

accordance with paragraph (c) 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 loss of the integrated hydraulic package (IHP) function, which, if combined with other hydraulic system failures, could result in reduced controllability of the airplane, accomplish the following:

(a) Within 4 months after the effective date of this AD, replace the Abex alternating current (AC) electric motor with a new modified Abex AC electric motor having an improved fan, in accordance with Saab Service Bulletin 2000-29-004, dated September 18, 1995, including Attachment 1 (Abex NWL Service Bulletin 42103-29-232, dated August 23, 1995) and Attachment 2 (Abex NWL Service Bulletin 4208901-29-232, dated September 15, 1995).

(b) As of the effective date of this AD, no person shall install an Abex AC electrical motor, part number (P/N) 42103, Model HPS1VC-02; or an Abex AC electrical motor, P/N 4208901, Model HPS1VC-01-01; 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, 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.

(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) The replacement shall be done in accordance with Saab Service Bulletin 2000-29-004, dated September 18, 1995, including Attachment 1 (Abex NWL Service Bulletin 42103-29-232, dated August 23, 1995) and Attachment 2 (Abex NWL Service Bulletin 4208901-29-232, dated September 15, 1995). 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 SAAB Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. 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.

(f) This amendment becomes effective on September 2, 1997.

Issued in Renton, Washington, on July 18, 1997.

Gary L. Killion,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-19472 Filed 7-25-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-137-AD; Amendment 39-10090; AD 97-16-01]

RIN 2120-AA64

Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain British Aerospace (Jetstream) Model 4101 airplanes. This action requires repetitive detailed visual inspections to detect cracks of the shear cleats of the roller guide structural support of the passenger door, and replacement of any cracked shear cleat with a new shear cleat. This action also provides for an optional terminating modification that constitutes terminating action for the repetitive inspections. This amendment is prompted by a report indicating that fatigue cracking was found in the roller guide shear cleats of the passenger door. The actions specified in this AD are intended to detect and correct such fatigue-related cracking, which could result in structural failure of the passenger door, and consequent rapid depressurization of the airplane or loss of the passenger door while the airplane is in flight.

DATES: Effective August 12, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 12, 1997.

Comments for inclusion in the Rules Docket must be received on or before September 26, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-137-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined 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. **FOR FURTHER INFORMATION CONTACT:** Bud Schroeder, Aerospace Engineer, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2148; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain British Aerospace (Jetstream) Model 4101 airplanes. The CAA advises that, during full-scale fatigue tests on a Jetstream Model 4101 test article, cracking was found in the roller guide shear cleats of the passenger door. Such cracking also was found during in-service maintenance inspections. This cracking is attributed to fatigue-related stress. Fatigue-related cracking in the roller guide shear cleats of the passenger door, if not detected and corrected in a timely manner, could result in structural failure of the passenger door, and consequent rapid depressurization of the airplane or loss of the passenger door while the airplane is in flight.

Explanation of Relevant Service Information

British Aerospace has issued Jetstream Alert Service Bulletin J41-A52-043, Revision 2, dated May 6, 1997, which describes procedures for repetitive detailed visual inspections to detect cracks of the roller guide shear cleats of the passenger door. The service bulletin also describes procedures for replacement of any cracked shear cleat with a new shear cleat. The CAA classified the alert service bulletin as mandatory and issued British airworthiness directive 003-03-97 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

British Aerospace also has issued Jetstream Service Bulletin J41-52-050, dated May 6, 1997. The service bulletin describes procedures for modification of the passenger door, which will eliminate the need for repetitive detailed visual inspections. The modification involves installation of a one-piece machined abutment fitting to replace the existing roller guide

intercostal and loose shear cleats of the passenger door. The modification will strengthen the structural support of the roller guides of the passenger door, which will minimize the possibility of fatigue cracking in the roller guide support structure.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of 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, this AD is being issued to detect and correct fatigue-related cracking in the shear cleats of the roller guide structural support of the passenger door, which could result in structural failure of the passenger door, and consequent rapid depressurization of the airplane or loss of the passenger door while the airplane is in flight. This AD requires repetitive detailed visual inspections to detect cracks of the roller guide shear cleats of the passenger door, and replacement of any cracked shear cleat with a new shear cleat. This AD also provides for an optional terminating modification that constitutes terminating action for the repetitive inspection requirements. The actions are required to be accomplished in accordance with the service bulletins described previously.

Differences Between the AD and the Related Foreign AD

Operators should note that, while it is not the FAA's normal policy to allow flight with known cracks, this AD does permit further flight when one roller guide shear cleat of the passenger door is cracked within certain limits. The results of a review, conducted by the manufacturer, shows that the subject passenger door continues to comply with the applicable certification basis when cracking in all eight of roller guide shear cleats does not exceed certain limits. Therefore, according to

the review, if certain crack size limits are strictly observed, and corrective action is taken to replace all cracked shear cleats within a certain number of landings, the cracks will not grow to a size that would create an unacceptable risk of structural failure. The CAA concurs with the findings of this review. In consideration of these findings and based on the FAA's criteria for flight with known cracking, the FAA has determined that further flight when one roller guide shear cleat of the passenger door is cracked within certain limits is permissible for an interim period. However, the FAA has determined that further flight with widespread (i.e., more than one crack) known cracking is not permitted. Therefore, for cases where more than one cracked shear cleat is detected within certain limits, this AD requires replacement of all cracked shear cleats prior to further flight.

Interim Action

The FAA is considering further rulemaking action to supersede this AD to require the accomplishment of the optional terminating modification currently specified in this AD. However, the planned compliance time for accomplishment of that action is sufficiently long so that prior notice and time for public comment will be practicable.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption ADDRESSES. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether

additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-NM-137-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

97-16-01 British Aerospace Regional Aircraft [Formerly Jetstream Aircraft Limited, British Aerospace (Commercial Aircraft) Limited]: Amendment 39-10090. Docket 97-NM-137-AD.

Applicability: Jetstream Model 4101 airplanes, constructors numbers 41004 through 41099 inclusive, 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 (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, unless accomplished previously.

To detect and correct fatigue-related cracking in the shear cleats of the roller guide structural support of the passenger door, which could result in structural failure of the passenger door, and consequent rapid depressurization of the airplane or loss of the passenger door while the airplane is in flight, accomplish the following:

(a) Except as provided by paragraph (b) of this AD: Prior to the accumulation of 6,000 landings, or within 60 days after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracks of the shear cleats of the roller guide structural support of the passenger door, in accordance with Part 1 of the Accomplishment Instructions of Jetstream Alert Service Bulletin J41-A52-043, Revision 2, dated May 6, 1997. Repeat the detailed visual inspection, as specified in Part 2 of the Accomplishment Instructions of the alert service bulletin, thereafter at intervals not to exceed 1,500 landings.

Note 2: Accomplishment of the initial detailed visual inspection prior to the effective date of this AD in accordance with Jetstream Alert Service Bulletin J41-A52-043, dated March 14, 1997, or Revision 1, dated April 11, 1997, is considered acceptable for compliance with the initial inspection required by paragraph (a) of this AD.

(1) If one cracked shear cleat is detected, and the crack is greater than 0.50 inches, prior to further flight, replace the cracked shear cleat with a new shear cleat in accordance with the alert service bulletin.

(2) If one cracked shear cleat is detected, and the crack is less than or equal to 0.50 inches, within 170 landings following accomplishment of the inspection required by this paragraph, replace the cracked shear cleat with a new shear cleat in accordance with the alert service bulletin.

(3) If more than one cracked shear cleat is detected, but no single crack is greater than 0.50 inches in length, prior to further flight, replace all cracked shear cleats with new shear cleats, in accordance with the alert service bulletin.

(b) For airplanes on which all shear cleats have been replaced: Inspect as required by paragraph (a) of this AD, prior to the accumulation of 6,000 total landings on the highest time new shear cleat, or within 60 days after the effective date of this AD, whichever occurs later. Repeat the detailed visual inspection thereafter at intervals not to exceed 1,500 landings.

(c) Modification of the passenger door (i.e. Modification No. JM41576) in accordance with Jetstream Service Bulletin J41-52-050, dated May 6, 1997, constitutes terminating action for the repetitive inspection requirements of paragraphs (a) and (b) of this AD.

(d) 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(e) 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.

(f) The inspections shall be done in accordance with Jetstream Alert Service Bulletin J41-A52-043, Revision 2, dated May 6, 1997. The modification shall be done in accordance with Jetstream Service Bulletin J41-52-050, dated May 6, 1997. 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 AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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.

(g) This amendment becomes effective on August 12, 1997.

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

D. L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-19599 Filed 7-25-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 8145]

Income Tax; Allocation of Interest Expense Among Expenditures; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to temporary regulations (TD 8145), which were published in the **Federal Register** on Thursday, July 2, 1987 (52 FR 24996) relating to the allocation of interest expense among a taxpayer's expenditures.

EFFECTIVE DATE: July 2, 1987.

FOR FURTHER INFORMATION CONTACT: John Fischer, (202) 622-4950, (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations that are the subject of this correction are under section 163 of the Internal Revenue Code.

Need for Correction

As published, temporary regulations (TD 8145) contains an error which may prove to be misleading and is in need of clarification.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Correcting Amendment to Regulations

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendment:

PART 1—INCOME TAXES

Paragraph 1. The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 1.163-8T [Corrected]

Par. 2. In § 1.163-8T, paragraph (e) immediately following *Example (2)* in paragraph (c)(2)(iii) is redesignated as paragraph (c)(3) to read as follows: