

indirectly resulted in substantial losses, or created a significant risk of substantial losses to other persons or resulted in substantial pecuniary gain to the person who committed the act or omission.

(xv) *Civil money penalties assessed for false claims and statements pursuant to the Program Fraud Civil Remedies Act.* Pursuant to the Program Fraud Civil Remedies Act (31 U.S.C. 3802), civil money penalties of not more than \$5,500 per day may be assessed for violations involving false claims and statements.

(xvi) *Civil money penalties assessed for violations of the Flood Disaster Protection Act.* Pursuant to the Flood Disaster Protection Act (FDPA) (42 U.S.C. 4012a(f)), civil money penalties may be assessed against any regulated lending institution that engages in a pattern or practice of violations of the FDPA in an amount not to exceed \$350 per violation, and not to exceed a total of \$105,000 annually.

By order of the Board of Directors.

Dated at Washington, D.C. this 29th day of October, 1996.

Federal Deposit Insurance Corporation.

Jerry L. Langley,

Executive Secretary.

[FR Doc. 96-28752 Filed 11-8-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-103-AD; Amendment 39-9808; AD 96-23-03]

RIN 2120-AA64

Airworthiness Directives; Aerospace Technologies of Australia Pty Ltd. (Formerly Government Aircraft Factory) Models N22B, N24A, and N22S Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Aerospace Technologies of Australia Pty Ltd. (ASTA) Models N22B, N24A, and N22S airplanes that are not equipped with a part number (P/N) 1E/N-12-57 fuselage stub fin plate (MOD N759). This action requires replacing the existing fuselage stub fin plate with one of improved design, P/N 1E/N-12-57. This action results from several reports of cracks along the forward flange of the fuselage stub fin plate in

the area of Rib Water Line (WL) 138.87. The actions specified by this AD are intended to prevent structural failure of the fuselage area caused by a cracked stub fin plate, which could result in loss of control of the airplane.

DATES: Effective December 23, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 23, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from Aerospace Technologies of Australia Pty Ltd., ASTA DEFENCE, Private Bag No. 4, Beach Road Lara 3212, Victoria, Australia. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-103-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. Ron Atmur, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard., Lakewood, California 90712; telephone (310) 627-5224; facsimile (310) 627-5210.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to ASTA Models N22B, N24A, and N22S airplanes that are not equipped with a part number (P/N) 1E/N-12-57 fuselage stub fin plate (MOD N759) was published in the Federal Register on July 8, 1996 (61 FR 35693). The action proposed to require replacing the existing fuselage stub fin plate with one of improved design, P/N 1E/N-12-57. Accomplishment of the proposed installation as specified in the notice of proposed rulemaking (NPRM) would be in accordance with Nomad Service Bulletin ANMD-53-13, Revision 3, dated October 24, 1995.

The NPRM was the result of several reports of cracks along the forward flange of the fuselage stub fin plate in the area of Rib Water Line (WL) 138.87.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or 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.

Cost Impact

The FAA estimates that 15 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 22 workhours per airplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$150 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$22,050 or \$1,470 per airplane. This figure is based on the assumption that no affected owner/operator of the affected airplanes has accomplished the required replacement.

ASTA has informed the FAA that it has no records of parts distribution. The FAA believes that several of the affected airplanes already have the required replacement incorporated, which would reduce the cost impact upon the public.

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 adding a new airworthiness directive (AD) to read as follows:

96-23-03 Aerospace Technologies of Australia Pty Ltd.: Amendment 39-9808; Docket No. 95-CE-103-AD.

Applicability: Models N22B, N24A, and N22S airplanes (all serial numbers), certificated in any category, that are not equipped with a part number (P/N) 1E/N-12-57 fuselage stub fin plate (MOD N759).

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 (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 within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent structural failure of the fuselage area caused by a cracked stub fin plate, which could result in loss of control of the airplane, accomplish the following:

(a) Replace the fuselage stub fin plate with one of improved design, P/N 1E/N-12-57 (MOD N759), in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Nomad Service Bulletin ANMD-53-13, Revision 3, dated October 24, 1995.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, FAA, Los Angeles Aircraft Certification Office (ACO), 3960

Paramount Boulevard, Lakewood, California 90712. The request shall be forwarded through an appropriate FAA 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.

(d) The replacement required by this AD shall be done in accordance with Nomad Service Bulletin ANMD-53-13, Revision 3, dated October 24, 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 Pty Ltd., 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.

(e) This amendment (39-9808) becomes effective on December 23, 1996.

Issued in Kansas City, Missouri, on October 28, 1996.

John R. Colomy,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-28164 Filed 11-8-96; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 96-NM-251-AD; Amendment 39-9807; AD 96-23-02]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 747 series airplanes. This action requires inspections to detect disbonding, corrosion, and cracking at the longitudinal rows of fasteners in the bonded skin panels in section 41 of the fuselage, and repair, if necessary. This amendment is prompted by a report of skin cracking due to disbonding of the internal doubler of the cracked skin panels. The actions specified in this AD are intended to prevent rapid decompression of the airplane due to disbonding and subsequent cracking of the skin panels.

DATES: Effective November 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director

of the Federal Register as of November 27, 1996.

Comments for inclusion in the Rules Docket must be received on or before January 13, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-251-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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: Bob Breneman, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2776; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION: Recently, the FAA received a report indicating that skin cracking was found on a Boeing Model 747-200 series airplane that had accumulated 14,486 total flight cycles. Multiple one-inch skin cracks were found through four adjacent fastener holes along the number 2 doorstop intercostal between body station (BS) 488 and BS 500. The FAA received another report indicating that skin cracking was found in the same location on a Model 747-200 series airplane that had accumulated 13,517 total flight cycles. This cracking measured approximately 17 inches in length.

Results of subsequent inspections of both airplanes revealed extensive disbonding of the internal doubler of the cracked skin panels, as well as disbonding at several stringer locations from BS 340 to BS 520 between stringer (S) 6 and S-14. The cause of this disbonding has been attributed to improper processing during the phosphoric acid anodize (PAA) phase of manufacture of the skin panels.

Disbonding of the internal skin doublers could result in increased operational stress on the fuselage skin, and could lead to multiple-site skin cracking. This condition, if not corrected, could result in rapid decompression of the airplane.