# SUPPLEMENTARY INFORMATION:

### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95–CE–51–AD." The postcard will be date stamped and returned to the commenter.

## Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–CE–51–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

## Discussion

The FAA has received reports of two accidents and two incidents of the landing light retainer support seals breaking off and becoming lodged in the throat of the updraft carburetor on certain Piper model PA–28–140, PA– 28–150, PA–28–160, and PA–28–180 airplanes. This condition, if left uncorrected, could result in rough engine operation of engine failure and possible loss of control of the airplane.

Piper has issued SB No. 975, dated November 2, 1994, which specifies procedures for replacement of the landing light support and seal assembly with a landing light support and seal of improved design.

Âfter examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent the landing light retainer seal from breaking off and getting lodged in the updraft carburetor, which, if not detected and corrected, could possibly result in rough engine operation or engine stoppage.

Since an unsafe condition has been identified that is likely to exist or develop in other Piper Models PA–28– 140, PA–28–150, PA–28–160, and PA– 28–180 airplanes of the same type design, the proposed AD would require removing the old landing light support and seal assembly and replacing it with a new support and seal assembly of improved design.

The FAA estimates that 16,440 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 cost approximately \$140 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$4,274,400. This figure is based on the assumption that all of the affected airplanes have old landing light support and seal assemblies and that none of the owners/operators of the affected airplanes have placed the landing light support and seal assemblies with parts of improved design.

Piper has informed the FAA that parts have been distributed to equip approximately 850 airplanes. Assuming that these distributed parts are incorporated on the affected airplanes, the cost of the proposed AD would be reduced by \$221,000 from \$4,274,400 to \$4,053,400.

The regulations proposed herein would 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 "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 AD to read as follows:

Applicability: The following airplane models and serial numbers, certificated in any category:

Models	Serial Nos.
PA-28-140	28–20000 through 28–7725290.
OPA-28-150, PA- 28-160, and PA-	28–1 through 28– 7505259. and 28–
28–180.	E13.

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 within the next 100 hours time-in-service (TIS) after the effective date of this AD, or upon replacement of the landing light, whichever occurs first, unless already accomplished.

Note 2: Early compliance is encouraged. To prevent the landing light seal from lodging in the carburetor, which, if not detected and corrected, could result in rough