

(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.

(f) The actions shall be done in accordance with Fokker Service Bulletin SBF100-55-021, Revision 2, dated December 27, 1993. 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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. 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.

(g) This amendment becomes effective on October 24, 1996.

Issued in Renton, Washington, on September 10, 1996.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-23712 Filed 9-18-96; 8:45 am]

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14 CFR Part 39

[Docket No. 96-CE-50-AD; Amendment 39-9765; AD 96-19-07]

RIN 2120-AA64

Airworthiness Directives; Burkhart Grob Luft-und Raumfahrt Models G115C, G115C2, G115D, and G115D2 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the Federal Register an amendment adopting Airworthiness Directive (AD) 96-19-07, which was sent previously to all known U.S. owners and operators of Burkhart Grob Luft-und Raumfahrt (Grob) Models G115C, G115C2, G115D, and G115D2 airplanes. This AD requires installing a placard that restricts the never exceed speed (Vne) of the affected airplane models from 184 knots to 160 knots; installing on the airspeed indicator glass a red line at 296 km/h (160 knots); installing a placard that prohibits aerobatic maneuvers; and placing a copy of this AD in the Limitations Section of the airplane flight manual. An in-flight breakup of a Grob Model G115D airplane prompted priority letter AD 96-19-07. The actions specified by this AD are intended to prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers.

DATES: Effective September 27, 1996, to all persons except those to whom it was made immediately effective by priority letter AD 96-19-07, issued September 6, 1996, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before November 19, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-50-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

The service information and placards specified in this AD may be obtained from Burkhart Grob Luft-und Raumfahrt, D-8939 Mattsies, Germany. This information may also be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Holt, Program Officer, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (32 2) 508.26.92; facsimile (32 2) 230.68.99; or Mr. Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut Street, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6934; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

The Federal Aviation Administration (FAA) is currently involved with investigating an in-flight breakup of a Grob Model G115D airplane. Preliminary investigation of the accident reveals that the empennage separated from the airplane. Both crew members were killed in the accident. Involved in the on-going investigation are:

- The FAA;
- The National Transportation Safety Board (NTSB); and
- Grob (the manufacturer of the accident airplane).

Applicable Service Information

Grob has issued Service Bulletin (SB) 1078-59/2, dated September 2, 1996, which specifies (1) installing a placard that restricts the never exceed speed (Vne) of the affected airplanes from 184 knots to 160 knots; (2) installing on the airspeed indicator a red line at 296 km/h (160 knots); and (3) installing a placard that prohibits aerobatic maneuvers. The placards are included in this service bulletin.

The FAA's Determination

Although the on-going investigation of the in-flight breakup of the Grob Model G115D airplane is not complete, the FAA has determined (1) that the actions specified in Grob SB 1078-59/2, dated September 2, 1996, should be accomplished by all owners/operators of Grob Models G115C, G115C2, G115D, and G115D2 airplanes; and (2) airworthiness directive (AD) action should be taken to prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers. Further rulemaking may be required when the results of the accident investigation are known.

These airplane models are manufactured in Germany 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. The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, is preparing an AD in order to assure the continued airworthiness of these airplanes in Germany.

Explanation of the Provisions of This AD

Since an unsafe condition has been identified that is likely to exist or develop on other Grob Models G115C, G115C2, G115D, and G115D2 airplanes of the same type design that are registered for operation in the United States, the FAA issued priority letter AD 96-19-07 on September 5, 1996, to prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers. The AD requires the following:

- Installing a placard that restricts the never exceed speed (Vne) of the affected airplane models from 184 knots to 160 knots;
- Installing on the airspeed indicator glass a red line at 296 km/h (160 knots);
- Installing a placard that prohibits aerobatic maneuvers; and
- Placing a copy of this AD in the Limitations Section of the airplane flight manual.

The placards are included with Grob SB 1078-59/2, dated September 2, 1996.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on September 5, 1996, to all known U.S. operators of Grob G115C,

G115C2, G115D, and G115D2 airplanes. These conditions still exist, and the AD is hereby published in the Federal Register as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to 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 should 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 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 No. 96-CE-50-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 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, 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 a new airworthiness directive (AD) to read as follows:

96-19-07 Burkhardt Grob Luft-Und Raumfahrt: Amendment 39-9765; Docket No. 96-CE-50-AD.

Applicability: Models G115C, G115C2, G115D, and G115D2 airplanes (all serial numbers), 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 (f) 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 prior to further flight after the effective date of this AD, unless already accomplished, except to those operators receiving this action by priority letter issued September 6, 1996, which made these actions effective immediately upon receipt.

To prevent loss of control of the airplane caused by excessive speed or aerobatic maneuvers, accomplish the following:

(a) Install, on the limitation placard at the left-hand cabin wall, the airspeed placard that is included with Grob Service Bulletin (SB) 1078-59/2, dated September 2, 1996. This placard reduces the maximum airspeed to 296 kilometers per hour (km/h); equal to 160 knots per hour.

(b) Modify the airspeed indicator glass by accomplishing the following:

(1) Place a red radial line on the indicator glass at 296 km/h (160 knots). The minimum dimensions for this radial line are 0.05-inch in width and 0.30-inch in length.

(2) Place a white 0.05-inch minimum width slippage index mark that connects both the instrument glass and bezel. This slippage index mark shall not obscure any airspeed markings.

(c) Install, near the airspeed indicator, the red placard included with Grob SB 1078-59/2 that has the words: "Aerobatic maneuvers are prohibited."

(d) Insert a copy of this AD into the Limitations Section of the airplane flight manual.

(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.

(f) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Division.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division.

(g) The service information and placards specified in this AD may be obtained from Burkhardt Grob Luft-und Raumfahrt, D-8939 Mattsies, Germany. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(h) This amendment (39-9765) becomes effective on September 27, 1996, to all persons except those persons to whom it was made immediately effective by priority letter AD 96-19-07, issued September 6, 1996, which contained the requirements of this amendment.

Issued in Kansas City, Missouri, on September 12, 1996.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

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