

Authority: 7 U.S.C. 901-950(b); Pub. L. 99-591, 100 Stat. 3341; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

2. Section 1710.113 is amended by redesignating the existing paragraph (c) as paragraph (c)(1) and adding a new paragraph (c)(2) to read as follows:

§ 1710.113 Loan security.

* * * * *

(c)(1) * * *

(2) The Administrator, at his or her discretion, may approve the use of an indenture patterned after those indentures commonly used by utilities engaged in private market financing, in lieu of a mortgage as the security instrument for loans to power supply borrowers. The use of an indenture will be by mutual agreement of the borrower and the Administrator. The terms of each indenture and related loan agreement will be negotiated on a case by case basis to best meet the needs of the individual borrower and the Government. The provisions of the indenture and loan contract shall control, notwithstanding any provisions of 7 CFR Chapter XVII which may be in conflict therewith.

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Dated: February 10, 1997.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 97-3990 Filed 2-19-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-24-AD; Amendment 39-9933; AD 97-04-09]

RIN 2120-AA64

Airworthiness Directives; Aerospatiale Model ATR42-300 and ATR42-320 Series 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 Aerospatiale Model ATR42-300 and ATR42-320 series airplanes. This action requires repetitive ultrasonic inspections to detect fatigue cracks of the lower lugs of the barrel of the main landing gear (MLG); and replacement of cracked lower lugs with new or serviceable ones and a follow-on inspection. This amendment is prompted by reports indicating that, due

to fatigue cracking in the lower lugs of the barrel, the MLG collapsed. The actions specified in this AD are intended to detect and correct such fatigue cracking, which could lead to the collapse of the MLG.

DATES: Effective March 7, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 7, 1997.

Comments for inclusion in the Rules Docket must be received on or before April 21, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-24-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD 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: Gary Lium, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1112; fax (206) 227-1149.

SUPPLEMENTARY INFORMATION: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Aerospatiale Model ATR42-300 and ATR42-320 series airplanes. The DGAC advises that it has received reports indicating that the main landing gear (MLG) collapsed on two airplanes; one incident occurred during taxi and the other during landing roll. Investigation revealed that, following normal overhaul or repair procedures, moisture may enter the joint between the fixed barrel and the shock absorbing portion of the trailing arm of the MLG. Such moisture could result in corrosion and consequent fatigue cracking in the lower lugs of the barrel of the MLG, which is the main attachment point for the joint.

Fatigue cracking in the lower lugs of the barrel of the MLG, if not detected and corrected in a timely manner, could lead to the collapse of the MLG.

Explanation of Relevant Service Information

Messier-Dowty has issued Service Bulletin No. 631-32-132, dated January 21, 1997, which describes procedures for performing repetitive ultrasonic inspections to detect fatigue cracks of the barrel lower lugs of MLG. The service bulletin also describes procedures for replacement of cracked barrel lower lugs with new or serviceable ones and a follow-on inspection. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 96-294(B), dated January 15, 1997, 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 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 cracking in the lower lugs of the barrel, which could result in collapse of the MLG. This AD requires repetitive ultrasonic inspections to detect fatigue cracks of the lower lugs of the barrel of MLG. This AD also requires replacement of cracked lower lugs with new or serviceable ones and a follow-on inspection. The actions are required to be accomplished in accordance with the service bulletin described previously.

Interim Action

The FAA is considering further rulemaking action to supersede this AD to require modification of the lower lugs of the barrel of the MLG, which will constitute terminating action for the repetitive inspections required by this AD action. However, the planned compliance time for these actions is sufficiently long so that prior notice and time for public comment will be practicable.

In addition, the FAA is continuing to investigate whether the existing design of the lower lugs of the barrel makes overhauls or repairs difficult to accomplish correctly. Preliminary investigation results indicate that, following an improperly overhauled or repaired lower lug of the barrel, moisture could enter the joint between the fixed barrel and the shock absorbing portion of the trailing arm of the MLG. Such moisture could result in corrosion and consequent fatigue cracking in the lower lugs of the barrel, which may lead to the collapse of the MLG. Once final action is identified, the FAA may consider additional rulemaking.

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-24-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:

97-04-09 Aerospatiale: Amendment 39-9933. Docket 97-NM-24-AD.

Applicability: Model ATR42-300 and ATR42-320 series airplanes, on which the lower lugs of the barrel of the main landing gear (MLG) have been overhauled or repaired, certificated in any category.

Note 1: This AD does not affect new barrel assemblies that have never been overhauled or repaired.

Note 2: 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 (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 fatigue cracking in the lower lugs of the barrel and consequent collapse of the MLG, accomplish the following:

(a) Prior to the accumulation of 2 years time-in-service since last overhaul or repair of the barrel lower lugs of the MLG, or within 60 days after the effective date of this AD, whichever occurs later, perform an ultrasonic inspection to detect fatigue cracks of the lower lugs of the barrel of the MLG, in accordance with Messier-Dowty Service Bulletin 631-32-132, dated January 21, 1997.

(1) If no echo is detected or the echo is less than 20%, repeat the ultrasonic inspection thereafter at intervals not to exceed 700 landings.

(2) If any echo is greater than or equal to 20%, prior to further flight, replace the barrel assembly with a new or serviceable barrel assembly, in accordance with the service bulletin. After replacement, prior to the accumulation of 2 years time-in-service on that replacement part, accomplish the actions specified in paragraph (a) of this AD.

(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, 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.

(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 inspections and replacement shall be done in accordance with Messier-Dowty Service Bulletin 631-32-132, dated January 21, 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 Aerospatiale, 316 Route de Bayonne,

31060 Toulouse, Cedex 03, France. 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.

(e) This amendment becomes effective on March 7, 1997.

Issued in Renton, Washington, on February 10, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-3843 Filed 2-19-97; 8:45 am]

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14 CFR Part 39

[Docket No. 97-CE-06-AD; Amendment 39-9937; AD 97-04-02]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company (Formerly Beech Aircraft Corporation) Models 1900, 1900C, and 1900D Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the Federal Register an amendment adopting Airworthiness Directive (AD) 97-04-02, which was sent previously to known U.S. owners and operators of certain Raytheon Aircraft Company (Raytheon) Models 1900, 1900C, and 1900D airplanes (formerly referred to as Beech Models 1900, 1900C, and 1900D airplanes). This AD requires installing new exterior operating instruction placards for the airstair door, cargo door, and emergency exits, as applicable. This AD results from an accident involving a Raytheon Model 1900C airplane that collided with another airplane while completing its landing roll. The ensuing fire destroyed both airplanes. The actions specified by this AD are intended to assure complete instructions are visible for opening the airstair door, cargo door, or emergency exits, which, if not visible or understandable, could result in the inability to open the airstair door, cargo door, or emergency exits during an emergency situation.

DATES: Effective March 10, 1997, to all persons except those to whom it was made immediately effective by priority letter AD 97-04-02, issued February 4, 1997, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director

of the Federal Register as of March 10, 1997.

Comments for inclusion in the Rules Docket must be received on or before April 25, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 97-CE-06-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. This information may also be examined at the Rules Docket at the address above, or at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4124; facsimile (316) 946-4407.

SUPPLEMENTARY INFORMATION:

Discussion

On February 4, the FAA issued priority letter AD 97-04-02, which applies to the following Raytheon Aircraft Company (formerly Beech Aircraft Corporation) airplanes:

Model	Serial No.
1900	UA-2 and UA-3.
1900C	UB-1 through UB-74, and UC-1 through UC-174.
1900C (C-12J)	UD-1 through UD-6.
1900D	UE-1 through UE-268.

That AD resulted from an accident involving a Raytheon Aircraft Company (Raytheon) Model 1900C airplane (formerly referred to as Beech Model 1900C) that collided with another airplane while completing its landing roll. The ensuing fire destroyed both airplanes.

Investigation following the accident indicates that all occupants of the Raytheon Model 1900C survived the impact of the collision. The emergency crew was not able to open the forward (main boarding) airstair door, and all occupants of the airplane died of smoke inhalation. The airstair door is unlocked and opened from the outside by depressing a release button while simultaneously rotating the door handle downward. The FAA believes that the instructions for opening the main boarding door of the Raytheon Model

1900C airplane were either not visible or not easily understandable.

Inspection of another Raytheon Model 1900C airplane revealed incomplete instructions for opening the airstair door. Specifically, these instructions consisted of a small placard with black letters 2/10-inch high on a white background, located aft and slightly lower than the door handle with the following information: "PUSH BUTTON AND TURN HANDLE TO OPEN." The button was neither outlined nor highly visible, and the instructions did not include the requirement of depressing the button while simultaneously rotating the handle and they did not indicate which direction to move the handle.

Discussion of the Applicable Service Information

The FAA has reviewed and approved Raytheon Aircraft Mandatory Service Bulletin No. 2741, Issued: February, 1997. This service bulletin specifies installing (1) new exterior operating instruction placards for the airstair door and cargo door for Raytheon Models 1900 and 1900C airplanes; and (2) new exterior operating instruction placards for the airstair door, cargo door, and emergency exits for Raytheon Model 1900D airplanes. The placards and procedures for installing the placards are included with the following kits:

Raytheon Part Number (P/N) 114-5050-3, Exterior Marking Placard Kit, for Model 1900 airplanes, serial numbers UA-2 and UA-3.

Raytheon P/N 114-5050-1, Exterior Marking Placard Kit, for Model 1900C, serial numbers UB-1 through UB-74, and UC-1 through UC-174; and Model 1900C (C-12J) airplanes, serial numbers UD-1 through UD-6.

Raytheon P/N 129-5030-1, Exterior Marking Placard Kit, for Model 1900D airplanes, serial numbers UE-1 through UE-268.

The FAA's Determination and Explanation of the AD

Since an unsafe condition has been identified that is likely to exist or develop in other Raytheon Models 1900, 1900C, and 1900D airplanes of the same type design, the FAA issued priority letter AD 97-04-02 to assure complete instructions are visible for opening the airstair door, cargo door, or emergency exits, which, if not visible or understandable, could result in the inability to open the airstair door, cargo door, or emergency exits during an emergency situation. The AD requires installing new exterior operating instruction placards for the airstair door, cargo door, and emergency exits, as