

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96-24-14 LOCKHEED: Amendment 39-9838. Docket 95-NM-248-AD.

Applicability: All Model 382 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 loss of brake effectiveness during a high energy rejected takeoff (RTO), accomplish the following:

(a) Within 180 days after the effective date of this AD, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD.

(1) Inspect the main landing gear brakes having the brake part number listed below for wear, in accordance with Hercules Alert Service Bulletin A382-32-47, dated March 1, 1995. Any brake worn more than the maximum wear limit specified below must be replaced, prior to further flight, with a brake within that limit, in accordance with the alert service bulletin.

Brake manufacturer	Brake part No.	Maximum wear limit (inches)
Hercules	9560685	0.359

(2) Incorporate into the FAA-approved maintenance inspection program the maximum brake wear limits specified in paragraph (a)(1) of this AD.

(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, Atlanta Aircraft Certification Office (ACO), FAA, Small 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, Atlanta ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(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) The inspection shall be done in accordance with Hercules Alert Service

Bulletin A382-32-47, dated March 1, 1995.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Lockheed Aeronautical Systems Support Company (LASSC), Field Support Department, Dept. 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. Copies may be inspected at the FAA, Transport Airplane Directorate, 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.

(e) This amendment becomes effective on January 27, 1997.

Issued in Renton, Washington, on November 22, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-30567 Filed 12-18-96; 8:45 am]

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14 CFR Part 39

[Docket No. 96-NM-268-AD; Amendment 39-9850; AD 96-24-10]

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) 96-24-10 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 amendment supersedes an existing AD, but retains the requirement of that AD to incorporate a revision to the Airplane Flight Manual that will enable the flightcrew to determine if the thrust reversers are properly stowed and locked prior to take-off. This new AD also requires a new revision to the maintenance program to incorporate certain instructions related to checks of the thrust reverser system. This new AD allows dispatch of the airplane, under certain conditions, with both thrust reversers inoperative. This action is prompted by results of a review, which indicated that a potential latent failure of the secondary lock switch 1 of the thrust reverser system in the open position may occur, in addition to the potential failure of the secondary lock

relay 1 in the energized position, which was addressed by the existing AD. The actions specified by this AD are intended to prevent such failures, which could result in reduced protection against inadvertent deployment of the thrust reversers during flight.

DATES: Effective December 24, 1996, to all persons except those persons to whom it was made immediately effective by emergency AD 96-24-10, issued on November 19, 1996, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 24, 1996.

Comments for inclusion in the Rules Docket must be received on or before February 18, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-268-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The applicable service information 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

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 AD 96-23-16, amendment 39-9825 (61 FR 5887, November 20, 1996), applicable to all Fokker Model F28 Mark 0070 and 0100 series airplanes. That AD:

1. Requires a revision to the Airplane Flight Manual (AFM) to include information that will enable the flightcrew to determine if the thrust reversers are properly stowed and locked prior to take-off;

2. Provides for dispatch of the airplane with both autothrottle channels inoperative, provided that 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. Requires revising the maintenance program to provide instructions to

correct malfunctions of the thrust reverser system.

The requirements of that AD were intended to prevent an unannounced failure of the secondary lock relay 1 of the thrust reversers, which could result in reduced protection against inadvertent deployment of the thrust reversers during flight.

Actions Since Issuance of Previous AD

Since the issuance of AD 96-23-16, the Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, advises that Fokker has conducted an additional review and safety assessment of the thrust reverser control and indication system. The results of this review indicate that a potential latent failure of the secondary lock switch 1 in the open position may occur; this is in addition to the potential failure of the secondary lock relay 1 in the energized position, which was addressed by AD 96-23-16.

Failure of the secondary lock switch 1 in the open position could prevent or block the automatic signal to command the thrust reversers to the stow position when an uncommanded movement of the secondary lock actuator occurs.

Explanation of Relevant Service Information

Fokker has issued All Operator Message TS96.67591, dated November 14, 1996, including Appendix 1 and Appendix 2. Among other things, the All Operator Message describes procedures for performing a daily check to detect a latent failure of the secondary lock switch 1. Accomplishment of these actions will prevent a latent failure of the secondary lock switch 1. The RLD classified the All Operator Message as mandatory and issued Netherlands airworthiness directive (BLA) 1996-138/2 (A), dated November 15, 1996, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

These airplanes model are manufactured in the Netherlands and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. 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 Rule

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 96-24-10 to prevent failure of the secondary lock relay 1 of the thrust reversers in the energized position and secondary lock switch 1 in the open position, which could result in reduced protection against inadvertent deployment of the thrust reversers during flight. The new AD supersedes AD 96-23-16, but continues to require a revision to the Limitations Section of the FAA-approved AFM to enable the flightcrew to determine if the thrust reversers are properly stowed and locked prior to take-off by monitoring proper engagement of the autothrottle system (ATS). This new AD allows dispatch of the airplane with both thrust reversers inoperative, provided they are deactivated and secured in the stowed position, and no operations are conducted that are predicated on thrust reverser operation. In addition, the new AD requires a new revision to the FAA-approved maintenance program to incorporate instructions to correct malfunctions of the secondary lock relay 1 of the thrust reversers found during the operational tests; to perform a daily check to detect latent failure of the secondary lock switch 1; and to take corrective actions, if necessary. The revision to the maintenance program is required to be accomplished in accordance with Appendix 2 of the All Operator Message previously described.

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

Differences Between This AD and the Related Netherlands BLA

This AD differs from the Netherlands airworthiness directive (BLA) 1996-138/2 (A), in the following respects:

1. This AD allows dispatch with both thrust reversers inoperative, provided they are deactivated and stowed, and no operations are conducted that are predicated on thrust reverser operation; whereas, the Dutch airworthiness directive does not address this issue. The FAA-approved Master Minimum Equipment List (MMEL) only allows one thrust reverser to be inoperative; whereas, the Dutch MMEL allows both thrust reversers to be inoperative. Therefore, the FAA finds that the AD must include provisions for dispatch of the airplane with both thrust reversers deactivated and stowed.

2. The AD does not allow both autothrottle channels to be inoperative; whereas, the Dutch airworthiness directive does permit this option, albeit with certain restrictions. The FAA-approved MMEL allows only one autothrottle to be inoperative. The FAA finds no safety-related reason to change this requirement.

3. The AD does not allow dispatch of the airplane with an inoperative thrust reverser indication and alerting system, which is consistent with the FAA-approved MMEL. The Dutch airworthiness directive removes this provision from the Dutch MMEL.

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-268-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, Incorporation by reference, 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 removing amendment 39-9825 (61 FR 5887, November 20, 1996), and by adding a new airworthiness directive, amendment 39-9850, to read as follows:

96-24-10 Fokker: Amendment 39-9850.

Docket 96-NM-268-AD. Supersedes AD 96-23-16, amendment 39-9825.

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 (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 reduced protection against inadvertent deployment of the thrust reversers during flight, accomplish the following:

(a) Within 48 hours after November 25, 1996 (the effective date of AD 96-23-16, amendment 39-9825), revise 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.”

(b) Dispatch with both thrust reversers inoperative is allowed, provided they are deactivated and secured in the stowed position, and no operations are conducted that are predicated on thrust reverser operation. Where there are differences between the Master Minimum Equipment List (M MEL) and the AD, the AD prevails.

(c) Within 48 hours after the effective date of this AD, revise the FAA-approved maintenance program to include the procedures specified in Appendix 2 of Fokker All Operator Message TS96.67591, dated November 14, 1996. These procedures must be accomplished daily, and prior to further flight following failure of the

operational check required by paragraph (a) of this AD. If any failure is detected during these procedures, prior to further flight, accomplish the corrective actions in accordance with the procedures. The FAA-approved maintenance program procedures required by paragraph (a)(3) of AD 96-23-16, amendment 39-9825, may be removed following accomplishment of the requirements of this paragraph.

(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, 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.

(f) The revision to the maintenance program shall be done in accordance with Fokker All Operator Message TS96.67591, dated November 14, 1996, including Appendix 1 and Appendix 2. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on December 24, 1996, to all persons except those persons to whom it was made immediately effective by emergency AD 96-24-10, issued on November 19, 1996, which contained the requirements of this amendment.

Issued in Renton, Washington, on December 5, 1996.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-31524 Filed 12-18-96; 8:45 am]

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14 CFR Part 39

[Docket No. 95-ANE-57; Amendment 39-9853; AD 96-25-10]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.