governor on the outboard engines. This proposal is prompted by a report of a change that had been incorporated into the propeller governor of these airplanes during production, which altered the thrust decay characteristic of the propeller when operating in an engine failure scenario. The actions specified by the proposed AD are intended to ensure that the airplane maintains adequate thrust decay characteristics in the event of critical engine failure during takeoff.

DATES: Comments must be received by April 6, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM– 240–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Lockheed Aeronautical Systems Support Company, 2251 Lake Park Drive, Smyrna, Georgia 30080. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia.

FOR FURTHER INFORMATION CONTACT: Thomas Peters, Aerospace Engineer, FAA, Flight Test Branch, ACE–160, Small Airplane Directorate, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia 30337– 2748; telephone (404) 305–7367; fax (404) 305–7348.

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 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 94–NM–240–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. 94–NM–240–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On June 23, 1994, the FAA issued AD 94-14-09, amendment 39-8961 (59 FR 35236, July 11, 1994), applicable to certain Lockheed Model 382 series airplanes, to require a revision to the Airplane Flight Manual (AFM) to require takeoff operation in accordance with revised performance data. That action was prompted by a report of a change that had been incorporated into the propeller governor of these airplanes during production, which altered the thrust decay characteristic of the propeller when operating in an engine failure scenario. The requirements of that AD are intended to ensure that the airplane is operated at sufficient speeds to mitigate the problems associated with a faster thrust decay and to prevent the airplane from departing the side of the runway.

In the preamble to AD 94–14–09, the FAA indicated that the AFM revision required by that AD was considered to be only "interim action" until a design change in the propeller governor was developed to address the ground minimum control speed (Vmcg) characteristics. The FAA also indicated that, once such a design change was developed, approved, and available, the FAA would consider further rulemaking on this subject.

The manufacturer recently has advised the FAA that it has been unable to develop a new modification of the subject governors (which have servotype valve housing assemblies, having part number 714325–2, –3, –5, –6, or –7) that would provide adequate thrust decay characteristics. However, the manufacturer has advised that propeller governors with valve housing assemblies having part number 714325– 1, which were manufactured before the line production change, do provide adequate thrust decay characteristics. On the basis of the data presented, the FAA finds that installation of these valve housing assemblies having part number 714325–1 will ensure adequate thrust decay characteristics in the event of a critical engine failure during takeoff and, thus, will positively address the unsafe condition presented by fast thrust decay. This proposed rulemaking follows from that determination.

Since the problem associated with maintaining adequate thrust decay characteristics of the propeller when operating in an engine failure scenario is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 94-14-09 to require removal of any servotype valve housing assembly, having part number 714325-2, -3, -5, -6, or -7 installed on any outboard engine, and replacement of those assemblies with part number 714325-1. Replacement would be required in accordance with Lockheed Document SMP-515C, Card No. CO–135. The proposed compliance time of 24 months is considered adequate to accomplish the replacement during normal maintenance schedules, and also is considered to be ample time for obtaining required parts. Installation of valve housing assemblies, having part number 714325–1, would constitute terminating action for the takeoff operation procedures required by AD 94-14-09; once the replacement is accomplished, the previously required AFM revision could be removed.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this notice to clarify this requirement.

There are approximately 112 Model 382, 382E, and 382G series airplanes of the affected design in the worldwide fleet. The FAA estimates that 18