

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to Glaser-Dirks Flugzeugbau GmbH (Glaser-Dirks) Model DG-100 sailplanes equipped with the main L4 fitting of the all flying tailplane. This action requires inspecting (one-time) the tailplane main fitting to ensure the part is accurately welded, and modifying the tailplane main fitting if not accurately welded. A report of tailplane main fitting failure on one of the affected sailplanes, where the welding did not completely cover the entire wall thickness of the fitting, prompted this action. The actions specified by this AD are intended to prevent loss of control of the sailplane because of tailplane main fitting failure.

**DATES:** Effective August 24, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 24, 1995.

**ADDRESSES:** Service information that applies to this AD may be obtained from Glaser-Dirks Flugzeugbau GmbH, Im Schollengarten 19-20, 7520 Buchsal 4, Germany. This information may also be examined at the 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. Herman Belderok, Project Officer, Sailplanes, Small Airplane Directorate, Aircraft 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 Glaser-Dirks Model DG-100 sailplanes equipped with the main L4 fitting of the all flying tailplane was published in the **Federal Register** on January 18, 1995 (60 FR 3587). The action proposed to require inspecting (one-time) the tailplane main fitting to ensure the part is accurately welded, and modifying the tailplane main fitting if not accurately welded. Accomplishment of the proposed actions would be accomplished in accordance with Enclosure to Technical Note 301/15, which is a supplement to Glaser-Dirks Technical Note 301/15, dated July 7, 1989.

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 related to the subject presented above, 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 and will not add any additional burden upon the public than was already proposed.

The FAA estimates that 16 sailplanes in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per sailplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$960. This figure is based on the assumption that no affected owner/operator has accomplished the proposed one-time inspection. The FAA anticipates that several owners/operators have already accomplished this inspection, thus reducing the cost impact upon the public imposed by this AD.

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 adding a new AD to read as follows:

**95-14-01 Glaser-Dirks Flugzeugbau GmbH:** Amendment 39-9293; Docket No. 92-CE-21-AD.

**Applicability:** Model DG-100 sailplanes (all serial numbers) that are equipped with the main L4 fitting of the all flying tailplane, certificated in any category.

**Note 1:** This AD applies to each sailplane 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 sailplanes 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 sailplane from the applicability of this AD.

**Compliance:** Required within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent loss of control of the sailplane caused by failure of the tailplane main fitting, accomplish the following:

(a) Inspect the tailplane main fitting to ensure that the welding covers the entire wall thickness of the fitting in accordance with the instructions in paragraph 3 of the Enclosure to Technical Note (TN) 301/15, which is a supplement to Glaser-Dirks TN 301/15, dated July 7, 1989.

(b) If the welding does not cover the entire wall thickness of the fitting, prior to further flight, modify the tailplane main fitting in accordance with instructions in paragraph 4 of the Enclosure to TN 301/15, which is a supplement to Glaser-Dirks TN 301/15, dated July 7, 1989.

**Note 2:** The service information specifies inspection and possible modification for the Model DG-100 Elan sailplanes, as well as the Model DG-100 sailplanes. Even though the Model DG-100 Elan sailplanes are not certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29),