

(1) Rework the affected wing leading edge section(s) to add the correct number of holes, and

(2) Perform a visual inspection of the auxiliary spar or front spar, as applicable, to detect heat damage. If any heat damage is detected, prior to further flight, repair the affected structure in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate.

(b) As of the effective date of this AD, no person shall install a wing leading edge section, unless it has been inspected for the presence of the correct number of bleed air exhaust holes, and reworked, if necessary, to add the correct number of holes, in accordance with Fokker Component Service Bulletin D14000-57-004, dated August 21, 1995.

(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, International Branch, ANM-116, 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, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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.

**Note 3:** The subject of this AD is addressed in Dutch airworthiness directive BLA No. 1995-087 (A), dated August 31, 1995.

Issued in Renton, Washington, on December 2, 1997.

**Darrell M. Pederson,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-280-AD]

RIN 2120-AA64

#### Airworthiness Directives; Aerospatiale Model ATR72 Series Airplanes

**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 Aerospatiale Model ATR72 series airplanes. This proposal would require removal of certain landing gear attachment pins, and replacement of the pins with serviceable pins. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent wear of the attachment pins, which could result in collapse of the main landing gear.

**DATES:** Comments must be received by January 8, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-280-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 Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. 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:** International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

#### 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 97-NM-280-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. 97-NM-280-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Aerospatiale Model ATR72 series airplanes. The DGAC advises that failed main landing gear (MLG) pins have been found during routine inspections. The failure has been traced to inadequate quality control of the MLG attachment pins during manufacture. Failure of the MLG attachment pins, if not corrected, could result in collapse of the MLG.

#### Explanation of Relevant Service Information

Aerospatiale has issued Service Bulletin No. ATR72-32-1036, and No. ATR72-32-1037, both dated June 19, 1996, which describe procedures for removal of certain attachment pins of the MLG, and replacement of the pins with serviceable pins. The Aerospatiale service bulletins reference Messier-Dowty Service Bulletin No. 631-32-125, dated May 7, 1996, and No. 631-32-126, dated May 7, 1996, as the appropriate sources of service information for accomplishment of these actions. The DGAC classified the Aerospatiale service bulletins as mandatory and issued French airworthiness directive 96-096-029(B), dated May 9, 1996, in order to assure the continued airworthiness of these airplanes in France.

#### FAA's Conclusions

This airplane model is manufactured in France 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 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 accomplishment of the actions specified in the service bulletins described previously.

#### Cost Impact

The FAA estimates that 39 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 18 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$42,120, or \$1,080 per airplane.

The cost impact figure discussed above is 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:

**Aerospatiale:** Docket 97–NM–280–AD.

**Applicability:** Model ATR72 series airplanes; as identified in Aerospatiale Service Bulletin No. ATR72–32–1036, dated June 19, 1996, and Aerospatiale Service Bulletin No. ATR72–32–1037, dated June 19, 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 otherwise 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 prevent wear of the landing gear attachment pins, which could result in collapse of the main landing gear (MLG), accomplish the following:

(a) Within 12 months after the effective date of this AD, remove the MLG leg hinge pins and side brace assembly center pins having the part numbers (P/N) specified in paragraph B. of the Planning Information of Aerospatiale Service Bulletin No. ATR72–

32–1036, dated June 19, 1996; and replace the pins with serviceable pins, in accordance with the Aerospatiale service bulletin and Messier-Dowty Service Bulletin No. 631–32–125, dated May 7, 1996.

(b) Prior to the accumulation of 15,000 landings since the last overhaul of the MLG, or within 8 years since the last overhaul of the MLG, whichever occurs first: Remove the MLG swinging lever/barrel pins and shock absorber/universal joint hinge pins having the

P/N's specified in paragraph B. of the Planning Information of Aerospatiale Service Bulletin No. ATR72–32–1037, dated June 19, 1996; and replace the pins with serviceable pins; in accordance with the Aerospatiale service bulletin and Messier-Dowty Service Bulletin No. 631–32–126, dated May 7, 1996.

**Note 2:** Serviceable pins include those that have been removed, inspected, and marked with green paint in accordance with Messier-Dowty Service Bulletin No. 631–32–125, dated May 7, 1996; or Messier-Dowty Service Bulletin No. 631–32–126, dated May 7, 1996; as applicable.

(c) As of the effective date of this AD, no person shall install any MLG pin having a part number identified in Aerospatiale Service Bulletin No. ATR72–32–1036, dated June 19, 1996, or Aerospatiale Service Bulletin No. ATR72–32–1037, dated June 19, 1996, on any airplane unless that pin is considered to be serviceable in accordance with the applicable service bulletin.

(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, International Branch, ANM–116, 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, International Branch, ANM–116.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

(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.

**Note 4:** The subject of this AD is addressed in French airworthiness directive 96–096–029(B), dated May 9, 1996.

Issued in Renton, Washington, on December 2, 1997.

**Darrell M. Pederson,**

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

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