through the interstices between the nacelle inspection hutch and the nacelle itself. The trapped water on the power and propeller controls resulted in the controls freezing and jamming while flying at high altitudes.

Piaggio has issued Service Bulletin (SB) 80–0066; Original Issue December 12, 1994, which specifies modifying the nacelle by installing a shield on the front section of the engine cradle to prevent water from getting into the power and propeller controls.

The RAI classified this service bulletin as mandatory and issued its AD number 95–087, dated April 6, 1995, in order to assure the continued airworthiness of these airplanes in Italy.

This airplane model is manufactured in Italy and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement between Italy and the United States. Pursuant to this bilateral airworthiness agreement, the RAI has kept the FAA informed of the situation described above.

The FAA has examined the findings of the RAI, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop in other Piaggio Model P 180 series airplanes of the same type design, the proposed AD would require modifying the nacelle by installing a shield on the front section of the engine cradle in accordance with Piaggio SB 80–0066; Original Issue: December 12, 1994.

The FAA estimates that 5 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 2 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts will be furnished by the manufacturer at no cost to the owner/operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$600. This figure is based on the assumption that none of the affected airplanes have shields installed and that none of the affected owners/operators have modified the airplanes.

The compliance time of this AD is presented in both hours time-in-service (TIS) and calendar time. The FAA has determined that including calendar time compliance is also necessary because the unsafe condition is the result of adverse weather conditions which can

affect the nacelle and power controls while not in use as well as in flight. Therefore, to ensure that the above-described condition is detected and corrected on all airplanes within a reasonable period of time without inadvertently grounding any airplanes, a compliance schedule based upon both TIS and calendar time instead of hours TIS is required.

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 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) 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 has been placed 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 USC 106(g), 40101, 40113, 44701

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

I.A.M. Rinaldo Piaggio S.P.A.: Docket No. 95–CE–50–AD.

Applicability: Model P 180 Series Airplanes (serial numbers 1001, 1002, 1004, and 1006 through 1033), 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 request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it. Compliance: Required initially within the next 100 hours time-in service (TIS), or within the next 3 calendar months, whichever occurs later, after the effective date of this AD, unless already accomplished.

Note 2: The initial compliance time in this AD takes precedence over the compliance time reflected in Piaggio Service Bulletin 80–0066, Original Issue, December 12, 1994.

To prevent loss of engine power or the propeller controls from jamming, as a result of freezing rain entering the engine nacelle, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

- (a) Modify the nacelle by installing a shield on the front section of the engine cradle, in accordance with the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio Service Bulletin (SB) No. 80–0066; Original Issue: December 12, 1994.
- (b) Special flight permits may be issued in accordance with §§ 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.
- (c) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels Aircraft Certification Office.

(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to I.A.M. Rinaldo Piaggio, S.p.A., Via Cibrario, 4 16154, Genoa, Italy; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.