

July 11, 1991 and ASTA Nomad Service Bulletin NMD-53-5, Rev. 2, dated December 6, 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 AeroSpace Technologies of Australia, Limited, ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This Amendment supersedes AD 85-21-06, Amendment 39-5152.

(g) This Amendment (39-10022) becomes effective on July 3, 1997.

Issued in Kansas City, Missouri, on May 1, 1995.

**Michael Gallagher,**

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

[FR Doc. 97-12246 Filed 5-12-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-CE-65-AD; Amendment 39-10025; AD 97-10-13]

RIN 2120-AA64

#### **Airworthiness Directives; Fairchild Aircraft, Inc. SA226 and SA227 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes Airworthiness Directive (AD) 96-21-05, which currently requires the following on certain Fairchild Aircraft, Inc. (Fairchild) SA226 and SA227 series airplanes that do not have a certain elevator torque tube installed: drilling inspection access holes in the elevator torque tube arm, inspecting the elevator torque tube for corrosion, replacing any corroded elevator torque tube, and applying a corrosion preventive compound. AD 96-21-05 resulted from several reports of corrosion found in the elevator torque tube area on the affected airplanes. This AD retains the actions required by AD 96-21-05, and adds certain Fairchild Model SA227-BC airplanes to the Applicability section of that AD. The actions specified by this AD are intended to prevent failure of the flight control system caused by a corroded elevator torque tube, which could result in loss of control of the airplane.

**DATES:** Effective July 8, 1997.

The incorporation by reference of certain publications listed in the regulations was previously approved as of November 29, 1996 (61 FR 54538, October 21, 1996).

**ADDRESSES:** Service information that applies to this AD may be obtained from Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279-0490. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-65-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Hung Viet Nguyen, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; Telephone (817) 222-5155; facsimile (817) 222-5960.

#### **SUPPLEMENTARY INFORMATION:**

##### **Events Leading to the Issuance of This AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Fairchild SA226 and SA227 series airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on January 29, 1997 (62 FR 4203). The action proposed to supersede AD 96-21-05 with a new AD that would (1) retain the requirements of drilling inspection access holes in the elevator torque tube arm, inspecting the elevator torque tube for corrosion and replacing any corroded elevator torque tube, and applying a corrosion preventive compound; (2) add certain Fairchild Model SA227-BC airplanes to the Applicability section of the AD; and (3) exempt from the AD those airplanes incorporating an elevator torque tube with either P/N 27-44026-005, P/N 27-44026-007, or P/N 27-44026-SEO-1-03. Accomplishment of the proposed inspection access hole drilling, the inspection, and the corrosion preventive compound application as specified in the NPRM would be in accordance with either Fairchild Aircraft Service Bulletin (SB) 226-27-050 or Fairchild Aircraft SB 227-27-028, both Issued: January 22, 1990.

A Fairchild engineering order provides the instructions for reworking the elevator torque tube that, when incorporated, is identified as P/N 27-44026-SEO-1-03. Also, the P/N 27-44026-007 elevator torque tube is not

referenced in the service information. The FAA has determined that airplanes with this elevator torque tube installed are exempt from the actions of this AD, as well as those airplanes incorporating P/N 27-44026-005 or P/N 27-44026-SEO-1-03.

Interested persons have been afforded an opportunity to participate in the making of this amendment. One comment was received in support of the proposal and no comments were received on the FAA's determination of the cost to the public.

#### **The FAA's Determination**

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

#### **Compliance Time of the AD**

The compliance time for this AD is presented in calendar time instead of hours time-in-service (TIS). The FAA has determined that a calendar time for compliance would be the most desirable method because the unsafe condition described by this AD is caused by corrosion. Corrosion can occur on airplanes regardless of whether the airplane is in service or on the ground.

#### **Cost Impact**

The FAA estimates that 396 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 10 workhours per airplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$237,600. This figure is based on the presumption that no owner/operator of the affected airplanes has accomplished the required inspection access hole drilling, inspection, or corrosion preventive compound application. It also is based on the presumption that no elevator torque tube would be found corroded and need to be replaced.

AD 96-21-05 currently requires the same actions as this AD for 390 of the affected airplanes. The actions specified in this AD would affect only six additional airplanes over that already required by AD 96-21-05. With this in mind, the cost impact of this AD over that already required by AD 96-21-05 would be \$3,600.

**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.

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) 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 final 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, 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 Airworthiness Directive (AD) 96-21-05, Amendment 39-9782 (61 FR 54538, October 21, 1996), and by adding a new AD to read as follows:

**97-10-13 Fairchild Aircraft, Inc.:**

Amendment 39-10025; Docket No. 96-CE-65-AD. Supersedes AD 96-21-05, Amendment 39-9782.

**Applicability:** The following airplane models and serial numbers, certificated in any category, that do not incorporate an elevator torque tube with either part number (P/N) 27-44026-005, P/N 27-44026-007, or P/N 27-44026-SEO-1-03:

Model	Serial Nos.
SA226-T .....	T201 through T275 and T277 through T291.
SA226-T(B)	T(B)276 and T(B)292 through T(B)417.
SA226-AT ....	AT001 through AT074.
SA226-TC ...	TC201 through TC419.
SA227-TT ....	TT421 through TT541.
SA227-AT ....	AT423 through AT695.
SA227-AC ...	AC406, AC415, AC416, and AC420 through AC772.
SA227-BC ...	BC762, BC764, BC766, BC770, BC771, and BC772.

**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 within the next 6 calendar months after the effective date of this AD, unless already accomplished (compliance with AD 96-21-05).

To prevent failure of the flight control system caused by a corroded elevator torque tube, which could result in loss of control of the airplane, accomplish the following:

(a) Drill two .5-inch diameter holes in the inboard side of the elevator torque tube arm in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of, and as specified in Figure 1 of, Fairchild Aircraft Service Bulletin (SB) 226-27-050 or Fairchild Aircraft SB 227-27-028, both Issued: January 22, 1990, as applicable.

(b) Inspect the elevator torque tube in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Fairchild Aircraft SB 226-27-050 or Fairchild Aircraft SB 227-27-028, both Issued: January 22, 1990, as applicable.

(1) If corrosion is found inside the elevator torque tube, prior to further flight after the inspection required by paragraph (b) of this AD, replace the corroded elevator torque tube with either a P/N 27-44026-005, P/N 27-44026-007, or P/N 27-44026-SEO-1-03 elevator torque tube in accordance with the applicable maintenance manual.

(2) If corrosion is not found inside the elevator torque tube, prior to further flight after the inspection required by paragraph (b) of this AD, apply a corrosion preventive compound in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Fairchild Aircraft SB 226-27-050 or Fairchild Aircraft SB 227-27-028, both Issued: January 22, 1990, as applicable.

(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) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office (ACO), FAA, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO. Alternative methods of compliance approved in accordance with AD 96-21-05 (superseded by this AD) 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 Fort Worth ACO.

(e) The inspection access hole drilling, the inspection, and the corrosion preventive compound application required by this AD shall be done in accordance with Fairchild Aircraft SB 226-27-050 or Fairchild Aircraft SB 227-27-028, both Issued: January 22, 1990, as applicable. This incorporation by reference was previously approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, as of November 29, 1996 (61 FR 54538, October 21, 1996). Copies may be obtained Fairchild Aircraft, P.O. Box 790490, San Antonio, Texas 78279-0490. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-10025) supersedes AD 96-21-05, amendment 39-9782.

(g) This amendment (39-10025) becomes effective on July 8, 1997.

Issued in Kansas City, Missouri, on May 7, 1997.

**Henry A. Armstrong,**

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

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 96-ACE-21]

**Amendment to Class E Airspace Omaha, NE; Correction**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects an error in the geographic coordinates and airspace description of a final rule that was published in the **Federal Register** on January 31, 1997 (62 FR 4631), Airspace Docket No. 96-ACE-21. The