

(2) *Contents of request for waiver.* A request for a waiver or reduction of fees shall include:

(i) A clear statement of the requester's interest in the documents;

(ii) The use proposed for the documents and whether the requester will derive income or other benefit for such use;

(iii) A statement of how the public will benefit from such use and from the Board's release of the documents;

(iv) A description of the method by which the information will be disseminated to the public; and

(v) If specialized use of the information is contemplated, a statement of the requester's qualifications that are relevant to that use.

(3) *Burden of proof.* The burden shall be on the requester to present evidence or information in support of a request for a waiver or reduction of fees.

(4) *Determination by Secretary.* The Secretary shall make a determination on the request for a waiver or reduction of fees and shall notify the requester accordingly. A denial may be appealed to the Board in accordance with § 261.13(j).

(g) *Employee requests.* In connection with any request by an employee, former employee, or applicant for employment, for records for use in prosecuting a grievance or complaint of discrimination against the Board, fees shall be waived where the total charges (including charges for information provided under the Privacy Act of 1974 (5 U.S.C. 552a) are \$50 or less; but the Secretary may waive fees in excess of that amount.

(h) *Special services.* The Secretary may agree to provide, and set fees to recover the costs of, special services not covered by the Freedom of Information Act, such as certifying records or information and sending records by special methods such as express mail or overnight delivery.

APPENDIX A TO § 261.17.—FREEDOM OF INFORMATION FEE SCHEDULE

| | |
|--|--------|
| Duplication: | |
| Photocopy, per standard page | \$0.10 |
| Paper copies of microfiche, per frame | .10 |
| Duplicate microfiche, per microfiche | .35 |
| Search and review: | |
| Clerical/Technical, hourly rate | 20.00 |
| Professional/Supervisory, hourly rate | 38.00 |
| Manager/Senior Professional, hourly rate | 65.00 |
| Computer search and production: | |
| Computer operator search, hourly rate | 32.00 |

APPENDIX A TO § 261.17.—FREEDOM OF INFORMATION FEE SCHEDULE—Continued

| | |
|--|------------------|
| Tapes (cassette) per tape | 6.00 |
| Tapes (cartridge), per tape | 9.00 |
| Tapes (reel), per tape | 18.00 |
| Diskettes (3 1/2"), per diskette | 4.00 |
| Diskettes (5 1/4"), per diskette | 5.00 |
| Computer Output (PC), per minute | .10 |
| Computer Output (mainframe) | (¹) |

¹ Actual cost.

By order of the Board of Governors of the Federal Reserve System, October 10, 1997.

William W. Wiles,

Secretary of the Board.

[FR Doc. 97-27566 Filed 10-17-97; 8:45 am]

BILLING CODE 6210-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-137-AD; Amendment 39-10159; AD 97-21-06]

RIN 2120-AA64

Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA) Model CN-235 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain CASA Model CN-235 series airplanes, that requires repetitive inspections of the torsion tubes and fittings of the elevator and rudder assemblies to detect stress corrosion cracking, and replacement of cracked parts. This action also requires accomplishment of a modification that constitutes terminating action for the repetitive inspections. This amendment is prompted by reports indicating that stress corrosion cracking in these parts has been found on some airplanes. The actions specified by this AD are intended to prevent loss of control of the elevator and/or rudder, due to failure of the elevator and/or rudder assemblies as a result of stress corrosion cracking.

DATES: Effective November 24, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of November 24, 1997.

ADDRESSES: The service information referenced in this AD may be obtained

from Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. 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: Greg Dunn, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2799; fax (425) 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 CASA Model CN-235 series airplanes was published in the **Federal Register** on February 7, 1997 (62 FR 5785). That action proposed to require repetitive inspections of the torsion tubes and fittings of the elevator and rudder assemblies to detect stress corrosion cracking, and replacement of discrepant parts. In addition, that action proposed to require eventual installation of newly designed torsion tube assemblies on all airplanes, which, when accomplished, would constitute terminating action for the required inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

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 1 CASA Model CN-235 series airplane of U.S. registry will be affected by this AD.

It will take approximately 6 work hours per airplane to accomplish each required visual inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required inspection on the single affected U.S. operator is estimated to be \$360, per inspection cycle.

It will take approximately 40 work hours to accomplish the required terminating modification, at an average labor rate of \$60 per work hour. (The work hour figure does not include the time needed for preparation of the airplane or equipment; familiarization with the service bulletin; curing times for adhesive, sealant, paint, etc.; tool

collection; or down time). Required parts will cost approximately \$8,900 per airplane. Based on these figures, the cost impact of the required modification on the single affected U.S. operator is estimated to be \$11,300.

The cost impact figures discussed above are 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:

97-21-06 CASA: Amendment 39-10159. Docket 96-NM-137-AD.

Applicability: CASA Model CN-235 airplanes; as listed in CASA Service Bulletin SB-235-27-05, Revision 1, dated September 29, 1993 (non-military airplanes), and CASA Service Bulletin SB-235-27-05M, Revision 2, dated January 25, 1996 (military airplanes); 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 (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 as indicated, unless accomplished previously.

To prevent loss of control of the elevator and/or rudder, due to failure of the elevator and/or rudder assemblies as a result of stress corrosion cracking in the torsion tubes and fittings, accomplish the following:

Note 2: Actions required by this AD that were accomplished previous to the effective date of this AD, and in accordance with earlier versions of the specified CASA service bulletins, are considered acceptable for compliance with the applicable requirements of this AD.

(a) At the applicable time specified in either paragraph (a)(1) or (a)(2) of this AD, conduct a visual inspection of the torsion (torsion) tubes on the elevator and rudder assemblies to detect stress corrosion cracking, in accordance with CASA Service Bulletin SB-235-27-05, Revision 1, dated September 29, 1993 (for non-military airplanes) or CASA Service Bulletin SB-235-27-05M, Revision 2, dated January 25, 1996 (for military airplanes), as applicable.

(1) For airplanes that have accumulated more than 600 total hours time-in-service, or more than 1,000 total landings, as of the effective date of this AD: Conduct the inspection required by paragraph (a) of this AD prior to the accumulation of 50 hours time-in-service, or 100 landings, or within 3 months, after the effective date of this AD, whichever occurs first.

(2) For all other airplanes: Conduct the inspection required by paragraph (a) of this AD prior to the accumulation of 600 total hours time-in-service, or 1,000 total landings, or within 6 months, after the effective date of this AD, whichever occurs first.

(b) If no cracking is detected during the inspection required by paragraph (a) of this

AD, repeat that inspection at intervals not to exceed 600 hours time-in-service, or 1,000 landings, or 6 months, whichever occurs first.

(c) If any cracking is detected during the inspection required by paragraph (a) of this AD, prior to further flight, accomplish either paragraph (c)(1) or (c)(2) of this AD.

(1) Replace cracked parts with a new parts of the original design, in accordance with the service bulletin. After replacement, repeat the visual inspection required by paragraph (a) of this AD at intervals not to exceed 600 hours time-in-service, or 1,000 landings, or 6 months, whichever occurs first. OR

(2) Replace cracked parts with a newly-designed parts, in accordance with CASA Service Bulletin SB-235-27-05, Revision 1, dated September 29, 1993 (for non-military airplanes); or CASA Service Bulletin SB-235-27-05M, Revision 2, dated January 25, 1996 (for military airplanes); as applicable. This replacement constitutes terminating action for the repetitive visual inspections of that part required by paragraph (b) of this AD.

(d) Within 2 years after the effective date of this AD, replace all original design parts comprising the torsion tube assemblies on the elevator and rudder assemblies with newly-designed parts, in accordance with CASA Service Bulletin SB-235-27-05, Revision 1, dated September 29, 1993 (for non-military airplanes); or CASA Service Bulletin SB-235-27-05M, Revision 2, dated January 25, 1996 (for military airplanes); as applicable. This action constitutes terminating action for the inspection requirements of this AD.

(e) 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.

(f) Special flight permits may be issued in accordance with sections 21.197 and P21.199 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.

(g) The actions shall be done in accordance with CASA Service Bulletin SB-235-27-05, Revision 1, dated September 29, 1993; and CASA Service Bulletin SB-235-27-05M, Revision 2, dated January 25, 1996; as applicable; which contain the specified effective pages:

| Service bulletin referenced and date | Page No. | Revision level shown on page | Date shown on page |
|--|------------|------------------------------|---------------------|
| SB-235-27-05, Revision 1, September 29, 1993 | 1, 2 | 1 | September 29, 1993. |
| | 3-23 | Original | February 5, 1993. |
| SB-235-27-05M, Revision 2, January 25, 1996 | 1 | 2 | January 25, 1996. |
| | 2-23 | Original | October 28, 1991. |

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 Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. 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.

Note 4: The subject of this AD is addressed in Spanish airworthiness directive 06/94, dated August 1994.

(h) This amendment becomes effective on November 24, 1997.

Issued in Renton, Washington, on October 8, 1997.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-27222 Filed 10-17-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-274-AD; Amendment 39-10158; AD 97-21-05]

RIN 2120-AA64

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

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Raytheon Model DH.125-400A; BH.125-400A and -600A; HS.125-600A and -700A; BAe 125-800A series airplanes; and Hawker 800 and Hawker 800 XP series airplanes (including military variants C29A, U125, U125A). This amendment requires 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 amendment 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 this 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: Effective November 24, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 24, 1997.

ADDRESSES: The service information referenced in this AD 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

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: 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 Raytheon Model DH.125-400A; BH.125-400A and -600A; HS.125-600A and -700A; BAe 125-800A series airplanes; and Hawker 800 and Hawker 800 XP series airplanes (including military variants C29A, U125, U125A), was published in the **Federal Register** on July 24, 1997 (62 FR 39787). That action proposed to 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.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

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 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 will be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the required actions, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the initial inspection required 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 replacement, it would take approximately 1 work hour per airplane to accomplish it, 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 on U.S. operators is estimated to be \$60 per airplane.