compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(d) 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 May 7, 1997.

Neil D. Schalekamp,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–12519 Filed 5–12–97; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–CE–05–AD]

RIN 2120–AA64

Airworthiness Directives; Raytheon Aircraft Company (formerly Beech Aircraft Corporation) 90, 100, 200 and 300 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to Raytheon Aircraft Company (formerly Beech Aircraft Corporation) 90, 100, 200 and 300 series airplanes. The proposed action would require inspecting gray, blue or clear Ethylene Vinyl Acetate (EVA) tubing near the co-pilot's foot warmer for collapse or deformity. If the tubing is collapsed or deformed, the proposed action would require replacing and re-routing the tubing. This EVA tubing is used on the pneumatic de-ice indicator lines and the pressurization control system pneumatic lines that provide vacuum to the outflow safety valves that depressurize the airplane. Several reports of collapsed EVA tubing prompted the proposed action. The actions specified by the proposed AD are intended to prevent a loss of vacuum to depressurize the airplane cabin, which could result in personal injury to the door operator; and to prevent malfunction of the de-ice indicator system, which could cause the pilot to immediately exit icing conditions.

DATES: Comments must be received on or before July 18, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97–CE–05–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 Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201–0085. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mike Imbler, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4147, facsimile (316) 946–4407.

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. 97–CE–05–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. 97–CE–05–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received field reports on the following incidents:

- A pilot was having difficulty with ''pressure bumps'' while on the ground in a Raytheon Model 200 airplane,
- A door operator was opening a cabin door on a Raytheon Model C90A airplane and was thrown out of the airplane, and
- A passenger on a Raytheon Model B300 was attempting to open the cabin door and cabin pressure forced the door outward, damaging the door, door hinge, and door snubber.

In all of these incidents, further investigation revealed the EVA vacuum tubes for the pneumatic pressurization control system had collapsed. These pressurized control system vacuum tubes are routed adjacent to the de-ice indicator pneumatic tubes. The tubes are collapsing because they are located near the co-pilot's foot warmer outlet and associated plumbing.

This foot warmer is generating sufficient heat to deform and collapse the EVA tubing. Should the de-ice indicator pneumatic tube collapse or rupture from this heat source, the de-ice indicator will read zero. A zero reading from the de-ice indicator could cause the pilot to exit icing conditions unnecessarily.

Relevant Service Information

Raytheon Aircraft Company has issued Mandatory Service Bulletin No. 2676, Issued: January 1997, which specifies procedures for inspecting the affected airplanes for the condition of the pneumatic tubing and replacing the tubing if it is deformed or collapsed and re-routing the tubing. If the tubing is in good condition, then the service bulletin specifies re-routing the tubing away from the heat source.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent a loss of vacuum to depressurize the airplane cabin, which could result in personal injury to the door operator; and to prevent malfunction of the de-ice indicator system, which could cause the pilot to unnecessarily exit icing conditions.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or

develop in other Raytheon Aircraft Company (formerly Beech Aircraft Corporation) 90, 100, 200, and 300 series airplanes of the same type design, the proposed AD would require inspecting the condition and proper routing of the gray, blue, or clear pneumatic pressurization control system tubes and the de-ice indicator pneumatic tubing located forward of the co-pilot's right outboard rudder pedal. If either tube is deformed or collapsed, the proposed action would require replacing the damaged section of tube with new nylon tubing, then re-routing and securing the tubing using aluminum tubing and hose clamps. If there is no evidence of damage to the tubing, the proposed action would only require re-routing and securing the tubing to ensure that it is at least 8 inches away from the discharge opening of the co-pilot's foot warmer outlet. Accomplishment of the proposed actions would be required in accordance with the service bulletin referenced previously.

Cost Impact

The FAA estimates that 2,515 airplanes in the U.S. registry would be affected by the proposed AD; that it would take approximately 6 workhours per airplane to accomplish the proposed inspection, repair, and re-routing of the tubing; and that the average labor rate is approximately $60 an hour. Parts would be covered under the manufacturer's warranty credit program. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $905,400 or $360 per airplane. The FAA has no way to determine the number of owners/operators of the affected airplanes who may 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

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

Raytheon Aircraft Company (formerly Beech Aircraft Company): Docket No. 97–CE–05–AD.

Applicability: The following Models and serial numbered airplanes, certificated in any category:

Models	Serial No.
C90 and C90A ..	LJ–683 through LJ–1463.
E90	LW–177 through LW–347.
F90	LA–1 through LA–236.
H90	LL–1 through LL–61.
A100	B–228 through B–247.
B100	BE–6 through BE–137.
200 and B200 ...	BB–114 through BB–1553.
200C and B200C.	BL–1 through BL–72 and BL–124 through BL–140.
200CT and B200CT.	BN–1 through BN–4.
200T and B200T	BT–1 through BT–38.
300	FA–1 through FA–230 and FF–1 through FF–19.
B300	FL–1 through FL–154.
B300C	FM–1 through FM–9 and FN–1.
A200 (C–12C) ..	BC–19 through BC–75 and BD–15 through BD–30.
A200C (UC–12B).	BJ–1 through BJ–66.
A200CT (C–12D/F).	BP–1, BP–22, and BP–24 through BP–63.
A200CT (FWC–12D).	BP–7 through BP–11.
A200CT (RC–12D).	GR–1 through GR–13.
A200CT (RC–12H).	GR–14 through GR–19.
A200CT (RC–12G).	FC–1 through FC–3.
A200CT (RC–12K).	FE–1 through FE–9.
A200CT (RC–12N).	FE–10 through FE–31.
A200CT (RC–12P).	FE–33 and FE–35.
A200CT (RC–12Q).	FE–32, FE–34, and FE–36.
B200C (C–12F)	BL–73 through BL–112, BL–118 through BL–123, and BP–64 through BP–71.
B200C (C–12R)	BW–1 through BW–29.
B200C (UC–12F).	BU–1 through BU–10.
B200C (RC–12F).	BU–11 and BU–12.
B200C (UC–12M).	BV–1 through BV–10.
B200C (RC–12M).	BV–11 and BV–12.
B200CT (FWC–12D).	FG–1 and FG–2.

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 (e) 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 200 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent a loss of vacuum to depressurize the airplane cabin, which could result in personal injury to the door operator; and to prevent malfunction of the de-ice indicator system which could cause the pilot to unnecessarily exit icing conditions, accomplish the following:

(a) Inspect for collapse, deformation, and proper routing of the gray, blue, or clear pneumatic pressurization control system tubes and the de-ice indicator pneumatic tubing located forward of the co-pilot's right outboard rudder pedal in accordance with the ACCOMPLISHMENT INSTRUCTIONS section and Figure 1 of the Raytheon Aircraft Company (Raytheon) Mandatory Service Bulletin (SB) No. 2676, Issued: January 1997.

(b) If any of this tubing is deformed or collapsed, prior to further flight, replace the damaged section of tube with new nylon tubing, then use aluminum tubing and hose clamps to secure and re-route the tubing at least 8 inches away from the discharge opening of the co-pilot's foot warmer outlet in accordance with the ACCOMPLISHMENT INSTRUCTIONS section and Figure 2 of the Raytheon Mandatory SB No. 2676, January 1997.

(c) If there is no evidence of damage to the tubing, prior to further flight, re-route and secure the tubing as specified in paragraph (b) of this AD in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of the Raytheon Mandatory SB No. 2676, Issued: January 1997.

(d) 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.

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita Aircraft Certification Office.

(f) All persons affected by this directive may obtain copies of this document referred to herein upon request to Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201–0085; 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 May 7, 1997.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–12518 Filed 5–12–97; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97–AGL–9]

Establishment of Class E Airspace; McLaughlin, SD, McLaughlin Municipal Airport

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish Class E airspace at McLaughlin, SD. A Global Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway 31 has been developed for McLaughlin Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended affect of this proposal is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

DATES: Comments must be received on or before June 25, 1997.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL–7, Rules Docket No. 97–AGL–9, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Operations Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

FOR FURTHER INFORMATION CONTACT: John A. Clayborn, Air Traffic Division, Operations Branch, AGL–530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7568.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they made desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 97–AGL–9.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of the Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA–230, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at McLaughlin, SD; this proposal would provide adequate Class E airspace for operators executing the GPS Runway 31 SIAP at McLaughlin Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore this, proposed regulation—(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)