

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.

(l) This amendment becomes effective on August 4, 1997.

Issued in Renton, Washington, on June 23, 1997.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-182-AD; Amendment 39-10059; AD 97-14-02]

RIN 2120-AA64

Airworthiness Directives; Airbus Industrie Model A300-600 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Industrie Model A300-600 series airplanes, that requires repetitive eddy current inspections to detect cracks of the outer skin of the fuselage at certain frames, and repair or reinforcement of the structure at the frames, if necessary. This amendment also requires eventual reinforcement of the structure at certain frames, which, when accomplished, terminates the repetitive inspections. This amendment is prompted by a report indicating that fatigue cracks were found in the area of certain frames. The actions specified by this AD are intended to prevent such fatigue cracking, which could reduce the structural integrity of the airframe and result in rapid decompression of the airplane.

DATES: Effective August 4, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 4, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2797; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Industrie Model A300-600 series airplanes was published in the **Federal Register** on March 26, 1997 (62 FR 14361). That action proposed to require repetitive eddy current inspections to detect cracks of the outer skin of the fuselage at frames 28A and 30A above stringer 30; and repair or reinforcement of the structure of the frames, if necessary. Additionally, that action proposed to require eventual reinforcement of the structure at frames 28 and 29, and frames 30 and 31, between stringers 29 and 30, which, when accomplished, terminates the repetitive inspections.

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

The commenter supports the proposed rule.

The FAA has revised paragraph (a)(2) of this AD by adding the phrase "prior to further flight" to clarify the compliance time for the repair or reinforcement of any cracking found. This phrase was omitted inadvertently from the proposed rule.

The FAA also has removed NOTE 1 of the proposal, which excluded certain airplanes from the applicability of this AD. The FAA considers it unnecessary to include this information in the final rule.

Conclusion

After careful review of the available data, including the changes noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

The FAA estimates that 34 Airbus Industrie Model A300-600 series

airplanes of U.S. registry will be affected by this AD.

The eddy current inspection that is required by this AD will take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required inspection on U.S. operators is estimated to be \$2,040, or \$60 per airplane, per inspection cycle.

The reinforcement that is required by this AD will take approximately 93 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$7,200 per airplane. Based on these figures, the cost impact of the required modification on U.S. operators is estimated to be \$434,520, or \$12,780 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the 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 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 adding the following new airworthiness directive:

97-14-02 Airbus Industrie: Amendment 39-10059. Docket 96-NM-182-AD.

Applicability: Model A300-600 series airplanes on which Airbus Modification 8683 was not accomplished during production, or on which Airbus Modification 8684 has not been installed; 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 (c) 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 fatigue cracking of the fuselage outer skin at frames 28A and 30A, which could reduce the structural integrity of the airframe and result in rapid decompression of the airplane, accomplish the following:

(a) Prior to the accumulation of 14,100 total flight cycles, or within 12 months after the effective date of the AD, whichever occurs later, conduct an eddy current inspection to detect cracking of the fuselage outer skin at frames 28A and 30A above stringer 30, in accordance with Airbus Service Bulletin A300-53-6045, dated March 21, 1995, as revised by Change Notice No. O.A., dated June 1, 1995.

(1) If no cracking is found, repeat the inspection thereafter at intervals not to exceed 4,500 flight cycles.

(2) If any cracking is found that is within the limits specified in the service bulletin, prior to further flight, repair in accordance with paragraph 2.D. of the Accomplishment Instructions of Airbus Service Bulletin A300-53-6045, dated March 21, 1995, as revised by Change Notice No. O.A., dated June 1, 1995; or reinforce the structure at frames 28 and 29, and at frames 30 and 31, between stringers 29 and 30, in accordance with Airbus Service Bulletin A300-53-6037, dated March 21, 1995.

(i) If the repair is accomplished: After the repair, repeat the eddy current inspection

thereafter at intervals not to exceed 4,500 flight cycles.

(ii) If the reinforcement is accomplished: Such reinforcement constitutes terminating action for the repetitive inspections required by this AD.

(3) If any cracking is found that is outside the limits specified in the service bulletin, prior to further flight, reinforce the structure at frames 28 and 29, and at frames 30 and 31, between stringers 29 and 30, in accordance with Airbus Service Bulletin A300-53-6037, dated March 21, 1995. Such reinforcement constitutes terminating action for the repetitive inspections required by this AD.

(b) Within 5 years after the effective date of this AD, reinforce the structure at frames 28 and 29, and at frames 30 and 31, between stringers 29 and 30, in accordance with Airbus Service Bulletin A300-53-6037, dated March 21, 1995. Such reinforcement constitutes terminating action for the repetitive inspections required by this AD.

(c) 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.

(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) The actions shall be done in accordance with Airbus Service Bulletin A300-53-6045, dated March 21, 1995, as revised by Change Notice No. O.A., dated June 1, 1995; and Airbus Service Bulletin A300-53-6037, dated March 21, 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

(f) This amendment becomes effective on August 4, 1997.

Issued in Renton, Washington, on June 23, 1997.

S.R. Miller,

Acting Manager,

Transport Airplane Directorate, Aircraft Certification Service.

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SOCIAL SECURITY ADMINISTRATION

20 CFR Parts 404 and 416

RIN 0960-AE72

Administrative Review Process; Prehearing Proceedings and Decisions by Attorney Advisors; Extension of Effective Date

AGENCY: Social Security Administration.

ACTION: Final rules.

SUMMARY: These final rules extend the effective date of the regulations that authorize attorney advisors in our Office of Hearings and Appeals (OHA) to conduct certain prehearing proceedings and, where the documentary record developed as a result of these proceedings warrants, to issue decisions that are wholly favorable to the parties to the hearing in claims for Social Security or Supplemental Security Income (SSI) benefits based on disability. We are extending the effective date of these regulations for a twelve month period that begins June 30, 1997, when the provisions would otherwise cease to be effective, and continues through June 30, 1998.

EFFECTIVE DATE: These rules are effective June 30, 1997.

FOR FURTHER INFORMATION CONTACT: Harry J. Short, Legal Assistant, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-6243 for information about these rules. For information on eligibility or claiming benefits, call our national toll-free number, 1-800-772-1213.

SUPPLEMENTARY INFORMATION: On June 30, 1995, in an action undertaken to reduce the record numbers of requests for an administrative law judge (ALJ) hearing pending in our OHA hearing offices, we published final rules in the **Federal Register** (60 FR 34126) that authorize OHA's attorney advisors to conduct certain prehearing proceedings and, if a decision that is wholly favorable to the parties to the hearing may be issued at the completion of these proceedings, to issue such a decision. These regulations, which are codified at 20 CFR §§ 404.942 and 416.1442, included a provision stating that the rules would no longer be effective on June 30, 1997, unless they were extended by the Commissioner of Social Security by publication of a final rule in the **Federal Register**.

In Fiscal Year (FY) 1996, SSA achieved the largest reduction ever recorded in the number of cases pending at the ALJ hearing level, reducing the number pending at the end