

after the publication of this Notice by dialing the Commission's *Flashfax* service and following its instructions, at any time of the day and week. Statements in support of or in opposition to the Petition for Expedited Rulemaking must be submitted in writing by September 6, 1996.

Consideration of the merits of the petition will be deferred until the close of the comment period. If the Commission decides that the petition has merit it may begin a rulemaking proceeding. However, it is unlikely that the Commission could complete a rulemaking before the next election given the notice and comment requirements of the Administrative Procedure Act (5 USC 553(b)(B)) and the legislative review provisions of the FECA (2 USC 438(d)). Moreover, the issues presented by the petition are complex and may be affected by the litigation in *Colo. Republ. Fed. Camp. Comm. et al.* which is ongoing. The Commission notes, however, that the Petitioners have submitted an Advisory Opinion Request on similar issues, AOR 1996-30.

Dated: August 2, 1996.

John Warren McGarry,

Vice Chairman, Federal Election Commission.

[FR Doc. 96-20101 Filed 8-06-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-213-AD]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Model Avro 146-RJ70A, -RJ85A, and -RJ100A 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 certain British Aerospace Model Avro 146-RJ70A, -RJ85A, and -RJ100A airplanes. This proposal would require repetitive inspections for cracking of fuselage frame 29, and repair, if necessary. This proposal is prompted by results of fatigue testing, which revealed fatigue cracking in the web and inboard flange of frame 29. The actions specified by the proposed AD are intended to prevent reduced structural integrity of

the fuselage due to fatigue cracking in frame 29.

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. 95-NM-213-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 British Aerospace Regional Aircraft Limited, Avro International Aerospace Division, Customer Support, Woodford Aerodrome, Woodford, Cheshire SK7 1QR, England. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; fax (206) 227-1149.

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 95-NM-213-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. 95-NM-213-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

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 certain British Aerospace Model Avro 146-RJ70A, -RJ85A, and -RJ100A airplanes. The CAA advises that, during fatigue testing of the fuselage, cracking was discovered in the web and inboard flange of frame 29 between stringers 12 and 18 on the left and right side of the fuselage. The cracking emanated from the bolt holes in these areas. Such fatigue cracking, if not detected and corrected in a timely manner, could result in reduced structural integrity of the fuselage of the airplane.

Explanation of Relevant Service Information

The manufacturer has issued Avro International Aerospace Inspection Service Bulletin S.B. 53-131, dated March 29, 1995, which describes procedures for repetitive visual inspections of frame 29 between stringers 12 and 18 on the left and right side of the fuselage. The service bulletin also references procedures for accomplishing a modification at each affected bolt position, which would eliminate the need for the repetitive inspections when the modification is installed at the time specified in the service bulletin. (Specific procedures for this modification are described in Repair Instruction Leaflet HC536H9168.) The CAA classified this service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

These airplane models are manufactured in the United Kingdom and are 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 Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, the proposed AD would require repetitive visual inspections to detect cracking of the fuselage at frame 29. The actions would be required to be accomplished in accordance with the service bulletin described previously. All findings of cracking would be required to be repaired in accordance with a method approved by the FAA.

Additionally, the proposed AD would provide for an optional terminating action for the repetitive inspections. Terminating action would consist of modifying each affected bolt position in accordance with the service bulletin described previously, provided that the modification is accomplished no later than the applicable time specified in that service bulletin.

Cost Impact

The FAA estimates that 11 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 9 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$5,940, or \$540 per airplane, per inspection cycle.

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.

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:

British Aerospace: Docket 95–NM–213–AD.

Applicability: Model Avro 146–RJ70A, –RJ85A, and –RJ100A airplanes; as listed in Avro International Aerospace Inspection Service Bulletin S.B. 53–131, dated March 29, 1995; 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 reduced structural integrity of the fuselage of the airplane due to fatigue cracking in frame 29, accomplish the following:

(a) Perform a detailed visual inspection for cracking of frame 29 between stringers 12 and 18 on the left and right side of the fuselage, in accordance with Avro International Aerospace Inspection Service Bulletin S.B. 53–131, dated March 29, 1995. If the polymer coating on frame 29 prevents

a detailed visual inspection, perform a surface eddy current inspection for cracking in accordance with the service bulletin. Perform the inspections at the time specified in paragraph (a)(1), (a)(2), or (a)(3) of this AD, as applicable.

(1) For Model Avro 146–RJ100A airplanes on which British Aerospace Modification HCM01411A, HCM01411B, or HCM01411C has not been accomplished: Perform the inspection within 6 months after the effective date of this AD, or prior to the accumulation of 12,000 total landings, whichever occurs later. Repeat the inspection thereafter at intervals not to exceed 4,000 landings.

(2) For Model Avro 146–RJ70A and –RJ85A airplanes on which British Aerospace Modification HCM01411A or HCM01411C has not been accomplished: Perform the inspection within 6 months after the effective date of this AD, or prior to the accumulation of 24,000 total landings, whichever occurs later. Repeat the inspection thereafter at intervals not to exceed 4,000 landings.

(3) For Model Avro 146–RJ100A airplanes on which British Aerospace Modification HCM01411C has been accomplished, but on which British Aerospace Modification HCM01411A or HCM01411B has not been accomplished: Perform the inspection within 6 months after the effective date of this AD, or prior to the accumulation of 68,000 total landings, whichever occurs later. Repeat the inspection thereafter at intervals not to exceed 4,000 landings.

(b) If any cracking is found during any inspection required by paragraph (a) of this AD: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(c) Accomplishment of the modification of each affected bolt position in accordance with Avro International Aerospace Inspection Service Bulletin S.B. 53–131, dated March 29, 1995, prior to the embodiment times shown in Table "A" of that service bulletin, constitutes terminating action for the repetitive inspections required by paragraph (a) of this AD.

Note 2: Avro Repair Instruction Leaflet (RIL) HC536H9168 provides detailed instructions for modification of all bolt positions in the affected areas of frame 29.

(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, Standardization Branch, ANM–113. 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(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 August 1, 1996.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-20073 Filed 8-6-96; 8:45 am]

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14 CFR Part 39

[Docket No. 96-NM-68-AD]

RIN 2120-AA64

Airworthiness Directives; Jetstream Model 4100 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 certain Jetstream Model 4100 series airplanes. This proposal would require replacement of the existing decompression panel on the aft bulkhead of the toilet compartment with a modified decompression panel. This proposal is prompted by a report that a decompression panel that does not meet flammability requirements was installed on these airplanes during manufacture. The actions specified by the proposed AD are intended to prevent injury to the crew and passengers and damage to the airplane structure due to the incapability of the decompression panel to contain a fire.

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-68-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 Jetstream Aircraft Limited, Customer Support Department, Prestwick International Airport, Ayrshire KA9 2RW, Scotland. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

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:

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-68-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-68-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

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 certain Jetstream Model 4100 series airplanes. The CAA advises that a decompression panel that does not meet flammability requirements, as specified in sections 25.855 ("Cargo or baggage compartments") and 25.857 ("Cargo compartment classification") of the Federal Aviation Regulations (14 CFR 25.855 and 25.857), was installed on certain Model 4100 series airplanes during manufacture. This discovery was made during fire testing of a modified baggage bay bulkhead. Investigation revealed that the existing decompression panels installed on these

airplanes are made of a material that is too thin to meet the test requirements for flame penetration resistance for cargo compartment liners specified in Appendix F of part 25 ("Airworthiness Standards: Transport Category Airplanes") of the Federal Aviation Regulations (14 CFR part 25). Therefore, the panel does not fulfill the intent of the regulations, which, in part, is to assure the capability of the cargo compartment lining materials (e.g., the decompression panel) to contain a fire.

If such a decompression panel is installed on an airplane and a fire occurs in the rear baggage compartment, the fire may not be completely confined without endangering the safety of the airplane or the occupants, and hazardous quantities of noxious gases could be released into the cabin. This condition, if not corrected, could result in injury to the crew and passengers and damage to the airplane structure.

Explanation of Relevant Service Information

Jetstream has issued Service Bulletin J41-25-068, dated November 9, 1995, which describes procedures for replacement of the existing decompression panel on the aft bulkhead of the toilet compartment with a modified decompression panel. The replacement involves removal of the existing decompression panel, installation of six new magnetic catches, and installation of a modified decompression panel having a thicker panel that will assure the capability of the cargo compartment lining materials to contain a fire. The CAA classified this service bulletin as mandatory 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 Proposed Rule

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