In addition to the applicable airworthiness regulation and special condition, the Model EMB–145 must comply with the fuel vent and exhaust emission requirements of Part 25 and the noise certification requirements of Part 36.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

The Model EMB–145 will have an unusual design feature which is the lack of incorporation of thrust reversers as standard equipment.

As described above, these special conditions are applicable to the EMB–145. Should Empresa Brasileira de Aeronautica S.A. apply at a later date for a change to the type of certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain novel or unusual design features on one model of airplane. It is not a rule of general applicability, and it affects only the manufacturer who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Part 25

Air Transportation, Aircraft, Aviation safety, Safety.

The authority citation for these special conditions continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Empresa Brasileira de Aeronautica S.A., Model EMB–145 airplanes.

1. Require Embraer to account for the effect of wet runway surfaces on accelerate-stop distances for the Model EMB–145 in accordance with criteria contained in NPRM 93–8 and its associated guidance.

2. Takeoff limitations for operation of the EMB–145 on wet runway surfaces must be predicted on the wet runway accelerate-stop criteria contained in NPRM93–8.

Issued in Renton, Washington, on November 7, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100.

[FR Doc. 96–29481 Filed 11–15–96; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 96–NM–52–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747 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 Boeing Model 747 series airplanes. This proposal would require a one-time inspection to detect corrosion and cracking of the upper deck floor beam at station 980, and repair, if necessary. This proposal is prompted by reports of extensive corrosion found at station 980. Analysis of the corrosion indicated that fatigue cracking of the floor beam at this area could occur and cause the beam to break. The actions specified by the proposed AD are intended to detect and correct such corrosion and/or cracking, which could cause the floor beam to break and result in extensive damage to adjacent structure and possible rapid decompression of the airplane.

DATES: Comments must be received by December 30, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–52–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: Bob Breneman, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2776; 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 96–NM–52–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–52–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of corrosion found under the threshold attached to the floor beam at the cart lift cutout in the upper deck floor at station 980 on several Boeing Model 747–300 and –400 series airplanes. The corrosion occurred where the stainless steel threshold contacts the aluminum floor structure. Analysis of an extensively corroded section of the station 980 floor beam, which had been removed from a 7-year old Model 747–400 series airplane, revealed that fatigue cracking could initiate at the corroded area and could propagate. The analysis further indicated that the floor beam could break at approximately 1,500 flight cycles after cracking was initiated. At

this time, the FAA has not received any reports of cracking of the floor beam due to corrosion at station 980. However, such corrosion and potential cracking, if not detected and corrected in a timely manner, could cause the upper deck floor beam at station 980 to break, and would result in extensive damage to adjacent structure and possible rapid decompression of the airplane.

Similar Models Subject to the Unsafe Condition

Upper deck cart lifts installed at station 980 on Boeing Model 747–300 and –400 series airplanes are identical to those cart lifts installed at station 980 on other Model 747 series airplanes; therefore, all of these models may be subject to this same unsafe condition.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 747–53A2400, dated December 21, 1995, which describes procedures for a one-time detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold removed, and repair, if necessary. For older airplanes, the alert service bulletin describes alternative procedures that include a detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold installed, followed later by a detailed visual inspection with the cart lift threshold removed; and repair, if necessary.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require a one-time detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold removed, and repair, if necessary. The proposed AD also would provide an alternative inspection method for older airplanes, which includes a detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold installed, followed later by an inspection with the cart lift threshold removed, and repair, if necessary. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Difference Between the Proposed AD and Referenced Service Bulletin

Operators should note that Boeing Alert Service Bulletin 747–53A2400, dated December 21, 1995, advises that, if an operator has performed the modification work and has applied sealant under the cart lift threshold as specified in Boeing Service Bulletin 747–53–2327, the inspection described in Boeing Alert Service Bulletin 747–53A2400 is not necessary. However, the FAA has determined that Boeing Service Bulletin 747–53–2327 does not provide adequate instructions to apply sealant under the threshold. Therefore, the FAA does not consider the accomplishment of Boeing Service Bulletin 747–53–2327 to be an alternative to the requirements of this proposed AD.

Cost Impact

There are approximately 195 Model 747 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 28 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 19 work hours per airplane to accomplish the proposed actions, 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 $31,920, or $1,140 per airplane.

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:

Boeing: Docket 96–NM–52–AD.

Applicability: Model 747–300 and –400 series airplanes having line numbers up to and including 843, and Model 747 series airplanes modified to a stretched upper deck configuration; on which an upper deck cart lift has been installed at station 980; 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 detect and correct corrosion and consequent fatigue cracking of the upper deck floor beam at station 980, which could cause the floor beam to break and, consequently, result in extensive damage to adjacent structure and possible rapid decompression of the airplane; accomplish the following:

(a) Perform a one-time detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold removed, in accordance with Boeing Alert Service Bulletin 747–53A2400, dated

December 21, 1995, at the time specified in paragraph (a)(1), (a)(2), or (a)(3) of this AD, as applicable.

Note 2: Boeing Alert Service Bulletin 747–53A2400, dated December 21, 1995, specifies that the inspection described in the alert service bulletin need not be accomplished on airplanes on which the actions described in Boeing Service Bulletin 747–53–2327 have been accomplished. However, this AD requires that the inspection described in the alert service bulletin be accomplished regardless of accomplishment of the actions specified in Boeing Service Bulletin 747–53–2327. Where there are differences between this AD and the alert service bulletin, the requirements of the AD prevails.

(1) For airplanes that, as of the effective date of this AD, have accumulated less than 6 years since date of delivery of the airplane or since installation of a stretched upper deck (SUD): Accomplish the inspection at the later of the times specified in paragraphs (a)(1)(i) and (a)(1)(ii) of this AD.

(i) Within 6 years since date of delivery of the airplane or since installation of a SUD, whichever occurs first. Or

(ii) Within 1,500 flight cycles after the effective date of this AD.

(2) For airplanes that, as of the effective date of this AD, have accumulated 6 or more years, but less than 10 years, since date of delivery of the airplane or since installation of a SUD: Accomplish the inspection within 1,500 flight cycles or 18 months after the effective date of this AD, whichever occurs first.

(3) For airplanes that, as of the effective date of this AD, have accumulated 10 or more years of service since the time of initial delivery, or since the time of installation of the SUD: Except as provided by paragraph (c) of this AD, accomplish the inspection within 9 months or within 750 flight cycles after the effective date of this AD, whichever occurs first.

(b) If any corrosion or cracking is detected during the inspection required by paragraph (a) of this AD: Prior to further flight, repair the corrosion and/or cracking, and apply sealant between the threshold and the upper deck floor beam at station 980, in accordance with Boeing Alert Service Bulletin 747–53A2400, dated December 21, 1995.

(c) For airplanes that, as of the effective date of this AD, have accumulated 10 or more years of service since the time of initial delivery, or 10 or more years of service since the installation of a SUD: In lieu of accomplishing the requirements of paragraph (a) of this AD, within 9 months after the effective date of this AD, perform a one-time detailed visual inspection to detect corrosion of the upper deck floor beam at station 980 with the cart lift threshold installed, in accordance with Boeing Alert Service Bulletin 747–53A2400, dated December 21, 1995.

(1) If no corrosion or cracking is detected: Within 18 months or 1,500 flight cycles after the effective date of this AD, whichever occurs first, remove the cart lift threshold and perform a visual inspection to detect any corrosion or cracking of the upper deck floor beam at station 980. If any corrosion or cracking is detected, prior to further flight, repair the corrosion and/or cracking, and apply sealant between the threshold and the upper deck floor beam at station 980; in accordance with the alert service bulletin.

(2) If any corrosion or cracking is detected: Prior to further flight, remove the cart lift threshold and perform a detailed visual inspection to detect any corrosion or cracking of the upper deck floor beam at station 980; repair any corrosion and/or cracking detected; and apply sealant between the threshold and the upper deck floor beam at station 980; in accordance with the alert service bulletin.

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

(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.

Issued in Renton, Washington, on November 8, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–29418 Filed 11–15–96; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–NM–71–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747–200, –300, and –400 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 Boeing Model 747–200, –300, and –400 series airplanes. This proposal would require repetitive inspections to detect cracking of the front spar web of the center section of the wing, and repair, if necessary. This proposal is prompted by reports of fatigue cracking found in the front spar web. The actions specified by the proposed AD are intended to prevent the leakage of fuel into the forward cargo bay, as a result of fatigue cracking in the front spar web, which could result in a potential fire hazard.

DATES: Comments must be received by December 30, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–71–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: Tamara Dow, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2771; 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 96–NM–71–AD.'' The postcard will be date stamped and returned to the commenter.