

Issued in Renton, Washington, on November 1, 1996.

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[FR Doc. 96-28691 Filed 11-7-96; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 39

[Docket No. 96-NM-154-AD]

RIN 2120-AA64

### Airworthiness Directives; Fokker Model 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 F28 Mark 0100 series airplanes. This proposal would require loosening certain nuts on the horizontal stabilizer control unit (HSCU) to reduce stress on bolts; a one-time inspection of certain bolts on the HSCU to detect cracking, and replacement, if necessary; application of corrosion protection to these bolts; and reassembly and reidentification of the modified HSCU. This proposal is prompted by reports indicating that stress corrosion, resulting from overtightening of nuts on these bolts, has caused some of these bolts to crack and fail. The actions specified by the proposed AD are intended to prevent failure of these bolts because of stress corrosion cracking which, if not corrected, could lead to loss of control of the horizontal stabilizer and reduced controllability of the airplane.

**DATES:** Comments must be received by December 20, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-154-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:** 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-154-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-154-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 F28 Mark 0100 series airplanes. The RLD advises that it has received reports indicating that lower bolts joining the dog-links to the pistons of the horizontal stabilizer control unit (HSCU) have cracked and failed on some airplanes. For the dog-links to disconnect from the pistons, both lower bolts would have to fail; no

disconnections, however, have been reported.

Investigation revealed that overtightening of the nuts on these bolts resulted in stress corrosion, which caused bolts to crack and fail. This condition, if not corrected, could lead to loss of control of the horizontal stabilizer and reduced controllability of the airplane.

##### Explanation of Relevant Service Information

Fokker has issued Service Bulletin SBF100-27-069, dated January 1, 1996, as revised by Service Bulletin Change Notification SBF100-27-069/01, dated January 8, 1996, which describes procedures for loosening (reducing the torque value) the nuts on the lower bolts that join the dog-links to the pistons of the horizontal stabilizer control unit (HSCU); a one-time inspection of these bolts to detect cracking, and replacement of discrepant bolts with serviceable bolts; application of corrosion protection to these bolts; and reassembly and reidentification of the HSCU that has been modified. The service bulletin references Menasco Aerospace Ltd. Service Bulletin 23100-27-19, dated November 10, 1995, as an additional source of service information for these procedures. The RLD classified the Fokker service bulletin, Fokker service bulletin change notification, and Menasco Aerospace Ltd. service bulletin as mandatory, and issued Netherlands airworthiness directive BLA 1996-006 (A), dated January 31, 1996, 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 registered in the United States, the proposed AD would require

loosening of nuts on lower bolts that join the dog-links to the pistons of the HSCU; a one-time inspection of these bolts to detect cracking, and replacement of discrepant bolts with serviceable bolts; application of corrosion protection to these bolts; and reassembly and reidentification of the HSCU that has been modified. (Some airplanes were modified on the production line, but the HSCU was not reidentified. This proposal would require that the HSCU on those airplanes also be reidentified.).

The proposed actions would be required to be accomplished in accordance with the service bulletins and service bulletin change notification described previously.

#### Cost Impact

The FAA estimates that 125 Fokker Model F28 Mark 0100 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 5 work hours per airplane to accomplish the proposed loosening of nuts, 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 \$37,500, or \$300 per airplane.

The FAA also estimates that it would take approximately 6 work hours per airplane to accomplish the proposed inspection, apply corrosion protection to the bolts, and reassemble and reidentify the HSCU. 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 \$45,000, or \$360 per airplane.

There currently are no known airplanes of U.S. registry that would be required to accomplish the proposed reidentification of the HSCU because the HSCU was modified on the production line and not reidentified.

The cost impact figures discussed above 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.

#### 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:

Fokker: Docket 96-NM-154-AD.

*Applicability:* Model F28 Mark 100 series airplanes, as listed in Fokker Service Bulletin SBF100-27-069, dated January 1, 1996; 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 failure of the lower bolts that join the dog-links to the piston of the horizontal stabilizer control unit (HSCU)

because of stress corrosion cracking, which could result in loss of control of the horizontal stabilizer and reduced controllability of the airplane, accomplish the following:

(a) Within 3 months after the effective date of this AD, loosen the nut [part number (P/N) MS17825-10] on each lower bolt (P/N 23233-1) that joins the dog-links to the piston of the HSCU, in accordance with Part 1 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-069, dated January 1, 1996, as revised by Part 1 of Fokker Service Bulletin Change Notification SBF100-27-069/01, dated January 8, 1996; and Part A of the Accomplishment Instructions of Menasco Aerospace Ltd. Service Bulletin 23100-27-19, dated November 10, 1995.

(b) Within 6 months after the effective date of this AD, inspect each lower bolt (P/N 23233-1) that joins the dog-links to the pistons of the HSCU to detect cracking and failure, in accordance with the Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-069, dated January 1, 1996, as revised by Part 2 of Fokker Service Bulletin Change Notification SBF100-27-069/01, dated January 8, 1996; and Part B of the Accomplishment Instructions of Menasco Aerospace Ltd. Service Bulletin 23100-27-19, dated November 10, 1995.

(1) If no cracking or failure is detected, prior to further flight, apply corrosion protection to each bolt, and reassemble and reidentify the HSCU, in accordance with Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-069, dated January 1, 1996, as revised by Part 2 of Fokker Service Bulletin Change Notification SBF100-27-069/01, dated January 8, 1996; and Part B of the Accomplishment Instructions of Menasco Aerospace Ltd. Service Bulletin 23100-27-19, dated November 10, 1995.

(2) If any cracking or failure is detected, prior to further flight, replace the discrepant bolt with a serviceable bolt, apply corrosion protection to each serviceable bolt, and reassemble and identify the HSCU, in accordance with Part 2 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-069, dated January 1, 1996, as revised by Part 2 of Fokker Service Bulletin Change Notification SBF100-27-069/01, dated January 8, 1996; and Part B of the Accomplishment Instructions of Menasco Aerospace Ltd. Service Bulletin 23100-27-19, dated November 10, 1995.

(c) For airplanes having serial numbers 11500, 11505, and 11511: Within 6 months after the effective date of this AD, reidentify the HSCU in accordance with Part 3 of the Accomplishment Instructions of Fokker Service Bulletin SBF100-27-069, dated January 1, 1996.

(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, 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.

(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.

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

[FR Doc. 96-28690 Filed 11-7-96; 8:45 am]

BILLING CODE 4910-13-U

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 181-0021; FRL-5642-9]

#### Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP) for ozone. The revision concerns the control of oxides of nitrogen (NO<sub>x</sub>) and oxides of sulfur (SO<sub>x</sub>) emissions using an emissions-limiting economic incentive program (EIP), the NO<sub>x</sub> and SO<sub>x</sub> Regional Clean Air Incentives Market (NO<sub>x</sub>/SO<sub>x</sub> RECLAIM). This program, which consists of twelve rules and associated appendices known as Regulation XX, applies to facilities in the South Coast Air Quality Management District (SCAQMD) with four or more tons of NO<sub>x</sub> or SO<sub>x</sub> emissions per year from permitted equipment. The subject facilities, in order to meet annual emission reduction requirements, will participate in an EIP in order to reduce emissions at a significantly lower cost. The intended effect of proposing approval of this rule is to regulate emissions of NO<sub>x</sub> in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA's final action on this notice of proposed rulemaking will incorporate this rule into the federally approved SIP. EPA has evaluated this rule and is proposing to approve it

under provisions of the CAA regarding EPA actions on SIP submittals, SIPs for national primary and secondary ambient air quality standards (NAAQS), and plan requirements for nonattainment areas. Elsewhere in the Federal Register today, EPA is finalizing a limited approval/limited disapproval of an earlier version of the RECLAIM program (submitted to EPA for approval on March 21, 1994); when EPA publishes its final action approving the August 28, 1996 submittal, the possibility of sanctions mentioned in the final limited approval/limited disapproval of the earlier submittal will be removed.

**DATES:** Comments on this proposed action must be received in writing on or before December 9, 1996.

**ADDRESSES:** Comments may be mailed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule and EPA's evaluation report are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812.  
South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765-4182.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Israels, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1194.

#### SUPPLEMENTARY INFORMATION:

##### Applicability

The rule being proposed for approval into the California SIP is: SCAQMD Regulation XX, NO<sub>x</sub>/SO<sub>x</sub> RECLAIM. This rule was submitted by the California Air Resources Board (CARB) to EPA on August 28, 1996 and found complete on September 17, 1996.

##### Background

On November 15, 1990, the Clean Air Act Amendments of 1990 (CAA) were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. The air quality planning requirements for the reduction of NO<sub>x</sub> emissions through reasonably available control technology (RACT) are set out in section 182(f) of the CAA. On November 25, 1992, EPA published a NPRM entitled

"State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble; Clean Air Act Amendments of 1990 Implementation of Title I; Proposed Rule," (the NO<sub>x</sub> Supplement) which describes and provides preliminary guidance on the requirements of section 182(f). The November 25, 1992, notice should be referred to for further information on the NO<sub>x</sub> requirements and is incorporated into this document by reference.

Section 182(f) of the Clean Air Act requires States to apply the same requirements to major stationary sources of NO<sub>x</sub> ("major" as defined in section 302 and section 182(c), (d), and (e)) as are applied to major stationary sources of volatile organic compounds (VOCs), in moderate or above ozone nonattainment areas. The Los Angeles-South Coast Air Basin is classified as extreme;<sup>1</sup> therefore this area was subject to the RACT requirements of section 182(b)(2) and the November 15, 1992 deadline, cited below.

Section 182(b)(2) requires submittal of RACT rules for major stationary sources of VOC (and NO<sub>x</sub>) emissions (not covered by a pre-enactment control techniques guidelines (CTG) document or a post-enactment CTG document) by November 15, 1992. There were no NO<sub>x</sub> CTGs issued before enactment and EPA has not issued a CTG document for any NO<sub>x</sub> sources since enactment of the CAA. The RACT rules covering NO<sub>x</sub> sources and submitted as SIP revisions, are expected to require final installation of the actual NO<sub>x</sub> controls as expeditiously as practicable, but no later than May 31, 1995.

On April 7, 1994, EPA published a Notice of Final Rulemaking (NFRM) concerning EIPs entitled "Economic Incentive Program Rules," (EIP rules) in order to fulfill the requirements of section 182(g)(4)(A) of the Act (see 59 FR 16690). The EIP rules establish several requirements which State programs must meet. These requirements are:

- *Statement of goals and rationale.* This element shall include a clear statement as to the environmental problem being addressed, the intended environmental and economic goals of the program, and the rationale relating the incentive-based strategy to the program goals.

- *Program scope.* This element shall contain a clear definition of the sources affected by the program.

<sup>1</sup> The Los Angeles-South Coast Air Basin retained its designation of nonattainment and classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. See 55 FR 56694 (November 6, 1991).