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FOR FURTHER INFORMATION CONTACT: Mr. Raymond A. Stoer, Program Officer, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (322) 513.3830; facsimile (322) 230.6899; or Mr. Marvin R. Nuss, Project Officer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105; 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 JAL HP137 Mk1 and Jetstream series 200 airplanes was published in the **Federal Register** on March 2, 1995 (60 FR 11637). The action proposed to supersede AD 83-05-01 with a new AD that would (1) retain the requirements of repetitively inspecting the wing lower skin panels at the main gear bay cutouts for loose or damaged rivets and cracks, replacing loose or damaged rivets, and repairing any cracked wing lower skin panel; and (2) require reinforcing the wing lower skin (incorporation of Modifications Nos. 5221 and 5146) as terminating action for the repetitive inspections. The proposed inspection would be accomplished in accordance with Jetstream Service Bulletin (SB) No. 7/3, dated October 1980. Modification 5221 would be accomplished in accordance with Jetstream SB 57-JM5221, dated September 28, 1984, and Modification 5146 would be accomplished in accordance with Part 2 of Modification No. 5146 Ref 7/5146, dated October 1984.

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 this AD and will not add any additional burden upon the public than was already proposed.

The FAA estimates that 10 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 332 work hours per airplane to accomplish the required modifications (172 work hours for Modification 5221 and 160 work hours for Modification 5146), and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$12,000 per airplane (\$2,400 for Modification 5221 and \$9,600 for Modification 5146). Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$319,200 (\$31,920 per airplane).

All 10 of the affected airplanes are HP137 Mk1 airplanes; there are no Jetstream series 200 airplanes registered in the United States, but they are type certificated for operation in the United States. According to FAA records, none of these HP137 Mk1 airplanes are in operation. JAL no longer stocks Modification No. 5221, but can develop modification kits within three months after order. Since there are no airplanes currently in operation, the cost impact of this AD is narrowed to only those owners/operators returning their airplane to operation.

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. 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing AD 83-05-01, Amendment 39-4573, and adding a new AD to read as follows:

95-16-06. Jetstream Aircraft Limited:

Amendment 39-9326; Docket No. 95-CE-09-AD; Supersedes AD 83-05-01, Amendment 39-4573;

Applicability: HP137 Mk1 and Jetstream series 200 airplanes (all serial numbers), 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 after the effective date of this AD, unless already accomplished.

To prevent wing damage caused by cracks or loose or damaged rivets in the wing lower skin panels, which, if not detected and corrected, could result in structural damage to the point of failure, accomplish the following:

(a) Upon the accumulation of 6,500 hours time-in-service (TIS) or within the next 100 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished (compliance with superseded AD 83-05-01), and thereafter at intervals not to exceed 100 hours TIS until the modifications required by paragraphs (b)(1) and (b)(2) of this AD are incorporated, accomplish the following:

(1) Inspect the wing lower skin between Wing Station (WS) 60 and WS 115 for loose or damaged rivets or cracks in accordance with section 3. ACTION, paragraphs (a)