

and Review of FDIC Rules and Regulations, 49 FR 7288 (Feb. 28, 1984).

Rather than periodically revisiting the criteria used to identify regions for designation as economically depressed regions, and listing regions so designated, the FDIC is proposing to revise part 357 to provide guidance to enable applicants to evaluate their situations before formally applying for assistance. The proposed rule provides the criteria the FDIC will use to determine which regions are economically depressed. Adoption of the rule would mean that the FDIC will no longer periodically designate specific regions in light of current economic conditions.

Under the proposed rule, for the purpose of determining economically depressed areas, the FDIC generally will consider states as the defined geographical unit. The FDIC will determine whether an institution qualifies as being located in an economically depressed region on a case-by-case basis. That determination will be based on four criteria: (1) high unemployment rates; (2) declines in non-farm employment; (3) high levels of problem real estate assets at insured depository institutions; and (4) where a sufficient number of observations are reported, evidence indicating declining real estate values from the FDIC's Survey of Real Estate Trends. All data used will be from statistical sources available to the public. A list of these data sources is provided in the attached Appendix. Because there are significant industrial and labor market structural differences across areas of the United States, national or state benchmarks are not provided with respect to each of the aforementioned four criteria. This enables the FDIC to more accurately determine whether a region is depressed based on specific criteria relevant to an institution's market area at any time. For example, the FDIC will consider relevant information provided by institutions on local real estate prices and on the institution's market area, whether limited to a part of a state or covering more than one state.

In consideration of the foregoing, the FDIC hereby withdraws the proposed rule published at 57 FR 60140, December, 18, 1992.

#### List of Subjects in 12 CFR Part 357

Bank deposit insurance, Grant programs—housing and community development, Savings associations.

For the reasons set forth in the preamble, part 357 of chapter III of title 12 of the Code of Federal Regulations is proposed to be amended as follows:

### PART 357—DETERMINATION OF ECONOMICALLY DEPRESSED REGIONS

1. The authority citation for part 357 is revised to read as follows:

Authority: 12 U.S.C. 1819, 1823(k)(5).

2. Section 357.1 is amended by revising paragraph (b) to read as follows:

#### § 357.1 Economically depressed regions.

\* \* \* \* \*

(b) *Economically depressed regions.*

(1) For the purpose of determining economically depressed areas, the FDIC in general shall consider states as the defined geographical unit. The FDIC shall determine whether an institution qualifies as being located in an economically depressed area on a case-by-case basis. That determination will be based on four criteria:

- (i) High unemployment rates;
- (ii) Significant declines in non-farm employment;
- (iii) High delinquency rates of real estate assets at insured depository institutions; and
- (iv) Where a sufficient number of observations are reported, evidence indicating declining real estate values from the FDIC's Survey of Real Estate Trends.

(2) All data sources used are in the public record. The appendix to this part contains a list of such data sources. In addition, the FDIC will consider relevant information provided by institutions on local real estate prices and on the institution's market area, whether limited to a part of a state or covering more than one state.

3. Appendix A to part 357 is added to read as follows:

#### Appendix A to Part 357—Data Sources Used by the FDIC To Determine "Economically Depressed Regions"

- 1. *Non-farm employment and unemployment rates.* U.S. Department of Labor, Bureau of Labor Statistics, "Employment and Earnings," Table B.7, Employees on Non-Farm Payrolls by State and Major Industry; "Labor Force Status by State," Table C.2. Washington, DC (monthly).
- 2. *Problem real estate assets (noncurrent real estate loans and leases plus other real estate owned).* Federal Financial Institutions Examination Council, "FFIEC Call Report." Washington, DC (quarterly).
- 3. *Regional real estate values.* Federal Deposit Insurance Corporation, "Survey of Real Estate Trends." Washington, DC (quarterly).

By order of the Board of Directors.

Dated at Washington, DC, this 16th day of July 1996.

Federal Deposit Insurance Corporation.

Jerry L. Langley,

*Executive Secretary.*

[FR Doc. 96-19810 Filed 8-5-96; 8:45 am]

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### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-NM-12-AD]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 757 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Boeing Model 757 series airplanes. This proposal would require the replacement of certain discrepant ram air turbine (RAT) deployment actuator assemblies with units that have been modified and shipped in a specific fashion prior to installation. This proposal is prompted by reports that the RAT deployment actuators have failed to deploy upon command, due to interference in the actuator locking mechanism, which was caused by damage incurred during shipping of the actuator assembly. The actions specified by the proposed AD are intended to ensure that the RAT is deployed when commanded to do so. Failure of the RAT to deploy, specifically during a dual engine failure, would result in loss of hydraulic power, which would adversely affect the continued safe flight and landing of the airplane.

**DATES:** Comments must be received by September 16, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-12-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport

Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:**

Sheila Kirkwood, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2675; fax (206) 227-1181.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal 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 96-NM-12-AD." The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-12-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

During maintenance tests on in-service Boeing Model 757 series airplanes, two ram air turbine (RAT) deployment actuators failed to deploy upon command. Additionally, during functional testing of airplanes in production, several actuators failed to deploy when commanded to do so. Investigation revealed that the lock pins and the piston head of the actuator unit were deformed at the point where the

two come into contact with each other. The failure of the actuator to deploy was traced to the lock pins, which were peened at the ends, causing them to drag against the traveling cylinder and the piston head (lock rod), and prohibiting the movement of the lock rod.

The damage to the lock pins apparently occurred from impact loads on the rod or head end of the actuator during shipping. Since the actuator is shipped in the extended position, the locking mechanism is susceptible to damage from dropping or from other types of improper handling. This was confirmed by laboratory testing.

Additionally, a tolerance study showed that, under adverse conditions, the latch subassembly has the potential to interfere with the fixed end cap assembly. This situation can cause unlocking abnormalities.

Failure of the RAT to deploy upon command, specifically during a dual engine failure, could result in loss of hydraulic power. This condition, if not corrected, would adversely affect the continued safe flight and landing of the airplane.

**Explanation of Relevant Service Information**

The FAA has reviewed and approved Arkwin Industries Service Bulletin 1211233-29-21-3, Revision 2, dated June 17, 1994. (Arkwin Industries, Inc., is the manufacturer of the subject RAT deployment actuator assemblies.) This service bulletin describes procedures for conducting a check to identify discrepant actuator assemblies. If a discrepant assembly is found, the service bulletin provides procedures for removal, repair, and reidentification of it. The service bulletin recommends that the repair and reidentification of the discrepant assemblies be performed by Arkwin Industries, since specialized equipment is needed to perform the work.

The FAA also has reviewed and approved Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2, dated June 17, 1994. This service bulletin describes procedures for proper identification of the necessary reusable shipping container and shipping sleeve assembly that should be used when transporting or shipping the RAT deployment actuator assembly. Use of this container and sleeve will prevent damage to the actuators during shipping.

**Explanation of the Requirements of the Proposed Rule**

Since an unsafe condition has been identified that is likely to exist or

develop on other products of this same type design, the proposed AD would require the replacement of discrepant RAT deployment actuator assemblies with units that have been modified (repaired and reidentified) and shipped in a specific fashion prior to installation. The actions would be required to be accomplished in accordance with the service bulletins described previously.

**Cost Impact**

There are approximately 631 Boeing Model 757 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 389 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 4 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$4,832 per airplane. (If the unit is under warranty, the required parts would be provided by the actuator manufacturer at no cost to the operator.) Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,973,008, or \$5,072 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed 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 the proposed requirements of this AD already have been accomplished on approximately 13 airplanes of U.S. registry. Therefore, the future cost impact of this proposed AD on U.S. operators would be \$1,907,072.

**Regulatory Impact**

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 draft regulatory 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, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Boeing: Docket 96–NM–12–AD.

**Applicability:** Model 757 series airplanes; equipped with ram air turbine (RAT) deployment actuators having Boeing part number (P/N) 1211233–04 (Arkwin P/N 1211233–004) or Boeing P/N S271N102–5 (Arkwin P/N 1211233–005), and serial number 00001 and subsequent; 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 (d) 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 the failure of the RAT to deploy when commanded to do so, accomplish the following:

(a) For airplanes equipped with a ram air turbine (RAT) deployment actuator, having serial number 00001 through 00631, inclusive, and without a suffix letter "B": Within 30 months after the effective date of this AD, remove the RAT deployment actuator and replace it with an actuator that meets the conditions specified in paragraphs (a)(1) and (a)(2) of this AD:

(1) The actuator has been modified (repaired and reidentified) in accordance with Arkwin Industries Service Bulletin 1211233–19–21–3, Revision 2, dated June 17, 1994; and

Note 2: Arkwin Industries Service Bulletin 1211233–19–21–3, Revision 2, dated June 17, 1994, recommends that the actuator unit be returned to Arkwin Industries for repair, since specialized equipment is needed to perform the rework of the unit.

(2) Prior to installation, the modified replacement actuator was shipped (i.e., to the place where installation is accomplished) in accordance with Arkwin Industries Service Bulletin 1211233–29–21–4, Revision 2, dated June 17, 1994.

Note 3: Shipping records or tags may be reviewed to determine whether the actuator was shipped in accordance with Arkwin Industries Service Bulletin 1211233–29–1–4, Revision 2.

Note 4: Arkwin Industries Service Bulletin 1211233–29–21–4, Revision 2, dated June 17, 1994, provides procedures for proper identification of the necessary reusable shipping container and shipping sleeve assembly that is to be used when transporting or shipping the RAT deployment actuator assembly. Use of this container and sleeve will prevent damage to the assembly during shipping.

(b) For airplanes equipped with a RAT deployment actuator, having serial number 00632 and subsequent, which, prior to installation, was shipped in the extended position and not in accordance with Arkwin Industries Service Bulletin 1211233–29–21–4, Revision 2, dated June 17, 1994: Within 30 months after the effective date of this AD, remove that RAT deployment actuator and replace it with an actuator that meets the conditions specified in paragraphs (b)(1) and (b)(2) of this AD:

(1) The actuator has been modified (repaired and reidentified) in accordance with Arkwin Industries Service Bulletin 1211233–19–21–3, Revision 2, dated June 17, 1994; or the actuator is a new actuator from Arkwin Industries, Inc.; and

(2) Prior to installation, the actuator was shipped (i.e., to the place where installation is accomplished) in accordance with Arkwin Industries Service Bulletin 1211233–29–21–4, Revision 2, dated June 17, 1994.

(c) As of a date 30 months after the effective date of this AD, no person shall install on any airplane a RAT deployment actuator assembly, Boeing P/N 1211233–04 (Arkwin P/N 1211233–004) or Boeing P/N S271N102–5 (Arkwin P/N 1211233–005), serial number 00001 and subsequent; unless the conditions specified in both paragraphs (c)(1) and (c)(2) of this AD apply:

(1) The actuator assembly has been modified (repaired and reidentified) in accordance with Arkwin Industries Service Bulletin 1211233–19–21–3, Revision 2, dated June 17, 1994; or the actuator is replaced with a new actuator from Arkwin Industries, Inc.; and

(2) Prior to installation, the actuator was shipped (i.e., to the place where installation is accomplished) in accordance with Arkwin Industries Service Bulletin 1211233–29–21–4, Revision 2, dated June 17, 1994.

(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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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.

Issued in Renton, Washington, on July 30, 1996.

Darrell M. Pederson,

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

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### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96–NM–142–AD]

RIN 2120–AA64

#### Airworthiness Directives; Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 series airplanes. This proposal would require repetitive x-ray inspections to detect cracks in stringers 4 through 7 of the lower skin of the wings, and modification or repair, if necessary. The proposed AD also would require modification of the stringers of the lower skin of the wings, which would terminate the repetitive inspections. This proposal is prompted by reports of fatigue cracking found in stringers 4 through 7 of the lower skin of the wings. The actions specified by the proposed AD are intended to prevent such fatigue cracking, which could result in reduced structural integrity of the wings.

**DATES:** Comments must be received by September 16, 1996.