applicable to Mitsubishi Heavy Industries (MHI) Model YS–11 and –11A series airplanes; and

—AD 86–06–03 R1, amendment 39–5917 (53 FR 16385, May 9, 1988), applicable to SAAB-Fairchild Model SF–340A series airplanes.

The FAA finds that the FAA-approved Airplane Flight Manual (AFM) for General Dynamics (Convair) Model 240 series airplanes [including Model T–29 (military) airplanes], Model 340 and 440 series airplanes, and Model C–131 (military) airplanes, including those modified for turbo-propeller power, must be revised. This revision must include procedures to ensure that the flight crew does not select a flap setting of more than 30 degrees after icing conditions have been encountered, when icing conditions are anticipated during approach and landing, or when the outside air temperature is +5 degrees Celsius or below and any visible moisture is present. The FAA has determined that such procedures currently are not defined adequately in the AFM for these airplanes.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require revising the Limitations Section of the FAA-approved AFM to limit flap selection during certain icing conditions and air temperatures.

There are approximately 282 Model 240 series airplanes, including Model T–29 (military) airplanes; Model 340 and 440 series airplanes; Model C–131 (military) airplanes, and those models modified for turbo-propeller power; of the affected design in the worldwide fleet. The FAA estimates that 197 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $11,820, or $60 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 adding the following new airworthiness directive:

**General Dynamics (Convair):** Docket 95–NM–19–AD.

*Applicability:* All Model 240 series airplanes, including Model T–29 (military) airplanes; Model 340 and 440 series airplanes; and Model C–131 (military) airplanes; including those models modified for turbo-propeller power (commonly referred to as Model 580, 600, and 640 series airplanes); certificated in any category.

*Compliance:* Required as indicated, unless accomplished previously.

To ensure that the flight crew is advised of the potential hazard associated with increasing the flap settings when ice contaminated tailplane stall (ICTS) is present, and the procedures necessary to address it, accomplish the following:

(a) Within 30 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following procedures, which will limit the flap settings during certain icing conditions and air temperatures. This may be accomplished by inserting a copy of this AD in the AFM.

**''Flap Limitation in Icing Conditions**

Flap selection is limited to a maximum of 30 degrees after icing conditions have been encountered; or when icing conditions are anticipated during approach and landing; or when the outside air temperature is +5 degrees Celsius or below and any visible moisture is present.''

(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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

**Note:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(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.

Issued in Renton, Washington, on June 12, 1995.

**Darrell M. Pederson,**

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

[FR Doc. 95–14766 Filed 6–15–95; 8:45 am]

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## 14 CFR Part 39

**[Docket No. 95–NM–50–AD]**

## Airworthiness Directives; McDonnell Douglas Model DC–10–10 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas DC–10–10 series airplanes. This proposal would require inspections of the wings to detect cracks in the aft spar lower cap, in certain stringer butterfly clips on the bulkheads, and in certain fastener holes; and repair, if necessary. This proposal would also require modification of those areas of the wings, which would terminate the repetitive inspection requirements. This proposal is prompted by reports indicating that, during fatigue testing of the wing structure, cracks developed in the aft spar lower cap, in certain stringer