

that the average labor rate is \$60 per work hour. Required parts will cost approximately \$75 per forward slide and \$100 per aft slide. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$195 per forward slide and \$220 per aft slide.

The cost impact figure discussed above is 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:

97-03-15 McDonnell Douglas: Amendment 39-9920. Docket 96-NM-124-AD.

Applicability: Model DC-9-10, -20, -30, -40, and -50 series airplanes; Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87) series airplanes; Model MD-88 airplanes; and C-9 (military) series airplanes; equipped with BFGoodrich Evacuation Slides, as listed in BFGoodrich Service Bulletin 25-280, Revision 2, dated August 15, 1996; 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 (b) 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 in-cabin inflation of the evacuation slides, which could contribute to injury of passengers and/or flightcrew in the passenger cabin, accomplish the following:

(a) Within 36 months after the effective date of this AD, modify the girt and firing lanyard stowage in accordance with BFGoodrich Service Bulletin 25-280, Revision 2, dated August 15, 1996.

(b) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

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

(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) The modification shall be done in accordance with BFGoodrich Service Bulletin 25-280, Revision 2, dated August 15, 1996. 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 BFGoodrich Company, Aircraft Evacuation Systems, Department 7916, Phoenix, Arizona 85040. Copies may be inspected at the FAA, Transport Airplane

Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on March 14, 1997.

Issued in Renton, Washington, on January 30, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-2853 Filed 2-6-97; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 96-NM-218-AD; Amendment 39-9921; AD 96-03-16]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-11 and MD-11F series airplanes, that currently requires, among other things, repetitive visual inspections to detect discrepancies of the fuel pipe of the fuel transfer system of the tail tank and associated mounting bracket located in the aft fuselage compartment. That AD was prompted by reports of cracking or bending of the fuel pipe mounting support and/or attaching bracket in the aft fuselage compartment due to a fuel pressure surge that caused repetitive loading of this area. This amendment adds a requirement to install a restraint on the tail tank fuel pipe, which would terminate the repetitive visual inspections. The actions specified by this AD are intended to prevent such cracking/bending, which could expose the fuel pipe coupling O-ring. An exposed O-ring could lose its sealing effect and could allow a fuel leak in the aft fuselage compartment, which would present a fire hazard.

DATES: Effective March 14, 1997.

The incorporation by reference of McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996, as listed in the regulations, was approved previously by the Director of the Federal Register as of July 24, 1996 (61 FR 35946, July 9, 1996).

The incorporation by reference of McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996, as listed in the regulations, is approved by the Director of the Federal Register as of March 14, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). 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, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ray Vakili, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627-5262; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 96-14-07, amendment 39-9691 (61 FR 35946, July 9, 1996), which is applicable to certain McDonnell Douglas Model MD-11 and MD-11F series airplanes, was published in the Federal Register on November 20, 1996 (61 FR 59036). The action proposed to supersede AD 96-14-07 to continue to require repetitive visual inspections to detect discrepancies (i.e., cracks or deformation) of the fuel pipe of the fuel transfer system of the tail tank and associated mounting bracket located in the aft fuselage compartment and to verify the correct position of the fuel pipe flange, and various follow-on actions. The action also proposed to require installation of a restraint on the tail tank fuel pipe, which would constitute terminating action for the repetitive visual inspection requirements.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air

safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 152 McDonnell Douglas Model MD-11 and MD-11F series airplanes of the affected design in the worldwide fleet. The FAA estimates that 42 airplanes of U.S. registry will be affected by this AD.

The actions that are currently required by AD 96-14-07, and retained in this AD, take approximately 6 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be \$15,120, or \$360 per airplane, per inspection cycle.

The new actions that are required by this new AD will take approximately 3 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the new requirements of this AD on U.S. operators is estimated to be \$7,560, or \$180 per airplane.

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 removing amendment 39-9691 (61 FR 35946, July 9, 1996), and by adding a new airworthiness directive (AD), amendment 39-9921, to read as follows:

97-03-16 McDonnell Douglas: Amendment 39-9921. Docket 96-NM-218-AD. Supersedes AD 96-14-07, Amendment 39-9691.

Applicability: Model MD-11 and MD-11F series airplanes, manufacturer's fuselage numbers 0447 through 0599 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 (f) 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 the possibility of an in-flight or ground fire due to fuel leaking from the fuel pipe coupling, accomplish the following:

Restatement of Requirements of AD 96-14-07, Amendment 39-9691

(a) Perform a visual inspection to detect discrepancies (i.e., cracks or deformation) of the fuel pipe of the fuel transfer system of the tail tank and associated mounting bracket located in the aft fuselage compartment; and to verify the correct position of the fuel pipe flange, in accordance with McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996; at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable.

(1) For airplanes on which the modification specified in McDonnell Douglas Service Bulletin 28-22, dated September 24,

1991, has been accomplished; or that have been repaired in accordance with an FAA-approved repair procedure, as specified in paragraph (a)(3) of AD 91-24-09, amendment 39-8095; or on which the shroud assembly has been replaced with a serviceable part: Prior to the accumulation of 600 flight hours, or within 60 days after July 24, 1996 (the effective date AD 96-14-07, amendment 39-9691), whichever occurs later.

(2) For airplanes on which the modification specified in McDonnell Douglas Service Bulletin 28-22, dated September 24, 1991, has not been accomplished: Prior to the accumulation of 600 flight hours, or within 60 days since accomplishment of the last visual inspection in accordance with AD 91-24-09, amendment 39-8095; whichever occurs first.

(b) Condition 1. No Discrepancy Found. If no discrepancy is detected during any visual inspection required by paragraph (a) of this AD, accomplish either paragraph (b)(1) or (b)(2) of this AD.

(1) Condition 1. Option 1. Repeat the visual inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 600 flight hours or 60 days, whichever occurs later. Or

(2) Condition 1. Option 2. Prior to further flight, install a temporary phenolic support block assembly, shim, clamp, and bracket between the tail tank fuel pipe and station Y=2033.750 bulkhead, in accordance with Condition 1, Option 2, of McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996. Within 6 months after accomplishment of this installation, perform a one-time inspection to verify the correct position of the temporary support block assembly installation in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin.

(i) If the assembly is found to be positioned properly, repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(ii) If the assembly is found to be improperly positioned, prior to further flight, reposition the fuel pipe in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin. Repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(c) Condition 2. Discrepancy Found; O-Ring Not Exposed. If any discrepancy is detected, and the fuel pipe is found to be improperly positioned, but the O-ring is not exposed, during any visual inspection required by paragraph (a) of this AD, prior to further flight, accomplish either paragraph (c)(1) or (c)(2) of this AD.

(1) Condition 2. Option 1. Repeat the visual inspection in paragraph (a) of this AD thereafter at intervals not to exceed 600 flight hours or 60 days, whichever occurs later. Or

(2) Condition 2. Option 2. Prior to further flight, install a temporary phenolic support block assembly, shim, clamp, and bracket between the tail tank fuel pipe and station Y=2033.750 bulkhead; and reposition the fuel pipe assembly, as applicable; in accordance with Condition 2, Option 2, of McDonnell Douglas Alert Service Bulletin

MD11-28A082, dated May 14, 1996. Within 6 months after accomplishment of this installation, perform a one-time inspection to verify the correct position of the temporary support block assembly installation in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin.

(i) If the assembly is found to be positioned properly, repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(ii) If the assembly is found to be improperly positioned, prior to further flight, reposition the fuel pipe in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin. Repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(d) Condition 3. Discrepancy Found; O-Ring Exposed. If any discrepancy is detected, and the fuel pipe is found to be improperly positioned, and the O-ring is exposed, during any visual inspection required by paragraph (a) of this AD, prior to further flight, replace the O-ring with a new O-ring, and install a temporary phenolic support block assembly, shim, clamp, and bracket between the tail tank fuel pipe and station Y=2033.750 bulkhead, in accordance with McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996. Within 6 months after accomplishment of the replacement and installation, perform a one-time inspection to verify the correct position of the temporary support block assembly installation in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin.

(1) If the assembly is found to be positioned properly, repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

(2) If the assembly is found to be improperly positioned, prior to further flight, reposition the fuel pipe in accordance with Figure 2 (Sheet 2 of 3) of the alert service bulletin. Repeat the verification of the correct position of the fuel pipe flange, as specified in paragraph (a) of this AD, thereafter at intervals not to exceed 15 months.

New Requirements of this AD

(e) Within 24 months after the effective date of this AD, install a restraint on the tail tank fuel pipe in accordance with McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996. Accomplishment of the installation constitutes terminating action for the repetitive inspection requirements of this AD.

(f) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

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

(g) 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.

(h) The actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996; and McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996. The incorporation by reference of McDonnell Douglas Alert Service Bulletin MD11-28A082, dated May 14, 1996, was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of July 24, 1996 (61 FR 35946, July 9, 1996). The incorporation by reference of McDonnell Douglas Service Bulletin MD11-28-082, dated July 29, 1996, is 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on March 14, 1997.

Issued in Renton, Washington, on January 30, 1997.

Darrell M. Pederson,
*Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.*
[FR Doc. 97-2852 Filed 2-6-97; 8:45 am]

BILLING CODE 4910-13-p

14 CFR Part 71

[Airspace Docket No. 97-ANE-02]

Amendment to Class E Airspace; New Haven, CT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action modifies the Class E airspace at New Haven, CT (KHVN) by removing the Class E airspace extending upward from the surface, effective during the times when the Airport Traffic Control Tower (ATCT) is not operating. This action results from the lack of continuous weather reporting at Tweed-New Haven Municipal Airport. **DATES:** Effective 0901 UTC, March 27, 1997.

Comments for inclusion in the Rules Docket must be received on or before March 10, 1997.