

written data, views, or arguments as they may desire. Communications shall 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 summarizing 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 Number 95-NM-99-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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-99-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F28 Mark 0100 series airplanes. The RLD advises that several operators of these airplanes have reported that landing gear "unsafe" warning indications have appeared on the multi-function display unit (MFDU) after the flight crew selected the landing gear to the down position. In most cases, recycling the landing gear resulted in a positive downlock indication. Investigation revealed that the main landing gear (MLG) downlock actuator (jack and springpot unit) did not operate properly. Further investigation revealed that the tip of a spring carrier broke due to a malformed piston rod and a spring that was not square, which caused the spring carrier to move at an angle. A jammed actuator could result in failure of the MLG downlock system. This condition, if not corrected, could result in a gear-up landing.

Fokker has issued Service Bulletin SBF100-32-072, dated March 30, 1993, which describes procedures for repetitive inspections to verify the correct operation of any MLG downlock actuator having part number (P/N) 201218001, 201218002, 201218003, or 201218004, and replacement of discrepant units with serviceable units. The Fokker service bulletin references Dowty Aerospace Hydraulics Service Bulletin F100-32-505, Revision 1, dated April 16, 1993. The Dowty Aerospace Hydraulics service bulletin contains additional procedures for accomplishment of the inspection. For airplanes on which the MLG downlock actuator operates correctly, the Dowty Aerospace Hydraulics service bulletin also specifies procedures for recording the accomplishment of each inspection on the unit nameplate.

Fokker also has issued Service Bulletin SBF100-32-074, dated July 21, 1993, which describes procedures for replacement of any MLG downlock actuator having P/N 201218001, 201218002, 201218003, or 201218004 with an improved unit having P/N 201218005, 201218006, 201218007, or 201218008, respectively. The improved units have improved jack and springpot units with modified spring carriers and spring actuators, as well as a new end fitting subassembly and nut. The Fokker service bulletin references Dowty Aerospace Hydraulics Service Bulletin F100-32-506, dated June 9, 1993, as an additional source of service information.

The RLD classified these service bulletins as mandatory and issued Netherlands airworthiness directive BLA 93-052/2 (A), dated September 10, 1993, in order to assure the continued airworthiness of these airplanes in the Netherlands.

This airplane model is manufactured in the Netherlands and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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 on other airplanes of the same type design registered in the United States, the proposed AD would require repetitive inspections to verify the

correct operation of the MLG downlock actuators; and replacement of any discrepant unit with a serviceable unit. For airplanes on which no discrepant unit is found, the proposed AD also would require recording the accomplishment of each inspection on the unit nameplate. In addition, the proposed AD would require eventual replacement of the MLG downlock actuators with improved units. The actions would be required to be accomplished in accordance with the service bulletins described previously.

The FAA estimates that 119 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 21 work hours per airplane to accomplish the proposed actions, at an average labor rate of \$60 per work hour. Required parts would be supplied by the vendor at no cost to operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$149,940, or \$1,260 per airplane.

The cost impact figure discussed above is 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.