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 with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 41 Jetstream Model 4101 airplanes of the affected design in the worldwide fleet. The FAA estimates that 19 airplanes of U.S. registry will be affected by this AD, that it will take approximately 35 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $39,900, or $2,100 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. However, the FAA has been advised that at least 5 airplanes of U.S. registry already have been modified; therefore, the future cost impact of this AD is reduced by at least $10,500.

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:

96–13–10 Jetstream Aircraft Limited: Amendment 39–9678. Docket 95–NM–159–AD.

Applicability: Model 4101 airplanes; having serial numbers 41004 through 41044, 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 use the authority provided in paragraph (b) of this AD to request approval from the 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 airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent fatigue-related cracking in the surround structure of the Type II emergency exit, which could result in reduced structural integrity of the fuselage pressure vessel, accomplish the following:

(a) Prior to the accumulation of 7,200 total landings, or within 1,400 landings after the effective date of this AD, whichever occurs later, modify the existing diaphragms on the surround structure of the Type II emergency exit in accordance with Jetstream Service Bulletin J41–53–014, dated July 24, 1995; or Revision 1, dated February 9, 1996.

(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.

(d) The modification shall be done in accordance with Jetstream Service Bulletin J41–53–014, dated July 24, 1995; or Jetstream Service Bulletin J41–53–014, Revision 1, dated February 9, 1996, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 3	1	Feb. 9, 1996.
2, 4–13	Original	July 24, 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 A.I.R. American Support, Inc., 13850 McLaren Road, Herndon, Virginia 22071. 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.

(e) This amendment becomes effective on August 2, 1996.

Issued in Renton, Washington, on June 17, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–15956 Filed 6–27–96; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 39

[Docket No. 96–NM–129–AD; Amendment 39–9677; AD 96–13–09]

RIN 2120–AA64

Airworthiness Directives; Jetstream Model 4101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to all Jetstream Model 4101

airplanes. This action requires a review of maintenance records to determine the time-in-service (TIS) of the bearings in the starter/generators of both engines. This action also establishes a new TIS limit for the bearings, and requires replacement of the starter/generator unit with a serviceable unit, if necessary. This amendment is prompted by reports of controlled in-flight engine shutdowns resulting from failure of the bearings in the starter/generator unit. The actions specified in this AD are intended to prevent such failure of the bearings of the starter/generator, which could cause severe vibrations and resultant in-flight shutdown of one or both engines.

DATES: Effective July 15, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 15, 1996.

Comments for inclusion in the Rules Docket must be received on or before August 27, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–129–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

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 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.

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: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on all Jetstream Model 4101 airplanes. The CAA advises that it has received reports of controlled in-flight engine shutdowns. Investigation has revealed that the bearings of the direct current (DC) starter/generator failed, which resulted in severe vibration. The bearing failures that resulted in engine shutdown occurred at 409, 433, and 470 hours time-in-service (TIS). These conditions, if not corrected, could result in an in-flight engine shutdown.

Explanation of Relevant Service Information

Jetstream has issued Alert Service Bulletin J41–A24–036, dated February 26, 1996, which describes procedures for reviewing the airplane maintenance records to determine the number of hours TIS that the bearings of the DC starter/generator have accumulated. The alert service bulletin also describes procedures to remove and replace the starter/generator units with serviceable units when the bearings have reached a certain (reduced) TIS limit. Such replacement of one of the starter/generator units (per airplane) when the bearings have reached a certain reduced TIS limit, reduces the possibility of the bearings failing in both of the starter/generator units on any one airplane during the same flight. The CAA classified this service bulletin as mandatory and issued United Kingdom airworthiness directive 002–02–96, dated March 1, 1996, in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom 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 CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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 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, this AD is being issued to prevent in-flight engine shutdown of both engines on the same flight due to failure of the bearings of the starter/generators of the engines and resultant severe vibration. This AD requires a review of maintenance records to determine the TIS of the bearings in the starter/generators of both engines. This action also establishes a new TIS limit for the bearings in one of the two starter/generator units on each airplane, and requires replacement of the unit with a serviceable unit. The actions are required to be accomplished in accordance with the service bulletin described previously.

Differences Between Service Bulletin and AD

Operators should note that the requirements of this AD differ from certain TIS recommendations in the referenced alert service bulletin. Specifically, this AD establishes a new limit of 300 hours TIS for the bearings of one of the starter/generators of each airplane, rather than specifying replacement of the unit when 300 hours ''remain'' on the unit before scheduled bearing replacement, as indicated in the alert service bulletin. The FAA considers that replacement of a unit with 300 hours ''remaining'' on the unit could permit a unit to operate significantly longer than 300 hours TIS if the TIS limit for the unit had previously been extended. The FAA finds that specifying a 300-hour TIS limit for the bearings of one of the starter/generator units per airplane will ensure that, at no one time, will an airplane be operating with both starter/generator units having more than 300 hours TIS on the bearings. A review of starter/generator unit failure reports and consideration of probability of failure requirements in the type certification basis for Jetstream Model 4101 airplanes support the establishment of a 300-hour TIS limit for the bearings of one of the starter/generator units on each airplane. This limit will ensure an acceptable level of safety, as related to continued availability of power from both engines on Jetstream Model 4101 airplanes. Additionally, the manufacturer has notified the FAA that the availability of ample parts may be a problem should the AD require both starter/generator units to be replaced if their bearings exceed the TIS limit. The FAA has determined that limiting the bearings to 300 hours TIS on at least one of the starter/generator units on the airplane provides an adequate level of safety; therefore, this AD establishes a 300-hour TIS limit for the bearings of only one of the two starter/generator units of the airplane.

Interim Action

This is considered to be interim action. The manufacturer has advised that it currently is developing a modification that will positively address the unsafe condition addressed by this AD. Once the modification is developed, approved, and available, the FAA may consider further rulemaking.

Determination of Rule's Effective Date

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 shall 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 rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–129–AD.'' The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it 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), 40113, 44701.

§ 39.13 [Amended]

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

96–13–09 Jetstream Aircraft Limited: Amendment 39–9677. Docket 96–NM–129–AD.

Applicability: All Model 4101 airplanes, 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 (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 severe vibration of one or both engines, which could cause in-flight engine shutdown, accomplish the following:

(a) Within 7 days after the effective date of this AD, review the airplane maintenance records to determine the hours time-in-service (TIS) accumulated on the bearings in the starter/generator units of both engines, in accordance with Jetstream Alert Service Bulletin J41–A24–036, dated February 26, 1996.

(1) If the bearings on both of the starter/generator units have accumulated 300 or more hours TIS: Prior to further flight, replace at least one of the starter/generator units with a unit having bearings with less than 300 hours TIS, in accordance with the alert service bulletin.

(2) If the bearings on one or both starter/generator units have bearings with less than 300 hours TIS: Prior to the accumulation of 300 hours TIS on the bearings on both starter/generator units, remove at least one of the units and replace it with a unit having bearings with less than 300 hours TIS, in accordance with the alert service bulletin.

(b) As a continuing requirement thereafter: Prior to the accumulation of 300 hours TIS on the bearings on both of the starter/generator units on the airplane, remove at least one of the units and replace it with a unit having bearings with less than 300 hours TIS, in accordance with Jetstream Alert Service Bulletin J41–A24–036, dated February 26, 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 Alert Service Bulletin J41–A24–036, dated February 26, 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 July 15, 1996.

Issued in Renton, Washington, on June 17, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–15954 Filed 6–27–96; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 39

[Docket No. 95–NM–231–AD; Amendment 39–9681; AD 96–13–12]

RIN 2120–AA64

Airworthiness Directives; Dornier Model 328–100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328–100 series airplanes, that requires replacement of a bus power control unit (BPCU) and two generator control units (GCU) with new improved units. This amendment is prompted by results of the manufacturer's re-certification and laboratory testing of a BPCU, which revealed abnormal functions of the BPCU and the GCU. The actions specified by this AD are intended to prevent such abnormal functions, which could result in electrical short circuits in the electrical power distribution systems and a subsequent fire.

DATES: Effective August 2, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 2, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. 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: Gary Lium, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–1112; 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 Dornier Model 328–100 series airplanes was published in the Federal Register on April 4, 1996 (61 FR 15000). That action proposed to require replacement of the generator control units (GCU's) 2PC and 12PC with new improved units having part number 118–000–1. The AD also will require replacement of the bus power control unit (BPCU) 20PC with a new improved unit having part number 106–000–3.

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

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment 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 12 Dornier Model 328–100 series 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. The manufacturer will provide required parts at no cost to the operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $720, 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:

96–13–12 Dornier: Amendment 39–9681. Docket 95–NM–231–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 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 abnormal functions of the bus power control units and the generator control units, which could result in electrical short circuits in the electrical power distribution systems and a subsequent fire, accomplish the following:

(a) Within 3 months after the effective date of this AD, perform the requirements of paragraph (a)(1) and (a)(2) of this AD, in accordance with Dornier Service Bulletin SB–328–24–061, Revision 1, dated November 3, 1994.

(1) Remove the generator control units 2PC and 12PC and replace them with new improved units having part number 118–000–1. And,