

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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95-CE-24-AD." The postcard will be date stamped and returned to the commenter.

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 and that it must be issued immediately to correct an unsafe condition in aircraft, and 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 (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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 adding a new airworthiness directive to read as follows:

95-12-16 Mooney Aircraft Corporation:

Amendment 39-9267; Docket No. 95-CE-24-AD. Supersedes priority letter AD 95-07-04.

Applicability: Model M20R Airplanes, serial numbers 29-0002 through 29-0035, 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) of this AD 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 in the body of this AD, unless already accomplished.

To prevent an airplane engine fire that could result from exhaust system cracks, accomplish the following:

(a) Within the next 5 hours time-in-service (TIS) after the effective date of this AD, unless the modification specified in paragraph (b) of this AD is incorporated, and thereafter at intervals not to exceed 5 hours TIS until compliance with paragraph (b) of this AD, inspect the exhaust system for cracks in accordance with section 5 and section 81 of the Mooney Model M20R Service and Maintenance Manual (section 78 in Service and Maintenance Manual revisions issued after April 1995). The original exhaust system consists of the following:

(1) Exhaust Header Assembly: part number 630079-501/-502;

(2) Muffler Assembly: part number 630088-501; and

(3) Exhaust Tail Pipe Assembly: part number 630087-501/-502.

Note 2: The inspections required by this AD are also referenced in Mooney Service

Bulletin M20-257, Revision A, dated March 21, 1995, and Revision B, dated April 5, 1995.

(b) Prior to further flight on any airplane with a cracked exhaust system or within the next 25 hours TIS after the effective date of this AD on any airplane without a cracked exhaust system, whichever occurs first, modify the exhaust system in accordance with the documents specified in either paragraph (b)(1) or (b)(2) below:

(1) Mooney Instructions—Retrofit Kit, part number (P/N) 940095-501-1, dated March 31, 1995, and Mooney Special Letter 95-1, dated April 20, 1995; or

(2) Mooney Instructions—Retrofit Kit, P/N 940095-501-1, Revised April 21, 1995.

(c) The repetitive inspections required by paragraph (a) of this AD are no longer required after the incorporation of the modification required by paragraph (b) of this AD.

(d) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, ACO, FAA, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth ACO.

(e) The modification required by this AD shall be done in accordance with Mooney Instructions—Retrofit Kit, part number 940095-501-1, Revised April 21, 1995; or both Mooney Instructions—Retrofit Kit, part number 940095-501-1, dated March 31, 1995, and Mooney Special Letter 95-1, dated April 20, 1995. 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 the Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas 78028. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

(f) This amendment (39-9267) supersedes priority letter AD 95-07-04.

(g) This amendment (39-9267) becomes effective on June 22, 1995.

Issued in Kansas City, Missouri, on June 2, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-14041 Filed 6-13-95; 8:45 am]

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