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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.

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 supersede AD 90–23–09 to require incorporation of additional structural modifications. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Operators should note that the actions specified as Items 6, 11, 13, and 14 in Table 1 of British Aerospace Alert Service Bulletin 5–A–PM5995, Issue 3, are not included in the proposed requirements of this AD due to the following reasons:

Item	Reason			
6	Currently required by AD 91–06–16, amendment 39–6935.			
11	Will be addressed in a separate rule- making action.			
13	Currently required by AD 67–15–01, amendment 39–401.			
14	Currently required by AD 67–14–04, amendment 39–397.			

The FAA estimates that 31 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 387 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour.

Required parts would cost approximately \$10,315 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$1,039,585, or \$33,535 per airplane.

The total 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. 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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–6795 (55 FR 46502, November 5, 1990), and by

adding a new airworthiness directive (AD), to read as follows:

British Aerospace Airbus Limited (Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group): Docket 94–NM–186–AD. Supersedes AD 90–23–09, Amendment 39–6795.

Applicability: Model BAC 1–11 200 and 400 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 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 use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of the airplane, accomplish the following:

(a) Prior to reaching the "Not Exceed Time" interval specified in Table 1 of British Aerospace Alert Service Bulletin 5–A– PM5995, Issue 3, dated March 19, 1993; or within 15 months after the effective date of this AD; whichever occurs later: Install the structural modification listed in each Item in Table 1 of the alert service bulletin, except for Items 6, 11, 13, and 14. The modifications shall be done in accordance with the appropriate service bulletin specified for each Item in Table 1, listed under "Service Bulletin No."

Note 2: Items 6, 11, 13, and 14 in Table 1 of British Aerospace Alert Service Bulletin 5–A–PM5995, Issue 3, are not included in the requirements of this AD since those items are addressed by separate rulemaking actions.

(b) Accomplishment of the modifications required by paragraph (a) of this AD constitutes terminating action for the repetitive inspections required by the following AD's:

AD No.	Amendment No.	Federal Register citation	Date of publication
67–30–02 87–21–06 82–01–02 R1 83–20–02 88–11–09 72–06–01 71–25–02	39–5744 39–4824 39–4735 39–5891 39–1406	48 FR 44462 53 FR 17918	March 13, 1984. September 29, 1983.