

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 39-3138 (23 FR 5506, February 9, 1978), and by adding a new airworthiness directive (AD), to read as follows:

**British Aerospace Regional Aircraft Limited (Formerly British Aerospace Commercial Aircraft Limited, Vickers-Armstrongs Aircraft Limited):** Docket 94-NM-135-AD. Supersedes AD 65-20-04, Amendment 39-3138.

**Applicability:** All Model Viscount 744, 745D, and 810 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 (d) 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 capability of the fuselage pressure vessel, accomplish the following:

(a) To operate the airplane for a maximum of 30 years since the date of manufacture or 75,000 total landings, whichever occurs first, accomplish the following:

(1) Perform visual, eddy current, dye penetrant, and x-ray inspections in accordance with Sections 2 through 10 of British Aerospace Preliminary Technical Leaflet (PTL) No. 221, Issue 10, dated May 1, 1994 (for Model Viscount 744 and 745D airplanes); or PTL No. 94, Issue 10, dated September 1, 1993 (for Model Viscount 810 airplanes); as applicable. Perform the initial inspection at the later of the times specified in paragraphs (a)(1)(i) and (a)(2)(ii) of this AD. Thereafter, repeat these inspections at the repetitive intervals specified in the applicable PTL.

(i) Prior to the threshold specified in Sections 2 through 10 of the applicable PTL; or within the next repetitive inspection specified in Sections 2 through 10 of the applicable PTL following the immediately preceding inspection accomplished in accordance with PTL No. 221, Issue 4 (for Model Viscount 744 and 745D airplanes), or PTL No. 94, Issue 4 (for Model Viscount 810 airplanes); whichever occurs first. Or

(ii) Within 60 days after the effective date of this AD.

(2) Install the modifications specified in Sections 2 through 10 of British Aerospace PTL No. 221, Issue 10, dated May 1, 1994 (for Model Viscount 744 and 745D airplanes); or PTL No. 94, Issue 10, dated September 1, 1993 (for Model Viscount 810 airplanes); as applicable. Accomplish this installation at the later of the times specified in paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Prior to the accumulation of the number of equivalent flights at 6.5 pounds per square inch (psi) specified in the initial compliance columns of Sections 2 through 10 of the applicable PTL. Or

(ii) Within 60 days after the effective date of this AD.

**Note 2:** The number of equivalent flights at 6.5 psi is determined by using the procedure specified in Section 1, Part 6, Paragraph 6.6, of PTL No. 221 or PTL No. 94, as applicable.

(3) Modify the components of the pressurization system to reduce the cabin pressure maximum pressure setting to 3.5 psi, in accordance with Section 1, Part 7, Paragraph 7.5.2 of British Aerospace PTL No. 221, Issue 10, dated May 1, 1994 (for Model Viscount 744 and 745D airplanes); or PTL No. 94, Issue 10, dated September 1, 1993 (for Model Viscount 810 airplanes); as applicable. Accomplish this modification at the later of the times specified in paragraphs (a)(3)(i) and (a)(3)(ii) of this AD.

(i) Prior to the accumulation of 25 years since date of manufacture, or prior to the accumulation of the number of flights equivalent to 17,000 flights at 6.5 psi; whichever occurs first. Or

(ii) Within 30 days after the effective date of this AD.

(b) This paragraph is applicable only to airplanes listed in British Aerospace PTL No. 320, Issue 3, dated October 1, 1993 (for Model Viscount 744 and 745D airplanes); and PTL No. 189, Issue 5, dated May 1, 1994 (for Model Viscount 810 airplanes). To operate the airplane for a maximum of 45 years since date of manufacture or 75,000 total landings, whichever occurs first: Prior to the accumulation of 30 years since date of manufacture, or within 2 months after the effective date of this AD, whichever occurs later, perform the inspections, change the inspection times, install the modifications, and perform all other actions specified in the applicable PTL.

(c) If any crack(s) or corrosion is found during any inspection required by this AD, prior to further flight, repair in accordance with British Aerospace PTL No. 221, Issue 10, dated May 1, 1994 (for Model 744 and 745D airplanes), or PTL No. 94, Issue 10, dated September 1, 1993 (for Model 810 airplanes).

(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, 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.

(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.

Issued in Renton, Washington, on May 3, 1995.

**James V. Devany,**

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

[FR Doc. 95-11357 Filed 5-8-95; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 94-NM-107-AD]

#### Airworthiness Directives; British Aerospace Model ATP Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.