

known as Pitts Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B airplanes), all serial numbers, certificated in any category, that are equipped with aft lower fuselage wing attach fittings incorporating part number (P/N) 76090, 2-2107-1, or 1-210-102, and where these aft lower fuselage wing attach fittings on both wings have not been modified in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat Service Bulletin (SB) No. 25, dated April 3, 1996.

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 initially within the next 50 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 50 hours TIS.

To prevent possible in-flight separation of the wing from the airplane caused by a cracked aft lower fuselage wing attach fitting, accomplish the following:

- (a) Inspect the aft lower fuselage wing attach fitting on both wings for cracks in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat Service Bulletin (SB) No. 25, dated April 3, 1996.
- (b) If any cracked aft lower fuselage wing attach fitting is found during any inspection required by this AD, prior to further flight, modify the cracked aft lower fuselage wing attach fitting in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 25, dated April 3, 1996. Repetitive inspections are no longer necessary on a cracked aft lower fuselage wing attachment fitting that has the referenced modification incorporated.
- (c) Modifying the aft lower fuselage wing attach fitting on both wings in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 25, dated April 3, 1996, is considered terminating action for the repetitive inspection requirement of this AD.
- (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 initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Denver Aircraft Certification Office, 5440 Roslyn Street, suite 133, Denver, Colorado 80216. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Denver ACO.

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

(f) The inspection and modification (if necessary) required by this AD shall be done in accordance with Aviat Service Bulletin No. 25, dated April 3, 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 Aviat Aircraft, Inc., P.O. Box 1240 (postal service delivery), 672 South Washington Street (express mail), Afton, Wyoming 83110. 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 (39-9645) becomes effective on June 24, 1996.

Issued in Kansas City, Missouri, on May 29, 1996.

Michael Gallagher,  
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-14051 Filed 6-5-96; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 90-CE-60-AD; Amendment 39-9654; AD 96-12-12]

RIN 2120-AA64

#### Airworthiness Directives; The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation) Models PA31, PA31-300, PA31-325, and PA31-350 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule

**SUMMARY:** This amendment supersedes Airworthiness Directive (AD) 80-22-04, which currently requires the following on The New Piper Aircraft, Inc. (Piper) Models PA31, PA31-300, PA31-325, and PA31-350 airplanes: repetitively inspecting the upper section of Fuselage Station (FS) 317.75 bulkhead for cracks, and incorporating a certain reinforcement kit if any crack is found. This action requires inspecting (one-time) the upper section of the FS 317.75 bulkhead for cracks, and incorporating one of two reinforcement kits depending on whether cracks are found in the FS 317.75 bulkhead area. Cracks found on airplanes in compliance with the inspection requirements of AD 80-22-04 and the Federal Aviation Administration's policy on aging commuter-class aircraft prompted this action. The actions specified in this AD are intended to prevent structural

failure of the vertical fin forward spar caused by cracks in the FS 317.75 bulkhead, which, if not detected and corrected, could result in loss of control of the airplane.

**DATES:** Effective July 16, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 16, 1996.

**ADDRESSES:** Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 90-CE-60-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:** Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

#### SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper Models PA31, PA31-300, PA31-325, and PA31-350 airplanes was published in the Federal Register on January 31, 1996 (61 FR 3338). The action proposed to supersede AD 80-22-04 with a new AD that would require inspecting (one-time) the upper section of the FS 317.75 bulkhead for cracks in accordance with Piper Service Bulletin No. 636A, dated August 26, 1980, and accomplishing one of the following, as applicable:

- If any crack is found, incorporating Piper Kit 764-028 in accordance with the instructions to that kit, revised June 18, 1990; or
- If no crack is found, incorporating Piper Kit 763-917 in accordance with the instructions to that kit, revised June 18, 1990.

Cracks found on airplanes in compliance with the inspection requirements of AD 80-22-04 prompted the proposal.

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.

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. 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 2,810 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 12 workhours (average of 8 workhours for Kit 763-917 and 16 workhours for Kit 764-028) per airplane to accomplish the required installation, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$300 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$2,866,200 or \$1,020 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required installation.

Piper has informed the FAA that bulkhead reinforcement kits have been distributed to equip at least 15 of the affected airplanes. Assuming that each of the kits has been incorporated on an affected airplane, the cost impact of this AD upon U.S. owners/operators of the affected airplanes will be reduced by \$15,300 from \$2,866,200 to \$2,850,900.

#### 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 removing Airworthiness Directive (AD) 80-22-04, Amendment 39-3943, and by adding a new AD to read as follows:

96-12-12 The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Amendment 39-9654; Docket No. 90-CE-60-AD. Supersedes AD 80-22-04, Amendment 39-3943.

*Applicability:* The following model and serial number airplanes, certificated in any category, that do not have either Piper Kit 764-028 or Piper Kit 763-917 incorporated at the Fuselage Station (FS) 317.75 bulkhead area:

Models	Serial Nos.
PA31, PA31-300, and PA31-325.	31-2 through 31-7912039.
PA31-350 .....	31-5001 through 31-7952071.

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 (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 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent structural failure of the vertical fin forward spar caused by cracks in the FS 317.75 bulkhead, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Inspect the upper section of the FS 317.75 bulkhead for cracks in accordance with the INSTRUCTIONS section of Piper Service Bulletin No. 636A, dated August 26, 1980.

(1) If any crack is found, prior to further flight, incorporate Piper Kit 764-028 in accordance with the instructions included with that kit, revised June 18, 1990.

(2) If no crack is found, prior to further flight, incorporate Piper Kit 763-917 in accordance with the instructions included with that kit, revised June 18, 1980.

(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 airplane 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, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

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

Note 3: Alternative methods of compliance approved in accordance with AD 80-22-04 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

(d) The inspection required by this AD shall be done in accordance with Piper Service Bulletin No. 636A, dated August 26, 1980. The installation required by this AD shall be done in accordance with the instructions to Piper Kit 764-028, revised June 18, 1990, or Piper Kit 763-917, revised June 18, 1990, as applicable. 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 New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960. 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 (39-9654) supersedes AD 80-22-04, Amendment 39-3943.

(f) This amendment (39-9654) becomes effective on July 16, 1996. Issued in Kansas City, Missouri, on May 30, 1996.

John R. Colomy,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-14174 Filed 6-5-96; 8:45 am]

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