

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:

McDonnell Douglas: Docket 95–NM–199–AD.

*Applicability:* Model DC–10–10, –15, –30, and –40 series airplanes, and KC–10A (military) airplanes; as listed in McDonnell Douglas DC–10 Service Bulletin 53–167, Revision 1, dated February 15, 1995; 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 (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 fatigue cracking in the secondary pivot support of the horizontal stabilizer, which could result in reduced structural integrity of the horizontal stabilizer and, subsequently, lead to reduced controllability of the airplane, accomplish the following:

(a) Prior to the accumulation of 10,000 total landings, or within 3,000 landings after the effective date of this AD, whichever occurs later, perform a high frequency eddy current (HFEC) inspection to detect cracks in the secondary pivot support of the horizontal stabilizer, in accordance with McDonnell Douglas DC–10 Service Bulletin 53–167, Revision 1, dated February 15, 1995.

(b) If no cracks are detected during the HFEC inspection required by paragraph (a) of this AD, perform the actions specified in paragraph (b)(1) of this AD until the actions specified in paragraph (b)(2) of this AD are accomplished. These actions shall be accomplished in accordance with McDonnell Douglas DC–10 Service Bulletin 53–167, Revision 1, dated February 15, 1995.

(1) Repeat the HFEC inspection thereafter at intervals not to exceed 10,000 landings.

(2) Accomplishment of the preventative modification in accordance with Condition I (no cracks), Option 2, of the service bulletin constitutes terminating action for the repetitive inspection requirements of paragraph (b)(1) of this AD.

(c) If any crack is detected during the HFEC inspection required by paragraph (a) or (b) of this AD, prior to further flight, accomplish either paragraph (c)(1) or (c)(2) of this AD in accordance with McDonnell Douglas DC–10 Service Bulletin 53–167, Revision 1, dated February 15, 1995.

(1) Repair the crack in accordance with Paragraph (1) of Condition II (cracks), Option 1 (temporary repair), of the Accomplishment Instructions of the service bulletin. Within 300 landings after accomplishing that repair, perform a visual inspection to detect cracks at the area of the repair, in accordance with the service bulletin. Repeat the visual inspection thereafter at intervals not to exceed 300 landings.

(i) If any crack is detected during the visual inspection required by paragraph (c)(1) of this AD, prior to further flight, repair it in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(ii) Prior to 2,800 landings after accomplishing the HFEC inspection required by paragraph (a) of this AD, replace the secondary pivot support of the horizontal stabilizer with a new secondary pivot support, in accordance with Condition II (cracks), Option 2, of the service bulletin. Accomplishment of this replacement constitutes terminating action for the repetitive HFEC and visual inspection requirements of this AD.

(2) Replace the secondary pivot support of the horizontal stabilizer with a new secondary pivot support, in accordance with Condition II (cracks), Option 2 (permanent repair), of the service bulletin. Accomplishment of this replacement constitutes terminating action for the repetitive HFEC and visual inspection requirements of this AD.

(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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

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

(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.

Issued in Renton, Washington, on September 27, 1996.

James V. Devany,

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

[FR Doc. 96–25460 Filed 10–3–96; 8:45 am]

**BILLING CODE 4910–13–U**

## **14 CFR Part 39**

[Docket No. 96–ANE–33]

RIN 2120–AA64

### **Airworthiness Directives; Pratt & Whitney JT8D–200 Series Turbofan Engines**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to Pratt & Whitney JT8D–200 series turbofan engines. This proposal would require, for front compressor front hubs (fan hubs), cleaning; initial and repetitive eddy current (ECI) and fluorescent penetrant inspections (FPI) of tierod and counterweight holes for cracks; removal of bushings; the cleaning and ECI and FPI of bushed holes for cracks; and, if necessary, replacement with serviceable parts. In addition, this proposal would require reporting findings of cracked fan hubs. This proposal is prompted by a report of an uncontained failure of a fan hub. The actions specified by the proposed AD are intended to prevent fan hub failure due to tierod, counterweight, or bushed hole cracking, which could result in an uncontained engine failure and damage to the aircraft.

**DATES:** Comments must be received by November 4, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–ANE–33, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–6600, fax (860) 565–4503. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Robert E. Guyotte, Manager, Engine Certification Branch, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7142, fax (617) 238–7199.

**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 summarizing 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 Number 96-ANE-33." 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, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-ANE-33, 12 New England Executive Park, Burlington, MA 01803-5299.

**Discussion**

The Federal Aviation Administration (FAA) received a report of an uncontained failure of a front compressor front hub (fan hub), Part Number 5000501-01, installed on a Pratt & Whitney (PW) JT8D-200 series turbofan engine. The investigation revealed a localized work hardened layer found in the tierod hole of the fan hub from which a crack initiated and propagated to failure in low cycle fatigue. The FAA has determined that the work hardened layer was the result of a coolant channel drill using a single plunge drilling procedure during manufacture. This condition, if not corrected, could result in fan hub failure due to tierod or counterweight hole cracking, which could result in an

uncontained engine failure and damage to the aircraft.

The FAA has reviewed and approved the technical contents of PW Alert Service Bulletin (ASB) No. A6272, dated September 24, 1996, that describes procedures for cleaning and eddy current (ECI) and fluorescent penetrant (FPI) inspection of tierod and counterweight holes for cracks; removal of bushings; and the cleaning, FPI, and ECI of bushed holes for cracks. Even though the ASB contains three of the serial numbers (S/Ns) of the fan hubs that were removed from service in accordance with AD 96-15-06, the manufacturer has informed the FAA that these fan hubs have been destroyed during the investigation to confirm the failure mode.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require cleaning, initial and repetitive ECI and FPI for cracks of tierod and counterweight holes; removing bushings; initial and repetitive ECI and FPI of bushed holes for cracks; and, if necessary, replacing with serviceable parts. The compliance requirements allow selection of inspection schedules depending on fan hub S/Ns listed in the ASB, and includes an inspection schedule for those fan hubs whose S/Ns are not listed in the ASB. In addition, this AD would require reporting findings of cracked fan hubs. The actions would be required to be accomplished in accordance with the ASB described previously.

There are approximately 2,624 engines of the affected design in the worldwide fleet. The FAA estimates that 1,279 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 20 work hours per engine for 360 engines to disassemble, remove, inspect, and reassemble engines, and 4 work hours per engine for 919 engines to inspect at piece-part exposure. The average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$862,560.

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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 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, 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 adding the following new airworthiness directive:

Pratt & Whitney: Docket No. 96-ANE-33.

*Applicability:* Pratt & Whitney (PW) JT8D-209, -217, -217C, and -219 series turbofan engines, installed on but not limited to McDonnell Douglas MD-80 series aircraft.

*Note:* This airworthiness directive (AD) applies to each engine 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 engines 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 front compressor front hub (fan hub), Part Number 5000501-01, failure due to tierod, counterweight, or bushed hole cracking, which could result in an

uncontained engine failure and damage to the aircraft, accomplish the following:

(a) Fan hubs with fewer than 4,000 cycles since new (CSN) on the effective date of this AD need not be inspected until accumulating 4,000 CSN. After the effective date of this AD, upon accumulating 4,000 CSN, perform the requirements of paragraph (b) of this AD.

(b) For fan hubs with 4,000 CSN, accomplish the following:

(1) For fan hubs identified by serial numbers (S/Ns) in Appendix A of PW Alert Service Bulletin (ASB) No. A6272, dated September 24, 1996, inspect for cracks in accordance with the initial inspection intervals of Table 1 of this AD, in accordance with the Accomplishment Instructions, Paragraph A, Part 1, and, if applicable, Paragraph B, of PW ASB No. A6272, dated September 24, 1996.

(i) Fan hubs that have been initially inspected in accordance with paragraph (b)(1) of this AD must be reinspected in accordance with the reinspection requirements of the schedule selected for initial inspection.

(ii) Reinspect for cracks in accordance with the reinspection intervals of Table 1 of this AD in accordance with the Accomplishment Instructions, Paragraph A, Part 1, and, if applicable, Paragraph B, of PW ASB No. A6272, dated September 24, 1996.

TABLE 1

Initial Inspection	Reinspection
1. Within 1,050 cycles in service (CIS) after the effective date of this AD, or prior to accumulating 5,050 CSN, whichever occurs later.	After accumulating 2,500 CIS since last inspection, but not to exceed 6,000 CIS since last inspection.
2. Within 990 CIS after the effective date of this AD, or prior to accumulating 4,990 CSN, whichever occurs later.	After accumulating 2,500 CIS since last inspection, but not to exceed 8,000 CIS since last inspection.
3. Within 965 CIS after the effective date of this AD, or prior to accumulating 4,965 CSN, whichever occurs later.	After accumulating 2,500 CIS since last inspection, but not to exceed 10,000 CIS since last inspection.

(2) For fan hubs with S/Ns not listed in Appendix A of PW ASB No. A6272, dated September 24, 1996, inspect at the next time the fan hub is in the shop at piece-part level, but not to exceed 10,000 CIS after effective date of this AD in accordance with the Accomplishment Instructions, Paragraph A, Part 2, and, if applicable, Paragraph B, of PW ASB No. A6272, dated September 24, 1996.

(3) Remove from service fan hubs found cracked or exceed the bushed hole acceptance criteria in accordance with PW ASB No. A6272, dated September 24, 1996, and replace with serviceable parts.

(c) Report findings of cracked fan hubs within 48 hours after inspection to Robert

Guyotte, Manager, Engine Certification Branch, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7142, fax (617) 238-7199; Internet:

Robert.Guyotte@faa.dot.gov. Reporting requirements have been approved by the Office of Management and Budget and assigned OMB control number 2120-0056.

(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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on September 27, 1996.

James C. Jones,

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 96-25596 Filed 10-3-96; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 10

RIN 1515-AB79

#### Use of Containers Designated as Instruments of International Traffic in Point-to-Point Local Traffic

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the Customs Regulations to provide that certain containers which are designated as instruments of international traffic are deemed to remain in international traffic provided they exit the United States within 365 days of the date on which they are admitted to the U.S. For the importing community as well as Customs, this proposal would greatly simplify the treatment of containers for Customs purposes regardless of their use in domestic commerce.

**DATES:** Comments must be received on or before December 3, 1996.

**ADDRESSES:** Written comments (preferably in triplicate) must be

submitted to the U.S. Customs Service, ATTN: Regulations Branch, Franklin Court, 1301 Constitution Avenue, NW., Washington, D.C. 20229, and may be inspected at the Regulations Branch, 1099 14th Street, NW., Suite 4000, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

*Legal aspects:* Glen E. Vereb, Entry and Carrier Rulings Branch, (202-482-6940).

*Operational aspects:* Eileen A. Kastava, Cargo Control, (202-927-0983).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 141.4, Customs Regulations (19 CFR 141.4), provides that all merchandise imported into the United States is required to be entered, unless specifically exempted. Section 141.4(b)(3) provides an exception for instruments of international traffic as described, and under the conditions provided for, in § 10.41a, Customs Regulations (19 CFR 10.41a).

Pursuant to 19 U.S.C. 1322, vehicles and other instruments of international traffic shall be excepted from the application of the Customs laws to such extent and subject to such terms and conditions as may be prescribed in regulations or instructions of the Secretary of the Treasury.

The Customs Regulations issued under the authority of 19 U.S.C. 1322 are contained in § 10.41a. Section 10.41a(a)(1) designates as instruments of international traffic lift vans, cargo vans, shipping tanks, skids, pallets, caul boards, and cores for textile fabrics in use or to be used in the shipment of merchandise in international traffic.

Section 10.41a(a)(1) also authorizes the Commissioner of Customs to designate as instruments of international traffic such additional articles or classes of articles as he shall find should be so designated. Instruments so designated may be released without entry or the payment of duty, subject to the provisions of § 10.41a. Instruments so designated are also stated to be duty-free in subheading 9803.00.50, Harmonized Tariff Schedule of the United States.

Section 10.41a(d) provides that if an instrument of foreign origin which has been increased in value or improved in condition by a process of manufacture or other means while abroad is released under § 10.41a and is subsequently diverted to point-to-point local traffic within the United States, or is otherwise withdrawn from its use as an instrument of international traffic, it becomes subject to entry and the payment of any applicable duties.