§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

Pilatus Britten-Norman Ltd.: Docket No. 96–CE–17–AD.

Applicability: Models BN–2 (serial numbers 1 through 2033), BN–2T (serial numbers 419, and 2030 through 2033), and Models BN–2A and BN–2B (serial numbers 1 through 2116), certificated in any category.

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 (g) 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 500 hours time-in-service (TIS) after the last compliance with AD 84–23–06, or within the next 100 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished.

To prevent failure of the upper mounting brackets on both wing mounted engines which could possibly cause structural failure of the airplane, accomplish the following:

(a) Inspect the upper mounting brackets, bolts, and bushings on both wing mounted engines for:

(1) Cracks at the bolt holes,

(2) Elongation of the bolt holes,

(3) Fretting within the bolt holes,

(4) Cracks at the rivet holes,

(5) Distortion or delamination of the lugs, and

(6) Correct bearing length and inspect for bolts that are threadbound, in accordance with the ''ACTION—Inspection'' section in Pilatus Britten-Norman (Pilatus) Service Bulletin (SB) No. BN–2/SB.61, Issue 5, dated December 9, 1981.

(b) If the inspection reveals any evidence of damage or defects similar to the items in paragraphs (a)(1) through (a)(6), prior to further flight, accomplish Pilatus Modification NB/M/1147 by replacing the brackets, bushes, and bolts with brackets (part number (P/N) NB–20–D–7165), bushes (P/N NB–20–A4–7171), and bolts of improved design in accordance with paragraphs 1, 2, 3, and 5 of the ''ACTION—Rectification/Modification'' section in Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981.

(c) If damage or defects are found on just one of the two brackets on each engine, then both brackets must be replaced, prior to further flight, in accordance with paragraph 1 of the ''ACTION—Rectification/Modification'' section in Pilatus SB No. BN–2/.SB.61, Issue 5, dated December 9, 1981.

(d) If no damage or defects are found similar to the items in paragraphs (a)(1) through (a)(6) of this AD, continue to inspect at intervals not to exceed 500 hours TIS until the accumulation of 2,000 hours TIS after the effective date of this AD, at which time Modification NB/M/1147 must be accomplished on both upper mounting brackets on both engines in accordance with paragraphs 1, 2, 3, and 5 of the ''ACTION—Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981.

(e) Accomplishing Modification NB/M/1147 in the ''ACTION—Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981, is considered terminating action to the repetitive inspections required in paragraph (d) of this AD.

(f) 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.

(g) 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, Brussels Aircraft Certification Division, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium or the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Division or the Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division or the Small Airplane Directorate.

(h) All persons affected by this directive may obtain copies of the document referred to herein upon request to Pilatus Britten-Norman Ltd., Bembridge, Isle of Wight, United Kingdom PO35 5PR; or may examine this document at the FAA, central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on February 28, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–5846 Filed 3–7–97; 8:45 am]

BILLING CODE 4910–13–U

---

14 CFR Part 39

[Docket No. 84–CE–18–AD]

RIN 2120–AA64

Airworthiness Directives; Pilatus Britten-Norman Ltd. BN–2, BN–2A, BN–2B, BN–2T, and BN–2A Mk 111 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise 84–23–06, which currently requires repetitively inspecting the upper mounting brackets, bolts, and bushings on wing mounted engines for cracks, wear, and insufficient fit on certain Pilatus Britten-Norman Ltd. (Pilatus) BN–2, BN–2A, BN–2B, BN–2T, and BN–2A Mk 111 series airplanes, and replacing any cracked, worn, or ill-fitting part. The proposed action would retain the same action required in AD 84–23–06, except the action would only be applicable to the BN–2A Mk 111 series airplanes. The proposed action is prompted by a terminating modification only applicable to the Pilatus BN–2, BN–2A, BN–2B, BN–2T series airplanes that would remove them from the applicability of AD 84–23–06. The actions specified by the proposed AD are intended to prevent failure of the upper mounting brackets on wing mounted engines which could possibly cause structural failure of the airplane.

DATES: Comments must be received on or before May 12, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 84–CE–18–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 Pilatus Britten-Norman Limited, Bembridge, Isle of Wight, United Kingdom PO35 5PR; telephone 44–1983 872511; facsimile 44–1983 873246. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT:

Mr. Tom Rodriguez, Program Officer, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, b–1000 Brussels, Belgium; telephone (322) 508–2715; facsimile (322) 230–6899;

or

Mr. S. M. Nagarajan, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426–6932; facsimile (816) 426–2169.

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. 84–CE–18–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. 84–CE–18–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Civil Airworthiness Authority (CAA), which is the airworthiness authority for the United Kingdom (UK), notified the FAA that an unsafe condition may exist on certain Pilatus BN–2A Mk 111 series airplanes. The CAA reports that several incidents have revealed cracking, wear, and ill-fitting parts in the upper wing mount brackets on the wing mounted engines which could eventually result in structural failure of the wing. This condition, if not detected and corrected, could result in failure of the engine mounting brackets of the wing mounted engines and possible structural failure and loss of control of the airplane. Pilatus has issued service bulletin BN–2/SB.61, Issue 5, dated December 9, 1981, which specifies inspecting for cracked, worn, or ill-fitting parts, and if found, repair and continue to repetitively inspect.

This service bulletin is also referenced in AD 84–23–06. The proposed action would be a revision to AD 84–23–06 to remove the Pilatus BN–2, BN–2A, BN–2B and BN–2T series airplanes from the applicability of AD 84–23–06. Since publication of this AD, a modification terminating the repetitive inspections became available to the Pilatus BN–2, BN–2A, BN–2B and BN–2T series airplanes that is not applicable to the BN–2A Mk 111 series airplanes. The terminating modification is proposed in a Notice for Proposed Rulemaking (NPRM) Docket No. 96–CE–17–AD. The Pilatus Service Bulletin (SB) BN–2/SB.61, Issue 5, dated December 9, 1981, is also referenced in this NPRM for the terminating action applicable to the Pilatus BN–2, BN–2A, BN–2B and BN–2T series airplanes.

The UK CAA classified this service bulletin as mandatory and issued AD No. 0619 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the UK CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the UK CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop in other Pilatus BN–2A Mk 111 series airplanes of the same type design registered for operation in the United States, the proposed AD would revise AD 84–23–06 to eliminate Pilatus BN–2, BN–2A, BN–2B, BN–2T series airplanes from the applicability of this AD and would retain the Pilatus BN–2A Mk 111 series airplanes in the applicability section of the proposed AD, and would also retain the requirement for:

(1) Visually inspecting the upper engine to wing mounting brackets for minimum lug bolt hole-to-edge distance (0.2625 inches),

(2) Inspecting for elongation of the bolt holes, distortion, delamination, cracks, flaking, and corrosion, and

(3) Inspecting the bolts for correct bearing length, and loose and fretted bushings.

If the lug bolt hole-to-edge distance is less than the specified minimum, prior to further flight, correct the defects. If the bolt holes are elongated, or if any bushings are loose or fretted, modify and correct. If any mounting bracket is cracked, modify both brackets on the same engine installation (left side engine or right side engine) concurrently (even if only one bracket is defective). If any lug is distorted or delaminated, replace the deficient part. If any part is corroded or flaking, replace the part. If any of the bolts are of incorrect length or damaged, replace with new units of the correct length and continue to repetitively inspect.

Cost Impact

The FAA estimates that 9 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 action and the average labor rate is approximately $60 an hour. There are no parts required for the initial inspection. Based on these figures, the total cost impact for the initial inspection of the proposed AD on U.S. operators is estimated to be $1,080 or $120 per airplane. This figure is based on the proposed initial inspection cost and does not include workhours for repetitive inspections. The FAA has no way to determine how many of these airplanes have already accomplished this action.

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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 84–23–06, Amendment 39–4942, (49 FR 43621, October 31, 1984), and adding a new AD to read as follows:

Pilatus Britten-Norman Ltd.: Docket No. 84–CE–18–AD; Revises AD 84–23–06, Amendment 39–4942.

Applicability: BN–2T Mk 111 series airplanes (all serial numbers), certificated in any category.

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.

Note 2: The paragraph structure of this AD is as follows:

Level 1: (a), (b), (c), etc.
Level 2: (1), (2), (3), etc.
Level 3: (i), (ii), (iii), etc.

Level 2 and Level 3 structures are designations of the Level 1 paragraph they immediately follow.

Compliance: Required initially upon the accumulation of 500 hours time-in-service (TIS) or within the next 50 hours TIS, whichever occurs later, unless already accomplished (compliance with AD 84–23–06) and thereafter at intervals not to exceed 500 hours TIS.

To prevent failure of the upper mounting brackets on both wing mounted engines which could possibly cause structural failure of the airplane, accomplish the following:

(a) Visually inspect in accordance with paragraphs 1 through 6 of the ''Inspection'' section of the Pilatus Britten-Norman (Pilatus) Service Bulletin (SB) No. BN–2/SB.61, Issue 5, dated December 9, 1981 the following areas:

(1) The upper engine to wing mounting brackets for:

(i) Minimum lug bolt hole-to-edge distance (0.2625 inches), elongation of the bolt holes, distortion, delamination, cracks, flaking, and corrosion;

(ii) The bolts for correct bearing length; and

(iii) Loose and fretted bushings.

(2) Prior to further flight, correct defects in accordance with the following:

(i) If the lug bolt hole-to-edge distance is less than the specified minimum, correct in accordance with paragraph 3 of the ''Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981;

(ii) If the bolt holes are elongated, or if any bushings are loose or fretted, modify and correct in accordance with paragraph 4 of the ''Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981;

(iii) If any mounting bracket is cracked, modify both brackets on the same engine installation (left side engine or right side engine) concurrently (even if only one bracket is defective) in accordance with paragraph 1 of the ''Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981;

(iv) If any lug is distorted or delaminated, replace the deficient part in accordance with paragraphs 1 and 2 of the ''Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981;

(v) If any inspected part is corroded or flaking, replace the part in accordance with paragraph 1 of the ''Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981; and

(vi) If any of the bolts are of incorrect length or damaged, replace with new units of the correct length in accordance with paragraphs 1 and 2 of the ''Rectification/Modification'' section of Pilatus SB No. BN–2/SB.61, Issue 5, dated December 9, 1981.

(b) The intervals between the repetitive inspections required by this AD may be adjusted up to 10 percent of the specified interval to allow for accomplishing these inspections concurrent with the other scheduled maintenance of the airplane.

(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 initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Division, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (322) 508.2715; facsimile(322) 230.6899; or Mr. S. M. Nagarajan, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Office or the Manager, Small Airplane Directorate.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Division or the Small Airplane Directorate.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to Pilatus Britten-Norman Limited, Bembridge, Isle of Wight, United Kingdom PO35 5PR; telephone 44–1983 872511; facsimile 44–1983 873246; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on February 28, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–5840 Filed 3–7–97; 8:45 am]

BILLING CODE 4910–13–U

Office of the Secretary

14 CFR Parts 221, 250, 293

[Docket No. OST–97–2050; Notice No. 97–1]

RIN 2105–AC61

Exemption From Passenger Tariff-Filing Requirements in Certain Instances

AGENCY: Office of International Aviation, Office of the Secretary, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department proposes to exempt U.S. and foreign air carriers from the statutory and regulatory duty to file with DOT international passenger tariffs in certain instances, subject to the reimposition of the duty in specific cases when consistent with the public interest. In addition, the Department proposes to reissue a new version of part 221 that eliminates most of the traditional paper format and filing procedures set forth in the present version of 14 CFR part 221. This proposal is made on the Department's initiative in order to streamline government operations and eliminate unjustified regulatory burdens.

DATES: Comments should be received no later than May 9, 1997. Since the proposal eliminates various requirements and creates no additional burdens, a final rule based on this proposal would be effective immediately upon issuance. However, the cancellation of certain tariff rules would take place 90 days after the date of effectiveness of the notice provided in § 293.10 of new part 293.

ADDRESSES: Five (5) copies of any comments should be sent to the Documentary Services Division, C–55, U.S. Department of Transportation, 400