

clearance between the engine fuel supply-line and the hydraulic line in zones 631 and 531. It also proposed to require an inspection to detect damage of fuel lines, and replacement of damaged fuel lines. That action also proposed to require installation of two additional clamps on the out line of the lift-dumper in cases where clearance is less than 3mm (0.118 inch) and no damage is detected on the fuel lines.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule.

One commenter requests that the FAA revise paragraphs (a)(3) and (a)(4) of the proposed rule to remove the phrase "in accordance with the service bulletin." The commenter recommends describing the clamping procedures in general terms, such as "addition of clamps as required to provide the prerequisite clearance," instead of mandating that these procedures be accomplished in accordance with a specific service document. The FAA does not concur. The FAA has determined that the commenter's request to require "addition of clamps * * *" is too vague to provide adequate guidance as to what is required of operators, and for the FAA to perform proper surveillance of these operators to ensure that the objectives of the AD are being fulfilled. Under provisions of paragraph (b) of the final rule, however, operators may apply for approval of an alternative method of compliance, such as different clamping procedures.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 83 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$4,980, or \$60 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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. 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 the following new airworthiness directive:

95-12-18 Fokker: Amendment 39-9269. Docket 94-NM-250-AD.

Applicability: Model F28 Mark 0100 series airplanes, serial numbers 11244 through 11438 inclusive, 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 (b) 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 chafing of the fuel supply line, which could result in fuel leakage, and, subsequently, lead to a possible fire hazard and engine fuel deprivation, accomplish the following:

(a) Within 30 days after the effective date of this AD, perform a visual inspection to verify proper clearance between the engine fuel supply-line and the hydraulic line in zones 631 and 531 and to detect damage of the fuel supply-line, in accordance with Fokker Service Bulletin SBF100-28-026, dated March 12, 1993.

(1) If the clearance is found to be 3mm (0.118 inch) or more and no damage is found, no further action is required by this AD.

(2) If the clearance is found to be 3mm or more and damage is found, prior to further flight, replace the damaged fuel line in accordance with the service bulletin.

(3) If the clearance is found to be less than 3mm and no damage is found, within 6 months after the effective date of this AD, install 2 additional clamps on the out line of the lift-dumper, in accordance with the service bulletin.

(4) If the clearance is found to be less than 3mm and damage is found, prior to further flight, replace the damaged fuel line, and install 2 additional clamps on the out line of the lift-dumper, in accordance with the service bulletin.

(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 2: 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 inspection, replacement, and installation shall be done in accordance with Fokker Service Bulletin SBF100-28-026, dated March 12, 1993. 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 Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal