

The FAA estimates that it would take approximately 1 work hour per airplane to accomplish the proposed visual inspections, at an average labor rate of \$60 per work hour. Based on these figures, the total cost impact of the proposed visual inspections on U.S. operators is estimated to be \$14,220, or \$60 per airplane, per inspection cycle.

The FAA estimates that it would take approximately 2 work hours per airplane to accomplish the proposed eddy current inspection, at an average labor rate of \$60 per work hour. Based on these figures, the total cost impact of the proposed eddy current inspection on U.S. operators is estimated to be \$28,440, or \$120 per airplane.

The FAA estimates that it would take approximately 6 work hours per airplane to accomplish the proposed replacement of the 12 attachments located at the banjo No. 4 fitting, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$250 per airplane. Based on these figures, the total cost impact of the proposed replacement on U.S. operators is estimated to be \$144,570, or \$610 per airplane.

The total cost impact figures discussed above are 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:

**McDonnell Douglas:** Docket 95–NM–48–AD.

**Applicability:** Model DC–10–10, –15, –30, –40 series airplanes and KC–10A (military) airplanes; as listed in McDonnell Douglas Service Bulletin 55–23, Revision 1, dated December 17, 1993; 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 (c) 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, unless accomplished previously.

To prevent loss of fail safe capability of the vertical stabilizer due to cracking of its attachments, accomplish the following:

(a) Within one year after the effective date of this AD, perform a visual inspection, using a minimum 5X power magnifying glass, to detect failure of the 12 attachments located in the banjo No. 4 fitting of the vertical stabilizer (as depicted in McDonnell Douglas Service Bulletin 55–23, Revision 1, dated December 17, 1993). Perform this inspection in accordance with procedures specified in McDonnell Douglas Nondestructive Testing Manual Chapter 20–10–00 or McDonnell Douglas Nondestructive Testing Standard Practice Manual, Part 09.

(1) If no failure is detected, repeat the visual inspection thereafter at intervals not to

exceed one year until the requirements of paragraph (b) of this AD are accomplished.

(2) If any failure is detected, prior to further flight, accomplish the requirements of paragraph (b) of this AD.

(b) Except as required by paragraph (a)(2) of this AD: Within 5 years after the effective date of this AD, perform an eddy current inspection to detect cracking of the forward and aft flanges and bolt holes of the banjo No. 4 fitting and the pylon carry-through cap, in accordance with McDonnell Douglas Service Bulletin 55–23, Revision 1, dated December 17, 1993.

(1) If no cracking is detected, prior to further flight, replace the 12 attachments located on the banjo No. 4 fitting in accordance with the service bulletin. Accomplishment of this replacement terminates the requirements of this AD.

(2) If any cracking is detected, prior to further flight, repair in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office, (ACO), FAA, Transport Airplane Directorate.

(c) 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 ACO. 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 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(d) 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 July 12, 1995.

**Darrell M. Pederson,**

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

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## 14 CFR Part 71

[Airspace Docket No. 95–AWP–6]

## Proposed Realignment of V–485; CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would alter VOR Federal Airway V–485 from the Priest, CA, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC) to the San Jose, CA, Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME). This action would collocate V–485 with the San Jose VOR/DME Runway 30L approach and utilize the San Jose VOR/