**DATES:** Effective February 20, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 20, 1995.

ADDRESSES: Service information that applies to this AD may be obtained from Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond A. Stoer, Program Officer, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (322) 513.3830; facsimile (322) 230.6899; or Mr. John P. Dow, Sr., Project Officer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426–6932; facsimile (816) 426–2169.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain JAL HP137 Mk1 and Jetstream 200 series airplanes was published in the Federal Register on October 13, 1994 (59 FR 51877). The action proposed superseding AD 81-09-03 R1 with a new AD that would (1) retain the inspections of the rudder pedal adjusting mounting bracket for cracks and require replacing any cracked part as required by the current AD; and (2) require replacing this mounting bracket with an improved part of increased sectional dimension, P/N 1379111E 1, as terminating action for the repetitive inspections. The proposed inspection would be accomplished in accordance with Jetstream Service Bulletin No. 9/ 10, dated April 28, 1981. The proposed replacement would be accomplished in accordance with the Instructions to Modification No. 5162, Part 1 and Part 2, Issue 1, dated June 1981.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD nor add any additional burden upon the public than was already proposed.

This action is based on the FAA's aging commuter-class aircraft policy. This policy simply states that airplane owners/operators should incorporate a known design change when it could eliminate, or, in certain instances, reduce the number of critical repetitive inspections.

The FAA estimates that 11 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 160 workhours per airplane to accomplish the required action, and that the average labor rate is approximately \$55 an hour. Parts cost approximately \$1,800 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$116,600.

All 11 of the affected airplanes are HP137 Mk1's; there are no Jetstream series 200 airplanes registered in the United States, but they are type certificated for operation in the United States. According to FAA records, none of these HP137 Mk1 airplanes are in operation or anywhere near operating condition. For this reason, JAL no longer stocks Modification No. 5162, but can develop modification kits within three months after order. Since there are no airplanes currently in operation, the cost impact of this AD is narrowed to only those owners/operators returning their airplane to operation.

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 copy of the final 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, 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. 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 AD 81–09–03 R1, Amendment 39–4150, and by adding a new AD to read as follows:

## 95-01-08 Jetstream Aircraft Limited:

Amendment 39–9119; Docket No. 94– CE–14–AD. Supersedes AD 81–09–03 R1, Amendment 39–4150.

Applicability: HP137 Mk1 and Jetstream Series 200 airplanes (all serial numbers), certificated in any category.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To prevent inadvertent rudder movement caused by a cracked rudder pedal adjusting mounting bracket, which could result in loss of rudder control, accomplish the following:

- (a) Within the next 100 hours time-inservice (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 81–09–03 R1), inspect the rudder pedal adjusting mounting bracket for cracks in accordance with Jetstream Service Bulletin (SB) No. 9/10, dated April 28, 1981.
- (1) If cracks are found, prior to further flight, replace the mounting bracket with an improved part of increased sectional dimension, part number (P/N) 1379111E 1, in accordance with the Instructions to Modification No. 5162, Part 1 and Part 2, Issue 1, dated June 1981. This replacement is referenced as Modification No. 5162.

(2) If no cracks are found, reinspect at intervals not to exceed 100 hours TIS until Modification No. 5162 is incorporated.

(b) Upon the accumulation of 15,000 hours TIS or within the next 200 hours TIS after the effective date of this AD, whichever occurs later, replace the rudder pedal adjusting mounting bracket with an improved part of