

Issued in Kansas City, Missouri, on April 21, 1997.

**Larry D. Malir,**

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

[FR Doc. 97-10883 Filed 4-30-97; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-ANE-64; Amendment 39-9998; AD 97-09-02]

RIN 2120-AA64

#### **Airworthiness Directives; CFM International CFM56-5C Series Turbofan Engines**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to CFM International CFM56-5C series turbofan engines, that requires a reduction of the low cycle fatigue (LCF) retirement lives for certain high pressure turbine rotor (HPTR) front shafts, HPTR front air seals, HPTR disks, booster spools, and low pressure turbine rotor (LPTR) stage 3 disks. This amendment is prompted by results of a refined life analysis performed by the manufacturer which revealed minimum calculated LCF lives lower than published LCF retirement lives. The actions specified by this AD are intended to prevent an LCF failure of the HPTR front shaft, HPTR front air seal, HPTR disk, booster spool, and LPTR stage 3 disk, which could result in an uncontained engine failure and damage to the aircraft.

**DATES:** Effective June 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Glorianne Messemer, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7132, fax (617) 238-7199.

**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 CFM International (CFMI) CFM56-5C2/G-5C3/G, and -5C4 series turbofan engines was published in the **Federal Register** on March 26, 1996 (61 FR 13110). That action proposed to require a reduction of the low cycle fatigue (LCF) retirement lives for certain high pressure turbine rotor

(HPTR) front shafts, HPTR front air seals, HPTR disks, booster spools, and low pressure turbine rotor (LPTR) stage 3 disks.

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

Two commenters object to the use of an AD to accomplish life limit changes, and suggest instead that operators incorporate the new limits into their FAA-approved maintenance programs. One commenter argues that the use of the AD process places unnecessary burdens on operators through additional record keeping. That commenter suggests alternatively that if the FAA does issue the AD, a new paragraph be added that states that incorporating the requirements of paragraphs (a) through (f) into an operator's maintenance program should be considered compliance with the AD and that after making that incorporation the AD would no longer apply. The FAA does not concur. Service life limits that appear as airworthiness limitations at the time of type certification can be changed to more restrictive limits only by way of rulemaking through an AD. A change to one operator's maintenance program alone will not mandate new, more restrictive, life limits for other operators. While these new limits may have appeared in service instructions or manuals before an AD is published, the FAA must complete the change by publishing the final rule AD. The FAA believes that recording the AD and its accomplishment is no more burdensome on operators than making changes to their maintenance program to specifically incorporate the same changes. Under the commenter's proposal, additional record keeping may be necessary to ensure that purchasers or other users of that operator's aircraft, who may not have FAA-approved maintenance programs, comply with the new, more restrictive limits. The FAA also does not concur with the commenter's proposed new paragraph which provides that once the changes are incorporated into a maintenance program the requirements of the AD would no longer apply, including the requirement that the changes may not be further adjusted without FAA approval. The FAA believes that these changes to life limits must be finalized in the form of an AD, and that no changes to the proposed AD are necessary.

Two commenters note that the booster spool life of 13,800 cycles identified in paragraph (d) of the AD is 1,200 cycles since new (CSN) less that the Chapter 05 life noted in Revision 3 of the CFM56-

5C Engine Shop Manual (ESM), dated December 1, 1995. The FAA does not concur. An initial booster spool life for the CFM56-5C2/G, -5C3/G, and -5C4 series engines of 13,900 CSN was introduced by Temporary Revision (TR) TR-05-003, dated October 7, 1994. Temporary Revision TR-05-007, dated October 28, 1994, reduced the life to 13,000 CSN. The FAA has revised paragraph (d) of this final rule to state a life of 13,000 CSN to be consistent with current published life.

Two commenters note that the LPTR stage 3 disk life of 8,630 cycles identified in paragraph (e) of the AD is 930 CSN higher than the Chapter 05 life stated in Revision 3 of the CFM56-5C ESM, dated December 1, 1995. The FAA does not concur. An initial LPTR stage 3 disk life for the CFM56-5C2/G, -5C3/G, and -5C4 series engines of 9,200 CSN was introduced by TR-05-004, dated October 7, 1994. Temporary Revision TR-05-008, dated October 28, 1994, reduced the life to 7,000 CSN. The FAA has revised paragraph (e) of this final rule to state a life of 7,000 CSN to be consistent with the current published life.

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

There are approximately 10 engines of the affected design in the worldwide fleet. The manufacturer has advised the FAA that there are no engines installed on U.S. registered aircraft that would be affected by this AD. Therefore, there is no associated cost impact on U.S. operators as a result of this AD. However, should an affected engine be imported on an aircraft and placed on the U.S. registry in the future, it would not take any additional work hours per engine to accomplish the proposed actions. Assuming that the parts cost is proportional to the reduction of the LCF retirement lives, the required parts would cost approximately \$25,736 per engine. Based on these figures, the total cost impact of the AD is estimated to be \$25,736 per engine.

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, 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:

**97-09-02 CFM International:** Amendment 39-9998. Docket 95-ANE-64.

**Applicability:** CFM International (CFMI) CFM56-5C2/G, -5C3/G, and -5C4 series turbofan engines, installed on but not limited to Airbus A340 series aircraft.

**Note 1:** 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 (h) 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 a low cycle fatigue (LCF) failure of the high pressure turbine rotor (HPTR) front shaft, HPTR front air seal, HPTR disk, booster spool, and low pressure turbine rotor (LPTR) stage 3 disk, which could result in an uncontained engine failure and damage to the aircraft, accomplish the following:

(a) Remove from service HPTR front shafts, Part Numbers (P/N's) 1498M40P03, 1498M40P05, and 1498M40P06, prior to accumulating 8,400 cycles since new (CSN), and replace with a serviceable part.

(b) Remove from service HPTR front air seals, P/N's 1523M34P02 and 1523M34P03, prior to accumulating 4,000 CSN, and replace with a serviceable part.

(c) Remove from service HPTR disks, P/N 1498M43P04, prior to accumulating 6,200 CSN, and replace with a serviceable part.

(d) Remove from service booster spools, P/N 337-005-210-0, prior to accumulating 13,000 CSN, and replace with a serviceable part.

(e) Remove from service LPTR stage 3 disks, P/N's 337-001-602-0 and 337-001-605-0, prior to accumulating 7,000 CSN, and replace with a serviceable part.

(f) This action establishes the new LCF retirement lives stated in paragraphs (a) through (e) of this AD, which are published in Chapter 05 of the CFM56-5C Engine Shop Manual, CFMI-TP.SM.8.

(g) For the purpose of this AD, a "serviceable part" is one that has not exceeded its respective new life limit as set out in this AD.

(h) 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 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(i) 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.

(j) This amendment becomes effective on June 30, 1997.

Issued in Burlington, Massachusetts, on April 22, 1997.

**Robert E. Guyotte,**

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

[FR Doc. 97-11298 Filed 4-30-97; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-ASW-34]

#### Revision of Class D Airspace; Dallas Addison Airport, TX

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action revises the Class D airspace at Addison Airport, Dallas, TX. As a result of the Class B airspace changes for Dallas-Fort Worth International Airport, the Class D airspace at Addison Airport is no longer sufficient to contain departing aircraft within controlled airspace. This action is intended to expand the Class D airspace to provide adequate airspace to contain aircraft operating under Instrument flight Rules (IFR) at Addison Airport, Dallas, TX.

**DATES:** *Effective:* 0901 UTC, September 11, 1997, *Comment Date:* Comments must be received on or before June 16, 1997.

**ADDRESSES:** Send comments on the rule in triplicate to Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration Southwest Region, Docket No. 96-ASW-34, Fort Worth, TX 76193-0530.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Room 663, Fort Worth, TX, between 9:00 AM and 3:00 PM, Monday through Friday, except Federal holidays. An information docket may also be examined during normal business hours at the Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone 817-222-5593.

**SUPPLEMENTARY INFORMATION:** This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) revises the Class D airspace, providing controlled airspace for airport operations at Addison Airport, Dallas, TX. As a result of the Class B airspace changes for Dallas/Fort Worth International Airport, the Class D airspace at Addison Airport is no longer sufficient to contain arriving and