

hours, and specifies repetitive inspections of both the Piper P/N 42377-02 and P/N 71056-02 elevator bungee springs. This AD requires a one-time replacement of the elevator bungee link, and does not require repetitive inspections of the Piper P/N 71056-02 elevator bungee springs.

(f) Special flight permits may be issued in accordance with 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 compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

(2) Alternative methods of compliance approved in accordance with AD 79-01-04 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

**Note 6:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(h) All persons affected by this directive may obtain copies of the documents referred to herein upon request to The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; 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.

(i) This amendment supersedes AD 79-01-04, Amendment 39-3381.

Issued in Kansas City, Missouri, on July 17, 1997.

**Carolanne L. Cabrini,**

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

[FR Doc. 97-19437 Filed 7-23-97; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-NM-274-AD]

RIN 2120-AA64

**Airworthiness Directives; Raytheon Model DH.125-400A; BH.125-400A and -600A, HS.125-600A and -700A; BAe 125-800A; and Hawker 800 and Hawker 800 XP Series Airplanes Including Military Variants**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Raytheon Model DH.125-400A; BH.125-400A and -600A; HS.125-600A and -700A; BAe 125-800A; and Hawker 800, and Hawker 800 XP series airplanes including military variants (C29A, U125, U125A). This proposal would require a one-time inspection to determine if certain high pressure oxygen hose assemblies are installed, and, if installed, replacement of those hose assemblies with new, improved hose assemblies. This proposal is prompted by a report that certain high pressure oxygen hose assemblies are susceptible to leakage due to those hose assemblies not meeting design specifications during manufacturing. The actions specified by the proposed AD are intended to prevent leaks in high pressure oxygen hose assemblies, which, if not detected and corrected, could result in insufficient oxygen available to the passengers or crew if the cabin pressure altitude should rise to a level requiring emergency oxygen.

**DATES:** Comments must be received by September 3, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-274-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Raytheon Aircraft Company, Manager Service Engineering, Hawker Customer Support Department, P.O. Box 85, Wichita, Kansas 67201-0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Michael Imbler, Aerospace Engineer, Systems and Propulsion Branch, ACE-115W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4147; fax (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 shall 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 summarizing 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 Number 96-NM-274-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-274-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

The FAA has received a report indicating that certain high pressure oxygen hose assemblies installed on Raytheon Model DH.125-400A; BH.125-400A and -600A; HS.125-600A and -700A; BAe 125-800A; and Hawker 800 and Hawker 800 XP series airplanes including military variants (C29A,

U125, U125A) are susceptible to leakage. The cause of such leakage has been attributed to a discrepant batch of Kidde-Graviner hose assemblies that have a limited in-service life. These hose assemblies, if not removed and replaced in a timely manner, could leak and result in insufficient oxygen quantity available for the passengers or crew if the cabin pressure altitude should rise to a level requiring emergency oxygen.

#### Explanation of Relevant Service Information

Raytheon has issued Service Bulletin SB.35-46, dated September 30, 1996, which describes procedures for a one-time inspection to determine whether any high pressure oxygen hose assemblies having part number WKA 34609 are installed, and replacement of these hose assemblies with new, improved oxygen hose assemblies that meet the design specification.

#### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require a one-time inspection to determine whether certain oxygen hose assemblies, and replacement of discrepant hose assemblies with new, improved hose assemblies. The inspection and replacement would be required to be accomplished in accordance with the service bulletin described previously.

#### Cost Impact

The FAA estimates that 404 Raytheon Model DH.125-400A; BH.125-400A and -600A, HS.125-600A and -700A; BAe 125-800A; and Hawker 800 and Hawker 800 XP series airplanes including military variants of U.S. registry would be affected by this proposed AD.

It would take approximately 1 work hour per airplane to accomplish the proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the initial inspection proposed by this AD on U.S. operators is estimated to be \$24,240, or \$60 per airplane.

Should an operator be required to accomplish the proposed replacement, it would take approximately 1 work hour per airplane to accomplish the proposed replacement, at an average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators is

estimated to be \$24,240, or \$60 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed 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 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 proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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 adding the following new airworthiness directive:

**Raytheon Aircraft Company** (Formerly Beech, Raytheon Corporate Jets, British Aerospace, Hawker Siddeley, et al.):  
Docket 96-NM-274-AD.

**Applicability:** All Model DH.125-400A, BH.125-400A and -600A, HS.125-600A and -700A, and BAe 125-800A series airplanes; and Model Hawker 800 and Hawker 800 XP series airplanes (including Military Variants C29A, U125, and U125A airplanes) having serial numbers 1 through 258294 inclusive; on which Modification 252036 has been installed with a high pressure oxygen hose assembly having part number WKA 34609; 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:** Raytheon (Beech) Model DH.125-400B; BH.125-400B and -600B, S. 125-600B and -700B, and BAe 125-800B series airplanes are similar in design to the airplanes that are subject to the requirements of this AD, and therefore, also may be subject to the unsafe condition addressed by this AD. However, as of the effective date of this AD, those models are not type certificated for operation in the United States. Airworthiness authorities of countries in which those models are approved for operation should consider adopting corrective action, applicable to these models, that is similar to the corrective action required by this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent leaks in high pressure oxygen hose assemblies, which could result in insufficient oxygen quantity available to the passengers or crew if the cabin pressure altitude should rise to a level requiring emergency oxygen, accomplish the following:

(a) Within 90 days after the effective date of this AD, perform a one-time inspection to determine whether any high pressure oxygen hose assembly having a discrepant part number WKA 34609 is installed, in accordance with Raytheon Service Bulletin SB.35-46, dated September 30, 1996. If no discrepant part number is detected, no further action is required by this AD. If any hose assembly having discrepant part number WKA 34609 is installed, prior to further flight, replace the hose assembly with a hose assembly having part number 58179-101 in accordance with the service bulletin.

(b) As of the effective date of this AD, no person may install a high pressure oxygen

hose having part number WKA 34609 on any airplane.

(c) 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, Wichita Aircraft Certification Office (ACO), FAA, Small 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, Wichita ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(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 July 18, 1997.

**Gary L. Killion,**

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

[FR Doc. 97-19471 Filed 7-23-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-40-AD]

RIN 2120-AA64

#### **Airworthiness Directives; MAULE Models MX-7-420 and MXT-7-420 Airplanes and Models M-7-235 and M-7-235A Airplanes Modified in Accordance With Maule Supplemental Type Certificate (STC) SA2661SO**

**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 MAULE Models MX-7-240 and MST-7-420 airplanes, and Models M-7-235 and M-7-235A airplanes that are modified in accordance with Maule STC SA2661SO, which incorporates a certain gas turbine engine, certain amphibious floats, and certain propellers. The proposed AD would require amending the Limitations Section of the airplane flight manual (AFM) to prohibit the positioning of the power levers below the flight idle stop while the airplane is in flight. This amendment would include a statement of consequences if the limitation is not followed. The proposed AD is the result of numerous incidents and five

documented accidents involving airplanes equipped with turboprop engines where the propeller beta was improperly utilized during flight. The actions specified by the proposed AD are intended to prevent loss of airplane control or engine overspeed with consequent loss of engine power caused by the power levers being positioned below the flight idle stop while the airplane is in flight.

**DATES:** Comments must be received on or before October 3, 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-CD-40-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.

Information related to the proposed AD may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Wayne A. Shade, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7337; facsimile (404) 305-7348.

#### **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-40-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-40-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

#### **Discussion**

The FAA has received reports of 14 occurrences in recent years of incidents or accidents on airplanes equipped with turboprop engines related to intentional or inadvertent operation of the propellers in the beta range during flight. Beta is the range of propeller operation intended for use during taxi, ground idle, or reverse operations as controlled by the power lever settings aft of the flight idle stop.

Of the 14 documented in-flight beta occurrences, five were classified as accidents. In-flight beta operation results that preceded the accidents can be classified in one of two categories: (1) Permanent engine damage and total loss of thrust on all engines when the propeller that was operating in the beta range drove the engines to overspeed; and (2) loss of airplane control because at least one propeller operated in the beta range during flight.

The most recent accident occurred when both engines of a Saab Model 340B permanently lost power after eight seconds of beta range propeller operation. The propellers consequently drove the engines into overspeed, which resulted in internal engine failure.

Communication between the FAA and the public during a meeting held on June 11-12, 1996, in Seattle, Washington, revealed a lack of consistency of the information on in-flight beta operation contained in the airplane flight manual (AFM) for airplanes not certificated for in-flight operation with the power levers below the flight idle stop. Airplanes that are certificated for this type of operation are not affected by the above-referenced conditions.

#### **The FAA's Determination**

After examining the circumstances and reviewing all available information related to the incidents and accidents referenced above, the FAA has determined that:

- All airplanes equipped with turboprop engines (provided the airplane is not certificated for in-flight