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Issued in Kansas City, Missouri, on February 24, 1997.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-5471 Filed 3-5-97; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 96-CE-23-AD]

RIN 2120-AA64

Airworthiness Directives; Aviat Aircraft, Inc. Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B Airplanes (formerly known as Pitts Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B Airplanes)

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise AD 96-12-03, which applies to Aviat Aircraft, Inc. (Aviat) Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B airplanes that are equipped with aft lower fuselage wing attach fittings incorporating either part number (P/N) 76090, 2-2107-1, or 1-210-102. That AD currently requires repetitively inspecting the aft lower fuselage wing attach fitting on both wings for cracks, and modifying any cracked aft lower fuselage wing attach fitting. Modifying both aft lower fuselage wing attach fittings eliminates the repetitive inspection requirement of AD 96-12-03. Aviat recently started incorporating modified aft lower fuselage wing attach fittings on newly manufactured airplanes. The proposed AD would retain the requirements of AD 96-12-03, but would exempt airplanes that had the modified aft lower fuselage wing attach fittings incorporated at manufacture. The actions specified by the proposed AD are intended to prevent possible in-flight separation of the wing from the airplane caused by a cracked fuselage wing attach fitting.

DATES: Comments must be received on or before June 4, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-23-

AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Aviat Aircraft, Inc., P.O. Box 1240 (postal service delivery), 672 South Washington Street (express mail), Afton, Wyoming 83110. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Roger Caldwell, Aerospace Engineer, FAA, Denver Aircraft Certification Office, 26805 E. 68th Avenue, Room 214, Denver, Colorado 80249; telephone (303) 342-1086; facsimile (303) 342-1088.

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 should 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 that summarizes 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 No. 96-CE-23-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-23-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Events Leading to the Proposed AD

AD 96-12-03, Amendment 39-9645 (61 FR 28730, June 6, 1996), applies to Aviat Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B airplanes that are equipped with aft lower fuselage wing attach fittings incorporating either part number (P/N) 76090, 2-2107-1, or 1-210-102. The AD currently requires repetitively inspecting the aft lower fuselage wing attach fitting on both wings for cracks, and modifying any cracked aft lower fuselage wing attach fitting. Modifying both aft lower fuselage wing attach fittings eliminates the repetitive inspection requirement of AD 96-12-03. Accomplishment of the actions required by AD 96-12-03 is in accordance with Aviat Service Bulletin (SB) No. 25, dated April 3, 1996.

Aviat recently started incorporating modified aft lower fuselage wing attach fittings on newly manufactured Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B airplanes. In addition, Aviat revised SB No. 25 (Revised November 12, 1996) to include this airplane serial number effectivity change.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that (1) those airplanes with modified aft lower fuselage wing attach fittings incorporated at manufacture should be exempt from AD 96-12-03; and (2) AD action should be taken to prevent possible in-flight separation of the wing from the airplane caused by a cracked fuselage wing attach fitting.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Aviat Models S-1S, S-1T, S-2, S-2A, S-2S, and S-2B airplanes of the same type design that are equipped with aft lower fuselage wing attach fittings incorporating either P/N 76090, 2-2107-1, or 1-210-102, the FAA is proposing to revise AD 96-12-03. The proposed AD would retain the requirements of AD 96-12-03, but would exempt airplanes that had the modified aft lower fuselage wing attach fittings incorporated at manufacture. Accomplishment of the proposed AD would be in accordance with Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996.

Cost Impact

The FAA estimates that 500 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 2 workhours per airplane

to accomplish the proposed initial inspection, and that the average labor rate is approximately \$60 an hour. Parts to accomplish the repetitive inspections cost approximately \$100 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$110,000. These figures do not take into account the cost of repetitive inspections. The FAA has no way of determining how many repetitive inspections each owner/operator may incur over the life of the airplane.

In addition, AD 96-12-03 currently requires the same inspections as the proposed AD for all 500 of the affected airplanes. The only difference is that newly manufactured airplanes would be exempt from the actions because they have modified aft lower fuselage wing attach fittings incorporated at manufacture. Therefore, the cost impact of the proposed AD for operators of all affected airplanes is the same as AD 96-12-03.

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 action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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 has been placed 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13, is amended by removing Airworthiness Directive (AD) 96-12-03, Amendment 39-9645, and by adding a new AD to read as follows:

Aviat Aircraft, Inc.: Docket No. 96-CE-23-AD. Revises AD 96-12-03, Amendment 39-9645.

Applicability: The following airplane models and serial numbers, certificated in any category, that are equipped with aft lower fuselage wing attach fittings incorporating part number (P/N) 76090, 2-2107-1, or 1-210-102, and where these aft lower fuselage wing attach fittings on both wings have not been modified in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat Service Bulletin (SB) No. 25, dated April 3, 1996, Revised November 12, 1996; or Aviat SB No. 25, dated April 3, 1996:

—Models S-1S, S-1T, S-2, S-2A, and S-2S airplanes, all serial numbers.

—Model S-2B airplanes, serial numbers 5000 through 5348.

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 (e) 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 initially within the next 50 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 96-12-03), and thereafter at intervals not to exceed 50 hours TIS.

To prevent possible in-flight separation of the wing from the airplane caused by a cracked aft lower fuselage wing attach fitting, accomplish the following:

(a) Inspect the aft lower fuselage wing attach fitting on both wings for cracks in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996; or Aviat SB No. 25, dated April 3, 1996.

(b) If any cracked aft lower fuselage wing attach fitting is found during any inspection required by this AD, prior to further flight, modify the cracked aft lower fuselage wing attach fitting in accordance with the

ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996; or Aviat SB No. 25, dated April 3, 1996. Repetitive inspections are no longer necessary on an aft lower fuselage wing attachment fitting that was found cracked and has the referenced modification incorporated.

(c) Modifying the aft lower fuselage wing attach fitting on both wings in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996; or Aviat SB No. 25, dated April 3, 1996, is considered terminating action for the repetitive inspection requirement of this AD.

(d) 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.

(e) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Denver Aircraft Certification Office, 26805 E. 68th Avenue, Room 214, Denver, Colorado 80249. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Denver ACO. Alternative methods of compliance approved in accordance with AD 96-12-03 are considered approved for this AD.

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

(f) All persons affected by this directive may obtain copies of the service bulletin referred to herein upon request to Aviat Aircraft, Inc., P.O. Box 1240 (postal service delivery), 672 South Washington Street (express mail), Afton, Wyoming 83110; or may examine this service bulletin at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment revises AD 96-12-03, Amendment 39-9645. Issued in Kansas City, Missouri, on February 24, 1997.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

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14 CFR Part 39

[Docket No. 97-NM-17-AD]

RIN 2120-AA64

Airworthiness Directives; Gulfstream Aerospace Corporation Model G-159 (G-I) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).