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

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## 14 CFR Part 39

[Docket No. 96-NM-262-AD; Amendment 39-9825; AD 96-23-16]

RIN 2120-AA64

### Airworthiness Directives; Fokker Model F28 Mark 0070 and 0100 Series 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) 96-23-16 that was sent previously to all known U.S. owners and operators of Fokker Model F28 Mark 0070 and 0100 series airplanes by individual notices. This AD requires a revision to the Airplane Flight Manual that will enable the flightcrew to determine if the thrust reversers are properly locked prior to take-off. This AD also prohibits dispatch of the airplane, under certain conditions, with both autothrottle channels inoperative. In addition, this AD requires revising the maintenance program to provide instructions to correct thrust reverser malfunctions. This amendment is prompted by preliminary results of an investigation of an accident in which a thrust reverser may have deployed inadvertently during flight. The actions specified by this AD are intended to prevent an unannounced failure of the secondary lock of the thrust reversers, which could result in reduced protection against inadvertent deployment of the thrust reversers during flight.

**DATES:** Effective November 25, 1996 to all persons except those persons to whom it was made immediately effective by emergency AD 96-23-16, issued November 8, 1996, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before January 21, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-

262-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Information concerning this rulemaking action 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:** On November 8, 1996, the FAA issued emergency AD 96-23-16, which is applicable to all Fokker Model F28 Mark 0070 and 0100 series airplanes.

That AD was prompted by notification from the Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, that an unsafe condition may exist on all Fokker Model F28 Mark 0070 and 0100 series airplanes. The RLD advised that, on October 31, 1996, a Fokker Model F28 Mark 0100 series airplane was involved in an accident shortly after take-off in Sao Paulo, Brazil.

Preliminary accident investigation results indicate that, during take-off, the thrust reverser of the right-hand engine may have inadvertently deployed. The cause of this possible deployment is unknown at this time.

However, the results of a study conducted by Fokker following the accident revealed that a malfunction of the secondary lock of the thrust reverser may occur without indication to the flightcrew. The secondary lock of the thrust reverser may remain in the unlocked position (i.e., No. 1 relay energized) in conditions when it should be locked. The secondary lock is a backup to the primary actuator lock and is designed to open only when thrust reverser deployment is commanded. If the flightcrew is unaware that the secondary lock is in the unlocked position, the airplane may take off with reduced safety margins. Currently, there are no indications that the secondary lock No. 1 relay failure contributed to the accident that occurred on October 31.

An unannounced failure of the secondary lock of the thrust reversers could result in reduced protection against inadvertent deployment of the thrust reversers in-flight.

The thrust reverser system that is installed on Fokker Model F28 Mark 0100 series airplanes is identical in design to that installed on Fokker Model F28 Mark 0070 series airplanes.

Therefore, the FAA finds that both of these models are subject to the same unsafe condition identified in this AD.

### Explanation of Relevant Service Information

Fokker has developed procedural information, for inclusion in the Airplane Flight Manual (AFM) of the affected airplanes, that will enable the flightcrew to determine if the thrust reversers are properly locked prior to take-off by monitoring proper engagement of the autothrottle system (ATS).

Fokker also has developed procedural information to prohibit dispatch of the airplane with both autothrottle channels inoperative, unless both thrust reversers are deactivated and secured in the stowed position, and no operations are conducted that are predicated on thrust reverser operation.

In addition, Fokker has developed procedural information, for inclusion in the airplane maintenance program of the affected airplanes, that will provide instructions to correct thrust reverser malfunctions.

All of the procedures described in these documents will contribute to preventing the unannounced failure of the secondary lock of the thrust reversers, which could result in reduced protection against inadvertent deployment of the thrust reversers during flight.

The RLD classified these procedures as mandatory, and issued Netherlands airworthiness directive BLA 1996-138 (A), dated November 7, 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 the Requirements of the AD

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA

issued emergency AD 96-23-16 to prevent an unannounced failure of the secondary lock of the thrust reversers, which could result in reduced protection against inadvertent deployment of the thrust reversers during flight. The AD requires:

1. Revising the Limitations Section of the FAA-approved AFM to enable the flightcrew to determine if the thrust reversers are properly locked prior to take-off by monitoring proper engagement of the ATS;

2. Prohibiting the dispatch of the airplane with both autothrottle channels inoperative, unless both thrust reversers are deactivated and secured in the stowed position, and no operations are conducted that are predicated on thrust reverser operation; and

3. Revising the FAA-approved maintenance program to provide instructions to correct thrust reverser malfunctions.

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 notices issued on November 8, 1996, to all known U.S. owners and operators of Fokker Model F28 Mark 0070 and 0100 series 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.

#### Interim Action

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

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public 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 shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. 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 Number 96-NM-262-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 that it 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 the following new airworthiness directive:

96-23-16 Fokker: Amendment 39-9825.  
Docket 96-NM-262-AD.

*Applicability:* All Model F28 Mark 0070 and 0100 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 (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent an unannounced failure of the secondary lock of the thrust reversers, which could result in reduced protection against inadvertent deployment of the thrust reversers in-flight, accomplish the following:

(a) Within 48 hours after receipt of this AD, accomplish paragraphs (a)(1), (a)(2), and (a)(3) of this AD.

(1) Revise the Section 1 of the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

• Before take-off, arm the autothrottle system (ATS).

• When cleared for take-off, activate the take-off/go-around (TOGA) trigger(s), and positively verify ATS engagement [throttle movement and white steady AT1, AT2, or AT in the flight mode annunciator (FMA) engage window].

• If the ATS does NOT engage correctly, abort the take-off, return, and report to maintenance.

• If the ATS does engage correctly, you may continue take-off with either ATS engaged or disengaged, as necessary."

(2) Dispatch of the airplane with both autothrottle channels inoperative is prohibited, unless both thrust reversers are deactivated and secured in the stowed position, and no operations are conducted that are predicated on thrust reverser operation.

(3) Revise the FAA-approved maintenance program to incorporate the following:

**“DETAILED MAINTENANCE PROCEDURE**

If the autothrottle system does NOT engage correctly, perform the following:

- Select the engine multiplexer (EMUX) 1 and 2 input verification page [refer to Chapter 31–61–00 of the airplane maintenance manual (AMM)].
- If the multi-function display unit (MFDU) shows:

REVERSER  
NOT DEPL  
REVERSER  
STOWED

These indications mean that the autothrottle (A/T) fault is not caused by a thrust reverser problem. Repair the affected ATS in accordance with the FAA-approved airplane maintenance program (refer to Chapter 22–41–00 of the AMM).

- If the MFDU shows:

REVERSER  
NOT DEPL  
REVERSER  
NOT STOWED

**AND**

If there is no reverser alert [REVERSER ENG 1 (2)] on the MFDU, prior to further flight, accomplish either of the following:

- Replace the left-hand relay K1265A or right-hand relay K1266A. Check the thrust reverser system (refer to Chapter 78–30–00 of the AMM); or
- Deactivate both thrust reversers (refer to task 78–00–00–040–812 of the AMM).

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on November 25, 1996 to all persons except those persons to whom it was made immediately effective by emergency AD 96–23–16, issued November 8, 1996, which contained the requirements of this amendment.

Issued in Renton, Washington, on November 13, 1996.

James V. Devany,  
*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96–29608 Filed 11–19–96; 8:45 am]

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**14 CFR Part 39**

[Docket No. 96–NM–81–AD; Amendment 39–9824; AD 95–26–15 R1]

RIN 2120–AA64

**Airworthiness Directives; Allied Signal Commercial Avionics Systems CAS–81 Traffic Alert and Collision Avoidance Systems (TCAS) as Installed in, but not Limited to, Various Transport Category Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment revises an existing airworthiness directive (AD), applicable to various transport category airplanes equipped with Allied Signal Commercial Avionics Systems CAS–81 TCAS, that currently requires a revision to the Airplane Flight Manual (AFM) to provide the flightcrew with procedures to cycle power to the TCAS processor via the circuit breaker or power bus, and to perform a TCAS functional test to verify proper operation of the TCAS. That AD was prompted by reports of failure of the audio output of the CAS–81 TCAS. The actions specified by that AD are intended to ensure that the flightcrew is advised of the potential hazard associated with failure of the audio output of the CAS–81 TCAS, and of the procedures necessary to address it. This amendment adds a revision of the AFM requirements that provides an alternative method of compliance with the currently required AFM revision; and provides for a modification to the TCAS processor, which, if accomplished, terminates the requirements of the AD.

**DATES:** Effective December 26, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from Allied Signal Aerospace, Technical Publications, Dept. 65–70, P.O. Box 52170, Phoenix, Arizona 85072–2170. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

David Crew, Aerospace Engineer, Systems and Flight Test Branch, ACE–116A, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701

Columbia Avenue, Suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7335; fax (404) 305–7348.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by revising AD 95–26–15, amendment 39–9495 (61 FR 2699, January 29, 1996), which is applicable to various transport category airplanes equipped with Allied Signal Commercial Avionics Systems CAS–81 TCAS, was published in the Federal Register on June 5, 1996 (61 FR 28518). The action proposed to continue to require a revision to the Airplane Flight Manual (AFM) to provide the flightcrew with procedures to cycle power to the TCAS processor via the circuit breaker or power bus, and to perform a TCAS functional test to verify proper operation of the TCAS. The action also proposed to require a revision of the AFM requirements that would provide an alternative method of compliance with the currently required AFM revision; and would provide for a modification to the TCAS processor, which, if accomplished, terminates the requirements of the AD.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

**Support for the Proposal**

Three commenters support the rule.

**Request to Cite Additional Service Instructions**

One commenter requests that paragraph (c) of the proposed rule be revised to indicate that modification of the TPA–81A Traffic Alert and Collision Avoidance Systems (TCAS) processor may be accomplished either in accordance with Allied Signal Service Bulletin TPA–81A–34–82, dated January 1996, or with Allied Signal Service Bulletin TPA–81A–34–84, dated January 1996.

The FAA concurs, and has revised the final rule to reflect that the modification can be accomplished in accordance with either of the service bulletins.

**Request to Specify Part Numbers of Affected Items**

One commenter requests that the proposed rule specifically define the part numbers (by serial number) that are subject to the proposed requirements so that applicability could be established by using those serial numbers of the parts. The commenter states that using specific serial numbers to define applicability does not remove the burden of the manufacturers and