

reference of McDonnell Douglas Alert Service Bulletin MD11-28A083, dated March 13, 1996, was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of May 24, 1996 (61 FR 21066, May 9, 1996). The incorporation by reference of the remainder of the service documents listed above is 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on June 6, 1997.

Issued in Renton, Washington, on April 21, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-10788 Filed 5-1-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-141-AD; Amendment 39-10007; AD 97-09-11]

RIN 2120-AA64

Airworthiness Directives; Aerospatiale Model ATR42 and ATR72 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Aerospatiale Model ATR42 and ATR72 series airplanes, that requires modification of the handle of the passenger/crew door to change the "down-to-open" configuration of the handle to an "up-to-open" configuration. This amendment is prompted by a report indicating that, immediately after takeoff, the passenger/crew door opened and separated from the airplane, due to the inadvertent operation of the door handle. The actions specified by this AD are intended to prevent inadvertent opening of the passenger/crew door during unpressurized flight, or delays in

opening the door during an emergency evacuation.

DATES: Effective June 6, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 6, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, 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: Gary Lium, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1112; fax (206) 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 Aerospatiale Model ATR42 and ATR72 series airplanes was published in the **Federal Register** on February 19, 1997 (62 FR 7384). That action proposed to require modification of the handle of the passenger/crew door to change the "down-to-open" configuration to an "up-to-open" configuration.

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.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 16 Aerospatiale Model ATR42 and ATR72 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 15 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the AD on

U.S. operators is estimated to be \$14,400, or \$900 per airplane.

The cost impact figure discussed above is 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:

97-09-11 Aerospatiale: Amendment 39-10007. Docket 96-NM-141-AD.

Applicability: Model ATR42 and ATR72 series airplanes on which Aerospatiale

Modification 04019 has been accomplished, 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 (b) 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 inadvertent opening of the passenger/crew door during unpressurized flight, or delays in opening the passenger/crew door during an emergency evacuation, accomplish the following:

(a) Within 6 months after the effective date of this AD, modify the handle of the passenger/crew door by changing its configuration to an "up-to-open" configuration in accordance with *Aerospatiale Service Bulletin ATR42-52-0072* (for Model ATR42 series airplanes), or *ATR72-52-1040* (for Model ATR72 series airplanes), both dated October 2, 1995.

(b) 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.

(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) The modification shall be done in accordance with *Aerospatiale Service Bulletin ATR42-52-0072*, dated October 2, 1995, or *Aerospatiale Service Bulletin ATR72-52-1040*, dated October 2, 1995, as applicable. 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 *Aerospatiale*, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, 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.

(e) This amendment becomes effective on June 6, 1997.

Issued in Renton, Washington, on April 24, 1997.

Neil D. Schalekamp,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-11197 Filed 5-1-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-52-AD; Amendment 39-10009; AD 97-09-13]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that requires a one-time inspection to detect corrosion and cracking of the upper deck floor beam at station 980, and repair, if necessary. This amendment is prompted by reports of extensive corrosion found at station 980. Analysis of the corrosion indicated that fatigue cracking of the floor beam at this area could occur and cause the beam to break. The actions specified by this AD are intended to detect and correct such corrosion and/or cracking, which could cause the floor beam to break and result in extensive damage to adjacent structure and possible rapid decompression of the airplane.

DATES: Effective June 6, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 6, 1997.

ADDRESSES: 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 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: 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: 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 Boeing Model 747 series airplanes was published in the **Federal Register** on November 18, 1996 (61 FR 58667). That action proposed to require a one-time detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold removed, and repair, if necessary. That action also proposed to provide an alternative inspection method for older airplanes, which includes a detailed visual inspection to detect corrosion and/or fatigue cracking of the upper deck floor beam at station 980 with the cart lift threshold installed, followed later by an inspection with the cart lift threshold removed, and repair, if necessary.

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

Support for the Proposal

Four commenters support the proposal.

Request to Revise the Initial Compliance Time for Certain Airplanes

One commenter requests that the initial inspection threshold be revised for airplanes that have been modified in accordance with Boeing Service Bulletin 747-53-2327. The commenter requests that the compliance time be changed from the proposed "within 6 years after the effective date of the AD" to "within 6 years after the accomplishment of the actions described in Boeing Service Bulletin 747-53-2327." The commenter notes that the actions described in that service bulletin include a modification to install a new increased thickness shear plate at the stairway cutout and cart lift cutout. The commenter asserts that the modification reduces the stress levels by approximately 25%, and increases the tolerance to corrosion damage. In addition, the commenter notes that Boeing Service Bulletin 747-53-2327 also includes a description of procedures to perform a detailed visual inspection for corrosion and treatment of the affected area with corrosion preventative compound BMS 3-23.

The FAA concurs with the commenter's request to revise the proposed compliance time. The FAA has determined that existing corrosion would be detected and corrected in accordance with Boeing Service Bulletin 747-53-2327. The FAA also acknowledges that the installation of an