Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 312

[INS No. 1702–96]

RIN 1115–AE02

Exceptions to the Educational Requirements for Naturalization for Certain Applicants; Comment Period Extended

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On August 28, 1996, at 61 FR 44227–44230, the Immigration and Naturalization Service proposed a regulation noting exceptions to the educational requirements for naturalization for certain applicants. To ensure that the public has ample opportunity to fully review and comment on the proposed rulemaking, this notice extends the public comment period from September 27, 1996 through October 11, 1996.

DATES: Written comments must be submitted on or before October 11, 1996.

ADDRESSES: Please submit written comments in triplicate to the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, 425 I Street, N.W, Room 5307, Washington, DC 20536. To ensure proper handling, please reference INS number 1702–96 on your correspondence. Comments are available for public inspection at the above-noted address by calling (202) 514–3048 to arrange an appointment.

FOR FURTHER INFORMATION CONTACT: Craig S. Howie, Adjudications Officer, Adjudications and Nationality Division, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536, telephone (202) 514–5014.

Dated: September 26, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96–25164 Filed 9–27–96; 11:44 am]

BILLING CODE 4410–10–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–223–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 727 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

SUMMARY: This document revises an earlier proposed airworthiness directive (AD), applicable to all Boeing Model 727 series airplanes, that would have superseded a previously issued AD that currently requires inspections to detect cracking of the actuator rib fitting of the inboard door of the main landing gear (MLG); and rework or replacement of any cracked fitting. The proposed action would have required inspections to detect cracking in an expanded area of the actuator rib fitting, and various follow-on actions. That action was prompted a report of a fractured rib fitting that had been reworked in accordance with the existing AD. This new proposed action would expand the area of inspection even further than what was previously proposed, and would supersede another AD that requires actions related to the addressed area of the MLG. The actions specified by the proposed AD are intended to prevent damage to the airplane caused by a failure of the landing gear to extend due to a fractured rib fitting.

DATES: Comments must be received by October 24, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–223–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: Walter Sippel, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2774; 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 95–NM–223–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–223–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to all Boeing Model 727 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the Federal Register on April 1, 1996 (61 FR 14271). That NPRM would have superseded AD 90–02–19, amendment 39–6433 (55 FR 601, January 8, 1990), which currently requires inspections to detect cracking of the actuator rib fitting of the inboard door of the main landing gear (MLG); and rework or replacement of any cracked fitting with a reworked or new fitting. That AD was prompted by an incident in which the actuator rib fitting of the MLG door on a Model 727 series airplane fractured and, consequently, the left MLG of the airplane failed to extend for landing. The requirements of that AD are intended to prevent damage to the airplane caused by a failure of the landing gear to extend due to a fractured rib fitting.

Description of Previous Proposal

The previously issued NPRM proposed to supersede AD 90–02–19 to:

1. expand the area of the inspections to require either a high frequency eddy current or dye penetrant inspection to detect cracking in an expanded area of the actuator rib fitting of the MLG, and various follow-on actions;

2. in cases where no cracking was found, first require modification of the rib fitting assembly and, after modification, either repetitive high frequency eddy current or dye penetrant inspections; and

3. in cases where cracking was found, require the replacement of the currently installed aluminum rib fitting with a new steel rib fitting. (This replacement would terminate the repetitive inspections of the fitting.)

That proposal was prompted by an additional report of an MLG on a Model 727 series airplane failing to extend for landing, due to a fractured rib fitting. The broken rib fitting caused the MLG door and MLG to retract improperly (out of sequence), which led to the MLG jamming against the MLG door. That airplane had accumulated 34,039 flight hours and 22,777 landings. The fitting on that airplane had been reworked in accordance with the requirements of AD 90–02–19; no follow-on inspections of the reworked fitting were required by that AD. Further, the area of inspection specified by AD 90–02–19 did not include the area of the fitting in which this cracking was found.

Actions Since Issuance of Previous Proposal

Since issuance of the NPRM, the FAA has received another report of an operator who experienced a failure of the MLG door actuator rib fitting. The fitting failed due to a fracture at the transitional radius. The failure occurred at 1,350 flight cycles after the operator had inspected a rib fitting that had been modified (reworked) in accordance with Boeing Service Bulletin 727–32–0364, which is required by AD 90–02–19. Although that AD does not require repetitive inspections of modified rib fittings, this operator had elected to inspect them regularly on the airplanes in its fleet. The data from this latest incident of cracking confirm the FAA's determination that repetitive inspections of modified rib fittings are warranted, and that those inspections must be conducted at more frequent intervals than proposed in the previous NPRM.

Based on this data, the FAA has revised the proposal to require inspections of rib fittings that previously have been modified in accordance with Boeing Service Bulletin 727–32–0364 (but not in accordance with Boeing Service Bulletin 727–32–0383) at intervals of 1,000 flight cycles.

In addition, the FAA has made other changes to this proposal, based on comments received in response to the NPRM, as well as in response to the NPRM issued as Docket 95–NM–222–AD (61 FR 14269, April 1, 1996). These comments and the ensuing changes are discussed below.

Request To Combine Proposals

Several commenters request that the FAA combine the proposed AD with another proposal that was issued as Docket 95–NM–222–AD. That action proposed to revise AD 93–01–14, amendment 39–8468 (58 FR 5574, January 22, 1993), to continue to require:

1. repetitive inspections to detect loose attach fitting bolts of door actuator of the MLG;

2. repetitive inspections to determine whether the serrations of the attach fitting of the door actuator of the MLG are fully mated; and

3. various follow-on corrective actions.

It also proposed to provide operators the option of terminating all of the inspections required by AD 93–01–14 either by replacing the currently installed aluminum rib fitting with a new steel rib fitting, or by modifying the rib fitting assembly in accordance with Boeing Alert Service Bulletin 727–32A0399 and accomplishing follow-on actions. Such replacement or modification would also terminate the inspections currently required by AD 90–02–19.

Since the actions of both of these proposals are so closely related, the commenters suggest that they be combined into one single AD action. The commenters maintain that doing so would create less confusion for operators.

The FAA concurs, and has revised this proposal (Docket 95–NM–223–AD) to include all of the requirements related to inspections of the MLG actuator rib fitting assembly. By separate rulemaking, the FAA will withdraw Docket 95–NM–222–AD, since its proposed actions are now covered by this new supplemental NPRM.

Requests To Revise Initial Inspection Intervals

Several commenters request that the FAA revise the proposed initial interval for the inspection to detect cracking of the actuator rib fitting. The proposal would have required that the inspection be conducted at the later of the following:

—prior to the accumulation of 20,000 total flight cycles; or

—prior to the accumulation of 1,000 flight cycles after the effective date of the AD or within 2,500 flight cycles after the immediately preceding inspection performed in accordance with AD 90–02–19, whichever is earlier.

One commenter requests that the inspection be required at intervals of 2,500 flight cycles after the effective date, since this would allow the inspection to be accomplished during this commenter's regularly scheduled ''C'' check. Another commenter states that accomplishing the visual inspection at 1,000 flight cycles, and the high frequency eddy current or dye penetrant inspection at 2,500 flight cycles, would better suit normal maintenance schedules and still provide an acceptable level of safety. Another commenter states that the initial inspection interval is too restrictive and does not give credit to operators who already have been performing repetitive inspections at 2,500-flight cycle intervals or if the last inspection was performed more than 1,500 flight cycles previously. Another commenter states that most operators have already accomplished at least a visual inspection of the fitting as a result of the issuance of Boeing All Base Telex

M–7272–94–2747, dated May 19, 1994, and should receive credit for doing it.

The FAA agrees that the initial inspection interval may be changed somewhat, although not necessarily for the reasons suggested by the commenters. As explained previously in this preamble, because new cracking has been found on modified rib fittings, the FAA finds that airplanes on which the rib fittings have been previously modified must continue to be inspected. The FAA has considered this cracking data and the various configurations of airplanes (those having some modified fittings, and those having no modified fittings) that will be affected by this proposal, and has revised the proposed schedule for inspections as follows:

1. Airplanes equipped with actuator rib fittings that have been modified in accordance with Boeing Service Bulletin 727–32–0364, but not with Boeing Service Bulletin 727–32–0383, must be inspected within 1,000 flight cycles.

2. Airplanes equipped with rib fittings that have been modified in accordance with both Boeing Service Bulletin 727–32–0364 and Boeing Service Bulletin 727–32–0383, must be inspected at the later of (a) 1,000 flight cycles from the effective date of the AD or (b) 1,500 flight cycles after the immediately preceding inspection performed in accordance with AD 90–02–19, or within 1,500 flight cycles after accomplishment of the ''terminating action'' specified in AD 93–01–14, whichever is earlier.

3. Airplanes equipped with rib fittings that have been modified in accordance with Boeing Alert Service Bulletin 727–32A0399 must be inspected within 7,500 flight cycles after modification (and thereafter at intervals not to exceed 2,500 flight cycles).

The FAA considers these inspection times to be warranted, based on the data available, and they should fit into normally scheduled maintenance intervals for most affected operators.

Request To Extend Compliance Time for Modification

One commenter requests that the proposed rule be revised to provide for a 3-year compliance time for modification of the rib fitting assemblies (in accordance with Boeing Alert Service Bulletin 727–32A0399) if no cracking is detected. This commenter points out that the repetitive inspections have been shown to be safe, and that the FAA's proposal to modify the fittings at 1,000 flight cycles after the effective date of the AD is not justified. The commenter contends that adoption of the proposed compliance time would require that this commenter special schedule its fleet for this modification, at considerable expense over what was estimated by the FAA in it's cost impact information. As an alternative to modification, this commenter suggests that operators be allowed to conduct repetitive visual inspections and high frequency eddy current/dye penetrant inspections until the fittings are replaced with steel fittings.

The FAA partially concurs with the commenters request. Upon reconsideration, the FAA agrees that modification within 1,000 flight cycles may be too restrictive. However, since fatigue fractures such as those experienced on the rib attach fitting are cycle-dependent, not time dependent, a calendar time of ''3 years'' is not appropriate for correcting a fatigue-related problem.

In reviewing the available data, the FAA finds that repetitive inspections alone will not ensure an acceptable level of safety. The data also show that the following items are critical in ensuring a safe actuator rib fitting:

1. proper bolt torque;
2. proper door rigging; and
3. removal of poor fatigue details.

In light of this, the FAA has determined that the modification interval can be increased, provided that inspections are conducted more frequently, the door is properly rigged, and the bolts are properly torqued. The proposed rule has been revised to require these inspections of bolt torque and door rigging, and to allow more time for modification of those rib fittings on which other modifications have been accomplished previously in accordance with Boeing Service Bulletin 727–32–0364 and Boeing Service Bulletin 727–32–0383.

Request To Allow Unmodified Fittings as Replacement Parts

Several commenters request that the proposal be revised to allow operators to install unmodified fittings as replacement parts. The commenters point out that the proposed rule would require that all replacement parts be steel fittings. However, the commenters fear that there may be a parts availability problem in trying to meet this requirement.

The FAA concurs partially. The latest incident of cracking, described previously, indicates that inspections alone are not reliable in preventing fractures in the aluminum actuator rib fittings. However, FAA finds that it is acceptable to use an aluminum fitting as a replacement part, provided that:

1. It is has been inspected in accordance with Figure 2 of Boeing Alert Service Bulletin 727–32A0399;

2. It has been reworked in accordance with Figure 3 of Boeing Alert Service Bulletin 727–32A0399 and in accordance with Boeing Service Bulletin 727–32–0364;

3. After rework, it is installed in accordance with Figure 4 of Boeing Alert Service Bulletin 727–32A0399; and

4. After installation, it is repetitively inspected until replaced with a steel fitting.

Paragraph (d) of this supplemental NPRM specifies this.

Request To Make Service Information References More Specific

One commenter requests that all of the references in the proposal to Boeing service bulletins be revised to make them more specific. The commenter suggests that these references cite the specific figure in the service bulletins where procedural instructions are found. The commenter states that this will provide more clarity to the requirements and minimize the chances for errors.

While the FAA concurs that additional specificity is necessary, it does not agree that citing only the ''figure'' in the service bulletin is adequate in all cases. A reference to only the figure could inadvertently omit important compliance instructions that are necessary to accomplish the task. For actions in accordance with Boeing Alert Service Bulletin 727–32A0399, the FAA finds that it is more appropriate to reference ''Part I,'' ''Part II,'' or ''Part III'' of the Accomplishment Instructions, rather than to reference only the figures related to those Parts; by doing this, operators will be required to consider all steps of the pertinent actions when accomplishing the task, and not just the steps listed in the figures. The FAA has revised the final rule to include references to these ''Part'' numbers where appropriate.

Request To Provide an Option to Certain Steps in Modification Requirement

One commenter requests that the proposed rule provide an option to the specific modification procedures called out in Step 1 of Figure 3 of Boeing Alert Service Bulletin 727–32A0399. That step requires the machining of a 0.42-inch, plus/minus 0.03-inch, transition radius. According to the service bulletin, this modification is to be accomplished with the doors still installed on the airplane. However, the commenter states that several machinists have expressed concern over their ability to machine such a tight tolerance radius, under these

conditions, on a rib fitting that has already been modified by AD 90–02–19. The commenter has examined the costs of removing the door and sending it to a machine shop for rework, but found this process to be cost-prohibitive. Based on this experience, the commenter requests that the proposal allow operators, in lieu of the specific instructions in Step 1 of Figure 3, the option of blending out the existing machine cuts using a .38-inch minimum transition radius to create a smooth transition between the adjacent surfaces.

The FAA concurs that an option to the procedures specified in the service bulletin should be provided. This supplemental NPRM would allow operators to machine a .39 inch minimum transitional radius. A minimum radius of .39 inch will be used since it is the minimum dimension now allowed.

Request To Allow Reinstallation of Attaching Hardware

One commenter requests that the proposal be revised to allow operators to inspect and reinstall serviceable attaching hardware (i.e., nuts, bolts, and washers) after modifying the rib fitting. This commenter states that it routinely disassembles the rib fitting during a regularly scheduled ''C'' check and heavy maintenance visit, and replaces any corroded hardware found during this process.

The FAA does not consider that any change to the proposal is necessary based on this commenter's request. The proposed rule does not mandate the use of new attaching hardware every time the rib fitting is disassembled; it only requires the use of the attaching hardware that is included as part of the modification described in Boeing Alert Service Bulletin 727–32A0399. In addition, that service bulletin specifies that fasteners may be substituted in accordance with Chapter 51 of the 727 Structural Repair Manual.

Conclusion

Since the change described above expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

Cost Impact

There are approximately 1,631 Boeing Model 727 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,166 airplanes of U.S. registry would be affected by this proposed AD.

The inspections proposed in this AD action would take approximately 10 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the proposed inspections on U.S. operators is estimated to be $699,600, or $600 per airplane, per inspection.

The modification proposed in this AD action would take approximately 6 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. The cost of required parts would be negligible. Based on these figures, the cost impact of the proposed modification on U.S. operators is estimated to be $376,560, or $360 per airplane.

These cost impact figures are 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.

Should an operator elect to accomplish the proposed terminating action (installation of steel fittings), it would take approximately 4 work hours per airplane, at an average labor rate of $60 per work hour. Required parts would cost approximately $428 per airplane. Based on these figures, the cost impact of this proposed optional terminating action on U.S. operators is estimated to be $668 per airplane.

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 removing amendment 39–6433 (55 FR 601, January 8, 1990); and by removing amendment 39–8368 (58 FR 5574, January 22, 1993); and by adding a new airworthiness directive (AD), to read as follows:

Boeing: Docket 95–NM–223–AD. Supersedes AD 90–02–19, amendment 39–6433; and supersedes AD 93–01–14, amendment 39–8368.

Applicability: All Model 727 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 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 (g) 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 failure of the main landing gear (MLG) to extend for landing and subsequent damage to the airplane, accomplish the following:

(a) For airplanes equipped with rib fittings that have been modified (reworked) in accordance with Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989; but *have not been modified* in accordance with Figure 2 of Boeing Service Bulletin 727–32–0383, Revision 1, dated January 30, 1992: Accomplish the following:

(1) Prior to the accumulation of 1,000 flight cycles after the effective date of this AD, accomplish the actions specified in both paragraphs (a)(1)(i) and (a)(1)(ii):

(i) Perform either a high frequency eddy current or dye penetrant inspection to detect cracking of the actuator rib fitting of the

MLG, in accordance with Part I of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. And

(ii) Inspect the actuator rib fitting of the MLG to ensure that serrations are fully mated, and to detect loose bolts, in accordance with Figure 1 of Boeing Service Bulletin 727–32–0383, Revision 1, dated January 30, 1992.

(2) If the inspections required by paragraph (a)(1) of this AD reveal no cracking or loose bolts, and reveal that the serrations are fully mated, accomplish the actions specified in paragraphs (a)(2)(i), (a)(2)(ii), and (a)(2)(iii) of this AD:

(i) Prior to further flight, re-rig the door in accordance with the maintenance manual procedures referenced in Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995, to ensure proper door rigging. And

(ii) Thereafter, repeat the inspections required by paragraph (a)(1) of this AD at intervals not to exceed 1,000 flight cycles until the modification required by paragraph (a)(2)(iii) of this AD is accomplished. And

(iii) Prior to the accumulation of 3,000 flight cycles after the effective date of this AD, modify the actuator rib fitting in accordance with Part II of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. As an option to the action specified in Step 1 of Figure 3 of that alert service bulletin, operators may layout a .39-inch minimum radius.

(3) If the inspections required by paragraph (a)(1) of this AD reveal no cracking, but do reveal loose bolts or serrations that are not fully mated, prior to further flight accomplish either paragraph (a)(3)(i) or (a)(3)(ii) of this AD:

(i) Modify the actuator rib fitting in accordance with Part II of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. As an option to the action specified in Step 1 of Figure 3 of that alert service bulletin, operators may layout a .39-inch minimum radius. Or

(ii) Replace the currently-installed aluminum rib fitting with a new steel rib fitting, in accordance with Part III of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. After this replacement, no further action is required by this AD for that rib fitting.

(b) For airplanes equipped with rib fittings that have been modified in accordance with Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989; and *have been modified* in accordance with Figure 2 of Boeing Service Bulletin 727–32–0383, Revision 1, dated January 30, 1992: Accomplish the following:

(1) Perform either a high frequency eddy current or dye penetrant inspection to detect cracking of the actuator rib fitting of the MLG, in accordance with Part I of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995, at the later of the times specified in either paragraph (b)(1)(i) or (b)(1)(ii) of this AD.

(i) Prior to the accumulation of 1,000 flight cycles after the effective date of the AD; or

(ii) Within 1,500 flight cycles after the immediately preceding inspection performed in accordance with AD 90–02–19, or within 1,500 flight cycles after accomplishing the terminating action in accordance with AD 93–01–14, whichever is earlier.

(2) If no cracking is detected during the inspection required by paragraph (b)(1) of this AD, accomplish the actions specified in paragraphs (b)(2)(i), (b)(2)(ii), and (b)(2)(iii) of this AD:

(i) Prior to further flight, re-rig the door in accordance with the maintenance manual procedures referenced in Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995, to ensure proper door rigging. And

(ii) Thereafter, repeat the inspection required by paragraph (b)(1) at intervals not to exceed 2,500 flight cycles until the modification required by paragraph (b)(2)(iii) of this AD is accomplished. And

(iii) Prior to the accumulation of 6,000 flight cycles after the effective date of this AD, modify the actuator rib fitting in accordance with Part II of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. A s an option to the action specified in Step 1 of Figure 3 of that alert service bulletin, operators may layout a .39-inch minimum radius.

(c) For airplanes equipped with rib fittings that *have not been modified* in accordance with Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989: Accomplish the following:

(1) Prior to the accumulation of 1,000 flight cycles after the effective date of this AD, accomplish the actions specified in both paragraphs (c)(1)(i) and (c)(1)(ii) of this AD:

(i) Perform either a high frequency eddy current or dye penetrant inspection to detect cracking of the actuator rib fitting of the MLG, in accordance with Part I of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. And

(ii) Inspect the actuator rib fitting of the MLG to ensure that serrations are fully mated, and to detect loose bolts, in accordance with Figure 1 of Boeing Service Bulletin 727–32–0383, Revision 1, dated January 30, 1992.

(2) If the inspections required by paragraph (c)(1) of this AD reveal no cracking or loose bolts, and reveal that the serrations are fully mated, prior to further flight, accomplish the actions specified in either paragraph (c)(2)(i), (c)(2)(ii), or (c)(2)(iii) of this AD:

(i) Modify the actuator rib fitting in accordance with Part II of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995; and in accordance with Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989. As an option to the action specified in Step 1 of Figure 3 of Boeing Alert Service Bulletin 727–32A0399, operators may layout a .39-inch minimum radius. Or

(ii) Replace the currently-installed aluminum rib fitting with a new steel rib fitting, in accordance with Part III of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. After this replacement, no further action is required by this AD for that fitting. Or

(iii) Replace the fitting with a like fitting that has been inspected in accordance with Part I of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995; and modified in accordance with Part II of the Accomplishment Instructions of that service bulletin and in accordance with Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989.

(d) If any cracking is detected during the inspections required by paragraphs (a)(1), (b)(1), or (c)(1) of this AD, prior to further flight, accomplish the actions specified in either paragraph (d)(1) or (d)(2) of this AD:

(1) Replace the cracked fitting with a like fitting that has been inspected in accordance with Part I of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995; and modified in accordance with Part II of the Accomplishment Instructions of that service bulletin and in accordance with Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989. As an option to the action specified in Step 1 of Figure 3 of Boeing Alert Service Bulletin 727–32A0399, operators may layout a .39-inch minimum radius. Or

(2) Replace the cracked fitting with a new steel rib fitting in accordance with Part III of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995. This replacement constitutes terminating action for the requirements of that AD for that fitting.

(e) For all airplanes on which modification of the actuator rib fitting has been accomplished in accordance with Part II of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995; and Boeing Service Bulletin 727–32–0364, dated December 15, 1988, or Revision 1, dated October 19, 1989: Within 7,500 flight cycles after accomplishing the modification, accomplish the following:

(1) Perform either a high frequency eddy current or dye penetrant inspection to detect cracking of the modified actuator rib fitting, in accordance with the alert service bulletin.

(2) Repeat the inspection thereafter at intervals not to exceed 2,500 flight cycles until the fitting is replaced with a new steel rib fitting, in accordance with Part III of the Accomplishment Instructions of the alert service bulletin. This replacement constitutes terminating action for the requirements of this AD for that fitting.

(f) Replacement of aluminum actuator rib fittings with new steel actuator rib fittings in accordance with Part III of the Accomplishment Instructions of Boeing Alert Service Bulletin 727–32A0399, dated July 13, 1995, constitutes terminating action for the requirements of this AD.

(g) 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(h) 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 September 24, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–25040 Filed 9–30–96; 8:45 am]

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14 CFR Part 39

[Docket No. 96–NM–79–AD]

RIN 2120–AA64

Airworthiness Directives; Fokker Model F27 Mark 050 and F28 Mark 0100 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 Fokker Model F27 Mark 050 and F28 Mark 0100 series airplanes. This proposal would require installation of a bonding cable for the housing of the lavatory pump and filter assembly and the lavatory bowl. This proposal is prompted by a report indicating that the housing of the lavatory pump and filter assembly is not grounded properly. The actions specified by the proposed AD are intended to prevent such improper grounding, which could result in an electrical fire and/or injury to passengers and crewmembers.

DATES: Comments must be received by November 12, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–79–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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Ruth Harder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–1721; 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–79–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–79–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F27 Mark 050 and F28 Mark 0100 series airplanes. The RLD advises that it received a report indicating that the housing of the lavatory pump and filter assembly is not grounded properly. The metal toilet bowl is connected to the housing of the 115 volt AC motor that drives the lavatory pump and filter assembly. If this electrical motor fails, the toilet bowl could carry high voltage. In addition, an electrical short could cause the motor to overheat. These conditions, if not corrected, could result in an electrical fire and/or injury to passengers and crewmembers.

Explanation of Relevant Service Information

Fokker has issued Service Bulletin SBF50–25–046, Revision 1, dated August 5, 1994 (for Model F27 Mark 050 series airplanes); and Service Bulletin SBF100–25–069, dated July 13, 1994, as revised by Service Bulletin Change Notification (SBCN) SBF100–25–069/01, dated February 15, 1995 (for Model F28 Mark 0100 series airplanes). These service bulletins describe procedures for installation of a bonding cable for the housing of the lavatory pump and filter assembly and the lavatory bowl. Accomplishment of the installation will provide electrical grounding for the pump and filter assembly housing. The RLD classified these service bulletins as mandatory and issued Netherlands airworthiness directive BLA 94–129(A), dated August 31, 1994, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

This airplane model is manufactured in the Netherlands 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 RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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 installation of a bonding cable for the housing of the lavatory pump and filter assembly and the lavatory bowl. The actions would be required to be accomplished in accordance with the service bulletins described previously.