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Issued in Renton, Washington, on August 28, 1996.

Darrell M. Pederson,

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

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## 14 CFR Part 39

[Docket No. 96-NM-173-AD]

RIN 2120-AA64

### **Airworthiness Directives; Israel Aircraft Industries (IAI), Ltd., Model 1123, 1124, and 1124A 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 IAI, Ltd., Model 1123, 1124, and 1124A series airplanes. This proposal would require repetitive inspections of the aileron push-pull tubes for excessive wear and the guide rollers for smooth rotation; and repair or replacement of worn parts with serviceable parts, if necessary. This proposal is prompted by reports of excessive wear on the aileron push-pull tube in the area of the guide rollers. The actions specified by the proposed AD are intended to prevent such wear, which could result in uneven movement of the control wheel, perforation of the aileron push-pull tube, and consequent reduced roll control of the airplane.

**DATES:** Comments must be received by October 15, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-173-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 Technical Publications, Astra Jet Corporation, 77 McCullough Drive, Suite 11, New Castle, Delaware 19720. This information may be examined at the FAA, Transport Airplane

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

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2141; 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-173-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-173-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

The Civil Aviation Administration of Israel (CAAI), which is the airworthiness authority for Israel, recently notified the FAA that an unsafe condition may exist on all IAI, Ltd., Model 1123, 1124, and 1124A series airplanes. The CAAI advises that it has received reports indicating that excessive wear was found on the aileron push-pull tube in areas where the tube comes in contact with guide rollers. The

cause of this excessive wear has been determined to be abrasion between the guide rollers and push-pull tube, possibly due to sticking of the guide rollers. This condition, if not corrected, could result in uneven movement of the control wheel, perforation of the aileron push-pull tube, and consequent reduced roll control of the airplane.

##### **Explanation of Relevant Service Information**

Astra Jet has issued Service Bulletins SB 1123-27-043 (for Model 1123 series airplanes), and SB 1124-27-129 (for Model 1124 and 1124A series airplanes), both dated June 12, 1995. The service bulletins describe procedures for repetitive inspections of the left and right aileron push-pull tubes for excessive wear and the guide rollers for smooth rotation; replacement of the push-pull tubes with serviceable parts, if necessary; and repair or replacement of the guide rollers with serviceable parts, if necessary. The CAAI classified these service bulletins as mandatory and issued Israeli airworthiness directive 95-28, dated May 10, 1995, in order to assure the continued airworthiness of these airplanes in Israel.

##### **FAA's Conclusions**

These airplane models are manufactured in Israel 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 CAAI has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAAI, 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 registered in the United States, the proposed AD would require repetitive inspections of the left and right aileron push-pull tubes for excessive wear and the guide rollers for smooth rotation; replacement of the push-pull tubes with serviceable parts, if necessary; and repair or replacement of the guide rollers with serviceable parts, if necessary. The actions would be required to be accomplished in accordance with the service bulletins described previously.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

#### Cost Impact

The FAA estimates that 213 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed inspections, 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 \$12,780, or \$60 per airplane, per inspection.

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:

Israel Aircraft Industries (IAI), Ltd.: Docket 96-NM-173-AD.

*Applicability:* All IAI, Ltd., Model 1123, 1124, and 1124A series 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 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 excessive wear of the aileron push-pull tube, which could result in uneven movement of the control wheel, perforation of the aileron push-pull tube, and consequent reduced roll control of the airplane; accomplish the following:

(a) Within 50 hours time-in-service after the effective date of this AD, inspect the left and right aileron push-pull tubes for wear and the guide rollers for smoothness of rotation, in accordance with Astra Jet Service Bulletin SB 1123-27-043, dated June 12, 1995 (for Model 1123 series airplanes); or Service Bulletin SB 1124-27-129, dated June 12, 1995 (for Model 1124 and 1124A Series airplanes); as applicable.

(1) If no wear is detected or if wear is within the limits specified in the applicable service bulletin, repeat the inspections thereafter at intervals not to exceed 600 hours time-in-service.

(2) If any wear is detected and that wear is outside the limits specified in the applicable service bulletin, prior to further flight, replace the tube with serviceable parts in accordance with the applicable service bulletin. Thereafter, repeat the inspections at intervals not to exceed 600 hours time-in-service.

(3) If the guide rollers do not rotate smoothly, accomplish either paragraph (a)(3)(i) or (a)(3)(ii) of this AD. Thereafter, repeat the inspections at intervals not to exceed 600 hours time-in-service.

(i) Prior to further flight, repair the guide roller in accordance with the applicable service bulletin. Or

(ii) Prior to further flight, replace the guide roller with serviceable parts in accordance with the applicable service bulletin.

(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.

Issued in Renton, Washington, on August 28, 1996.

Darrell M. Pederson,

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

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### DEPARTMENT OF THE INTERIOR

#### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 917

[KY-210]

#### Kentucky Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Kentucky regulatory program (hereinafter the "Kentucky program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to the Kentucky statutes pertaining to bonds, permitting, coal waste disposal, administrative hearings, and civil penalties. The amendment is intended to revise the Kentucky program to be consistent with the corresponding Federal regulations.

**DATES:** Written comments must be received by 4:00 p.m., [E.D.T.], October 4, 1996. If requested, a public hearing on the proposed amendment will be held on September 30, 1996. Requests to speak at the hearing must be received by 4:00 p.m., [E.D.T.], on September 18, 1996.