

Issued in Washington, D.C. on August 23, 1996.

David R. Hinson,  
Administrator.

[FR Doc. 96-22021 Filed 8-26-96; 8:51 am]

BILLING CODE 4910-13-M

## 14 CFR Part 39

[Docket No. 95-NM-240-AD; Amendment 39-9725; AD 96-18-01]

RIN 2120-AA64

### Airworthiness Directives; Learjet Model 60 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Learjet Model 60 airplanes, that requires modification of the aft core cowl nozzle of the engine nacelles. This amendment is prompted by a report that the sealant material in the aft core cowl nozzle of the engine nacelle was found to extend higher than the nozzle's forward flange, which can allow it to interfere with the proper operation of the emergency fuel shutoff actuating mechanism. The actions specified by this AD are intended to prevent physical interference of the emergency fuel shutoff actuating mechanism and resultant engine shutdown.

**DATES:** Effective October 2, 1996.

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

**ADDRESSES:** The service information referenced in this AD may be obtained from Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. 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 FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Janusz, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas

67209; telephone (316) 946-4148; fax (316) 946-4407.

**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 Learjet Model 60 airplanes was published in the Federal Register on May 30, 1996 (61 FR 27030). That action proposed to require modification of the aft core cowl nozzle of the engine nacelles.

#### Comments

No comments were submitted in response to the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

There are approximately 39 Learjet Model 60 airplanes of the affected design in the worldwide fleet. The FAA estimates that 26 airplanes of U.S. registry will be affected by this AD, that it will take approximately 44 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 \$68,640, or \$2,640 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:

96-18-01 Learjet: Amendment 39-9725. Docket 95-NM-240-AD.

*Applicability:* Model 60 airplanes, as listed in Learjet Service Bulletin SB 60-71-2, dated May 12, 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 (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 the sealant material in the aft core cowl nozzle of the engine nacelles from interfering with the lever of the emergency fuel shutoff actuating mechanism, which could result in the failure of the emergency fuel shutoff actuating mechanism and resultant engine shutdown, accomplish the following:

(a) Within 90 days after the effective date of this AD, modify the aft core cowl nozzle of the engine nacelles in accordance with Learjet Service Bulletin SB 60-71-2, dated May 12, 1995.

(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, Wichita Aircraft Certification Office (ACO), FAA, Small 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, Wichita ACO.

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

(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 Learjet Service Bulletin SB 60-71-2, dated May 12, 1995, which includes Nordam Service Bulletin PW300L71-1, dated April 26, 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 Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

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

Issued in Renton, Washington, on August 20, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-21742 Filed 8-27-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-CE-36-AD; Amendment 39-9726; AD 96-18-02]

RIN 2120-AA64

#### **Airworthiness Directives; American Champion Aircraft Corporation Models 8KCAB, 8GCBC, 7GCBC, 7ECA, 7GCAA, and 7KCAB Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment supersedes Airworthiness Directive (AD) 96-03-11, which currently requires the following on American Champion Aircraft Corporation (American Champion) Models 8KCAB, 8GCBC, 7GCBC, and 7ECA airplanes that are equipped with metal spar wings: inspecting (one-time) the wing front strut attach fittings for cracks, scratches, or surface deformities; replacing any wing front strut attach fitting with cracks, scratches, or surface

deformities; and reporting the inspection results to the Federal Aviation Administration (FAA). This action results from reports submitted as a requirement of the existing AD that reference 24 fittings with cracks, scratches, or surface deformities on 7 different airplanes, and the FAA's determination that improved wing front strut attach fittings (developed by American Champion) are not susceptible to cracks, scratches, or surface deformities. This action requires installing removable inspection hole covers for the wing front strut attach fittings, and replacing the wing front strut attach fittings with fittings of improved design. The action also provides the provision of repetitively inspecting the wing front strut attach fittings (provided no cracks, scratches, or surface deformities are found) if parts have been ordered but are not available. The actions specified by this AD are intended to prevent structural failure of a wing caused by cracked wing front strut attach fittings, which, if not detected and corrected, could result in loss of control of the airplane.

**DATES:** Effective September 20, 1996.

The incorporation by reference of American Champion Service Letter 409, Revision A, dated April 22, 1996; American Champion Service Letter 410, dated May 6, 1996; American Champion Service Letter 411, dated May 6, 1996; American Champion Service Letter 412, dated May 6, 1996; American Champion Service Letter 413, dated May 6, 1996; American Champion Service Letter 414, Revision A, dated June 25, 1996; and American Champion Service Letter 415, Revision A, dated June 25, 1996, is approved by the Director of the Federal Register as of September 20, 1996.

The incorporation by reference of American Champion Service Letter 408, dated January 24, 1996, was previously approved as of February 26, 1991 (61 FR 5501, February 13, 1996) by the Director of the Federal Register.

Comments for inclusion in the Rules Docket must be received on or before October 25, 1996.

**ADDRESSES:** Submit comments in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-36-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from the American Champion Aircraft Corporation, 32032 Washington Avenue, Rochester, Wisconsin 53167. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Attention:

Rules Docket No. 96-CE-36-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:** Ms. Karen Forest, Aerospace Engineer, FAA, Chicago Aircraft Certification Office, 2300 E. Devon Avenue, Des Plaines, Illinois 60018; telephone (847) 294-7697; facsimile (847) 294-7834.

#### **SUPPLEMENTARY INFORMATION:**

##### **Events Leading to This Action**

On January 31, 1996, the FAA issued AD 96-03-11, Amendment 39-9598 (61 FR 5501, February 13, 1996), to require the following on American Champion Models 8KCAB, 8GCBC, 7GCBC, and 7ECA airplanes that are equipped with metal spar wings:

- Inspecting (one-time) the wing front strut attach fittings for cracks, scratches, or surface deformities;
- Replacing any wing front strut attach fitting with cracks, scratches, or surface deformities; and
- Reporting the inspection results to the FAA.

AD 96-03-11 resulted from an investigation of an American Champion Model 8KCAB airplane accident that revealed fatigue cracking of the wing front strut attach fittings. The design of the wing and fuselage structure of this airplane is such that the outboard ends of the wing fittings for each primary strut are bolted to the web of the wing's front spar. One fitting is on the forward side of the web and one is on the aft side of the web. The fittings then transition to a wider area where the strut is attached with a bolt. On the airplane involved in the accident that resulted in AD 96-03-11, the forward fitting fractured through the transition area (approximately in the center of the fitting length), causing the fitting to separate. This wing front strut attach fitting transition area contains an aft leg that is assembled against the forward face of the wing spar web and a forward leg.

Investigation of the fitting from the accident aircraft revealed that small, sharp scratches in the forward edge of the shorter portion of the aft leg contributed to the fatigue cracking in the wing fitting. Metallurgical examination of the fitting indicated that these fatigue cracks formed in scratches and surface deformities that resulted during the manufacturing process, and existed prior to the accident.

After that accident and prior to issuing AD 96-03-11, the FAA and American Champion inspected another Model 8KCAB airplane and found