designs that are similar to the model tested, this AD requires a flap limitation.

The FAA has revised this final rule to clarify that the unsafe condition