

**§ 563e.11 Authority, purposes and scope.**

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(c) *Scope*—(1) *General*. This part applies to all savings associations except as provided in paragraph (c)(2) of this section.

(2) *Certain special purpose savings associations*. This part does not apply to special purpose savings associations that do not perform commercial or retail banking services by granting credit to the public in the ordinary course of business, other than as incident to their specialized operations. These associations include banker's banks, as defined in 12 U.S.C. 24 (Seventh), and associations that engage only in one or more of the following activities: providing cash management controlled disbursement services or serving as correspondent associations, trust companies or clearing agents.

Dated: July 14, 1997.

By the Office of Thrift Supervision.

**Nicolas P. Retsinas,**

*Director.*

[FR Doc. 97-19157 Filed 7-22-97; 8:45 am]

BILLING CODE 6720-01-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 90-CE-28-AD]

**Airworthiness Directives; Cessna Aircraft Company Models 402C and 414A Airplanes**

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); Reopening of the comment period.

**SUMMARY:** This document proposes to revise an earlier proposed airworthiness directive (AD) that would have superseded AD 85-13-03 R2, which currently requires repetitively inspecting the engine mount beams for cracks on certain Cessna Aircraft Company (Cessna) Models 402C and 414A airplanes, and replacing any cracked beams. The earlier proposed AD would have retained the repetitive inspections initially, and would have required eventual modification of the engine mount beams upon the accumulation of a certain amount of usage time on the airplane, as terminating action for the repetitive inspections. Since publication of that proposal, the Federal Aviation Administration (FAA) has determined that the proposed action is still a valid

safety issue, but that the engine mount beams should be modified for all airplanes instead of relying on repetitive inspections to detect cracks until each airplane accumulates a certain amount of usage time. This proposed AD revises the previous proposal by incorporating this change. The actions specified by the proposed AD are intended to prevent failure of the engine mount beam caused by fatigue cracks, which could result in loss of the engine with consequent loss of the airplane. Since the comment period for the original proposal has closed and the proposed AD has been changed from what was originally proposed, the FAA is allowing additional time for the public to comment.

**DATES:** Comments must be received on or before September 26, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-28-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 the Cessna Aircraft Company, Product Support, P.O. Box 7706, Wichita, Kansas 67277, telephone (316) 941-7550; facsimile (316) 942-9006. This information may also be examined at the FAA at the address presented above.

**FOR FURTHER INFORMATION CONTACT:** David L. Ostrodka, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4129; 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 supplemental 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 supplemental notice must submit a self-addressed, stamped postcard on which the following statement is made:

"Comments to Docket No. 90-CE-28-AD." The postcard will be date stamped and returned to the commenter.

**Availability of Supplemental NPRM's**

Any person may obtain a copy of this supplemental NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-28-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Discussion**

AD 85-13-03 R2, Amendment 39-5147, currently requires repetitively inspecting the engine mount beams for cracks on certain Cessna Aircraft Company (Cessna) Models 402C and 414A airplanes, and replacing any cracked beams. On August 9, 1990 (55 FR 32442), a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would supersede AD 85-13-03 R2 was published in the **Federal Register** as a notice of proposed rulemaking (NPRM). This NPRM proposed to supersede AD 85-13-03 R2 with a new AD that would have retained the repetitive inspections initially, and would have required eventual modification of the engine mount beams upon the accumulation of a certain amount of usage time on the airplane, as terminating action for the repetitive inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. One comment was received regarding the proposed rule and no comments were received regarding the FAA's determination of the cost to the public.

**Comment Disposition**

Cessna recommends a change to the NPRM to account for airplanes that may have Cessna Kit SK414-19 incorporated without Cessna Kit SK414-17 ever being incorporated. Cessna states that, as currently written, the NPRM would not require the 9,600 hour time-in-service (TIS) repetitive radiographic inspections for these airplanes.

The FAA concurs. This supplemental NPRM would propose mandatory incorporation of the two appropriate Cessna SK414-19-\* kits (five different kits) and then repetitive radiographic inspections at 9,600-hour TIS intervals on all airplanes. This would assure that all airplanes are covered by the repetitive radiographic inspections.

#### Events Since Issuance of the NPRM

Since publication of the NPRM, the FAA has re-examined this issue and determined that the actions proposed are still valid safety issues, but that the engine mount beams should be modified at a certain time period for all airplanes instead of relying on repetitive inspections to detect cracks until each airplane accumulates a certain amount of hours TIS.

Since the comment period for the original proposal has closed and revision of the NPRM to require engine beam modification at a certain period of time for all of the affected Cessna Model 402C and 414A airplanes proposes actions that go beyond the scope of what was already proposed, the FAA is allowing additional time for the public to comment.

#### Relevant Service Information

The procedures to incorporate the SK414-19-\* kits are included in Cessna Service Kit SK414-19B, Revised: March 4, 1986. The procedures include all instructions for incorporating Kit SK414-19-1 on all of the affected airplanes, and then incorporating one of the following, depending on the airplane model and serial number:

- Cessna Kit SK414-19-2;
- Cessna Kit SK414-19-3;
- Cessna Kit SK414-19-4; or
- Cessna Kit SK414-19-5.

The procedures to accomplish the radiographic inspections are included in the Attachment to Service Bulletin MEB85-3, Revision 1, dated August 23, 1985, as referenced in Cessna Service Bulletin MEB85-3, Revision 2, dated October 23, 1987.

#### The FAA's Aging Commuter Aircraft Policy

The actions proposed in this supplemental NPRM are consistent with the FAA's aging commuter aircraft policy, which briefly states that, when a modification exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated. This policy is based on the FAA's determination that reliance on critical repetitive inspections on airplanes utilized in commuter service carries an unnecessary safety risk when a design change exists that could eliminate or, in

certain instances, reduce the number of those critical inspections. In determining what inspections are critical, the FAA considers (1) the safety consequences of the airplane if the known problem is not detected by the inspection; (2) the reliability of the inspection such as the probability of not detecting the known problem; (3) whether the inspection area is difficult to access; and (4) the possibility of damage to an adjacent structure as a result of the problem.

#### Cost Impact

The FAA estimates that 681 airplanes in the U.S. registry would be affected by the proposed AD. The proposed initial radiographic inspection would take approximately 10 workhours per airplane to accomplish at an average labor rate of \$60 per hour. Based on these figures, the total cost impact of the proposed initial radiographic inspection on U.S. operators is estimated to be \$408,600, or \$600 per airplane. These figures do not take into account the cost of repetitive inspections. The FAA has no way of determining the number of repetitive inspections each owner/operator would incur over the life of the airplane.

The proposed modification would take approximately 9 workhours per airplane to accomplish at an average labor rate of approximately \$60 an hour. Parts cost approximately \$907 (average: varies from airplane to airplane) per airplane. Based on these figures, the total cost impact of the proposed modification on U.S. operators is estimated to be \$985,407, or \$1,447 per airplane. This figure is based on the presumption that no affected airplane owner/operator has incorporated the proposed modification.

Cessna has informed the FAA that kits have been sold to accommodate approximately 98 of the affected airplanes. Presuming that each set of parts is incorporated on the affected airplanes, the cost impact of the proposed modification would be reduced \$141,806 from \$985,407 to \$843,601.

#### 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) 85-13-03 R2, Amendment 39-5147, and by adding a new AD to read as follows:

**Cessna Aircraft Company:** Docket No. 90-CE-28-AD. Supersedes AD 85-13-03 R2, Amendment 39-5147.

**Applicability:** Airplanes with the following model and serial number designations, certificated in any category:

Model	Serial Numbers
402C	402C0001 through 402C0808.
414A	414A0001 through 414A1206.

**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.

**Compliance:** Required as indicated in the body of this AD, unless already accomplished.

To prevent failure of the engine mount beam caused by fatigue cracks, which could result in loss of the engine with consequent loss of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, incorporate Cessna Kit SK414-19-1, and one of the following (as applicable) in accordance with the instructions to Service Kit SK414-19B, Revised: March 4, 1986:

(1) Cessna Kit SK414-19-2: All of the affected Models 402C and 414A airplanes that are equipped with propeller unfeathering accumulators;

(2) Cessna Kit SK414-19-3: Model 402C airplanes, serial numbers 402C0001 through 402C0468, that have Cessna Kit SK414-17 incorporated; and Model 414A airplanes, serial numbers 414A0001 through 414A0646, that have Cessna Kit SK414-17 incorporated;

(3) Cessna Kit SK414-19-4: Model 402C airplanes, serial numbers 402C0001 through 402C0468, that do not have Cessna Kit SK414-17 incorporated; and Model 414A airplanes, serial numbers 414A0001 through 414A0646, that do not have Cessna Kit SK414-17 incorporated;

(4) Cessna Kit SK414-19-5: Model 402C airplanes, serial numbers 402C0469 through 402C0808; and Model 414A airplanes, serial numbers 414A0647 through 414A1206.

(b) Within 9,600 hours TIS after the modification required by paragraph (a) of this AD, and thereafter at intervals not to exceed 9,600 hours TIS, inspect, using radiographic methods, the engine mount beams for cracks in accordance with the **ACCOMPLISHMENT INSTRUCTIONS** section of Attachment to Service Bulletin MEB85-2, Revision 1, dated August 23, 1985, as referenced in Cessna Service Bulletin MEB85-2, Revision 2, dated October 23, 1987.

(1) If any crack is found in the left side (vertical portion) of the left engine beam of either nacelle, prior to further flight, obtain a repair scheme from the manufacturer through the FAA, Wichita Aircraft Certification Office (ACO), at the address specified in paragraph (d) of this AD, and then incorporate this repair scheme.

(2) If cracks are found in the top (horizontal portion) of the engine beam and the total length of the cracks is less than 1.75 inches, prior to further flight, stop drill each end of each crack using a 0.098-inch drill bit.

(3) If cracks are found in the top (horizontal portion) of the engine beam and the total length of the cracks is equal to or greater than 1.75 inches, but less than 2.75 inches, prior to further flight, obtain a repair scheme from the manufacturer through the FAA, Wichita Aircraft Certification Office (ACO), at the address specified in paragraph (d) of this AD, and then incorporate this repair scheme.

(4) If cracks are found in the top (horizontal portion) of the engine beam and the total length of the cracks is equal to or greater than 2.75 inches, prior to further flight, replace the engine beam with a part number specified in the instructions to Service Kit SK414-19B, Revised: March 4, 1986.

(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 compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 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 ACO.

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

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Cessna Aircraft Company, Product Support, P.O. Box 7706, Wichita, Kansas 67277; 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 July 16, 1997.

**Carolanne L. Cabrini,**

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

[FR Doc. 97-19264 Filed 7-22-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-13-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Raytheon Aircraft Company Models 1900, 1900C, and 1900D 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 certain Raytheon Aircraft Company (Raytheon) Models 1900, 1900C, and 1900D airplanes (formerly referred to as Beech Models 1900, 1900C, and 1900D) airplanes. The proposed AD would require lubricating the main landing gear actuator rod ends and eventually replacing these rod ends with Teflon-lined rod ends. The proposed AD is the result of in-flight separations of the rod end that attaches the actuator to the arm of the main landing gear drag brace

assembly on two of the affected airplanes caused by excessive friction in the rod end bearing. The actions specified by the proposed AD are intended to prevent actuator rod end failure caused by excessive friction in the rod end bearing, which could result in the inability to lower the main landing gear or result in landing gear collapse during landing.

**DATES:** Comments must be received on or before September 26, 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-13-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 the 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:** Mr. Steve Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4124; 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