

(3) If a crack passes through two fasteners but is less than 0.5 inches beyond either fastener, within the next 25 hours TIS, install Beech P/N 36-4004 Kit. Only one crack on each side is allowable. If more than one crack is found on either side, prior to further flight, install Beech P/N 36-4004 Kit.

(4) If a crack passes through two fasteners but is more than 0.5 inches beyond either fastener, prior to further flight, install Beech P/N 36-4004 Kit.

(d) Special flight permits may be issued in accordance with FARs 21.197 and 21.199 to operate airplanes to a location where the requirements of this AD can be accomplished.

(e) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and send it to the Manager, Wichita Aircraft Certification Office.

(f) The inspections and possible modifications required by this AD shall be done in accordance with Beech Service Bulletin 2380, dated November 1990. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from the Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 1100 L Street, NW., room 8401, Washington, DC. This amendment becomes effective on August 12, 1991.

Issued in Kansas City, Missouri, on June 17, 1991.

J. Robert Ball,  
Acting Manager, Small Airplane Directorate  
Aircraft Certification Service.  
[FR Doc. 91-16348 Filed 7-9-91; 8:45 am]  
BILLING CODE 4810-13-M

#### 14 CFR Part 39

[Docket No. 91-NM-148-AD; Amdt. 39-7073; AD 91-15-09]

#### Airworthiness Directives; Boeing Model 767 Series Airplanes Equipped With Pratt & Whitney PW4000 Engines

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, powered by Pratt & Whitney PW4000 series engines which requires inspections, adjustments, and functional checks of the thrust reverser system. This amendment is prompted by

an on-going accident investigation, from which it has been determined that, prior to the accident the airplane experienced an in-flight deployment of a thrust reverser. While the investigation has neither revealed the cause of that deployment nor determined that the deployment caused the accident, it has identified a number of possible discrepancies in the thrust reverser control system which, under certain scenarios, could contribute to such a deployment.

**DATES:** Effective July 10, 1991. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 10, 1991.

**ADDRESSES:** The applicable service information may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Richard Simonson, Seattle Aircraft Certification Office, Propulsion Branch, ANM-140S; telephone (206) 227-2683. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

**SUPPLEMENTARY INFORMATION:** Investigation of a recent accident involving a Model 767 airplane has revealed that, prior to the accident, the airplane experienced an in-flight deployment of a thrust reverser. While, to date, the investigation has neither identified the cause of the deployment nor determined that the deployment caused the accident, an exhaustive review of the service history of the thrust reverser control system and detailed analysis of that system have identified a number of possible discrepancies which, under certain scenarios, could contribute to such a deployment.

The FAA has reviewed and approved Boeing Service Bulletin 767-78-0046, dated July 2, 1991, which describes procedures to be employed in performing functional tests and inspections of the thrust reverser control and indication system, and inspections of certain engine wiring.

Since this condition is likely to exist or develop on other airplanes of the same type design, this AD requires repetitive inspection and testing of the thrust reverser control and indication system, and repetitive inspections of

certain engine wiring on all Boeing Model 767 airplanes powered by Pratt & Whitney PW4000 series engines, in accordance with the service bulletin previously described. The FAA considers that requiring performance of these precautionary tests and inspections is prudent to ensure continued operational safety of these airplanes. In addition, operators are required to submit a report of their initial inspection findings to the FAA.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking to address it.

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.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

#### 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 14 CFR part 39 of the Federal Aviation Regulations as follows:

#### PART 39—(AMENDED)

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.80.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

91-15-09 Boeing; Amendment 39-7073.  
Docket No. 91-NM-146-AD.

**Applicability:** Boeing Model 767 series airplanes, equipped with Pratt and Whitney PW4000 engines, line position 1 through 376, certificated in any category.

**Compliance:** Required as indicated, unless previously accomplished.

To ensure the integrity of the fail safe features of the thrust reverser design, accomplish the following:

(a) Within 30 days of the effective date of this AD, perform all tests and inspections of the thrust reverser control and indication system, and of selected engine wiring, in accordance with Boeing Service Bulletin 767-78-0046, dated July 2, 1991.

(1) Except as provided by paragraph (a)(2) of this AD, repeat all tests and inspections, in accordance with the service bulletin at intervals not to exceed 3,000 flight hours.

(2) Repeat the check of the grounding wire for the thrust reverser directional control valve (DCV) in accordance with paragraph III.E. of the service bulletin at intervals not to exceed 1,500 flight hours, and whenever maintenance action is taken that would disturb the directional control valve grounding circuit.

(b) If any of the tests and/or inspections required by paragraph (a) of this AD cannot be successfully performed, or if those tests and/or inspections result in findings that are unacceptable, prior to further flight, deactivate the associated thrust reverser in accordance with section 78-31-1 of Boeing Document D630T002, "Boeing 767 Dispatch Deviation Guide," Revision 9, dated May 1, 1991. The thrust reverser must remain deactivated until all tests and inspections required by paragraph (a) of this AD are successfully completed.

(c) Within 45 days after the effective date of this AD, submit a report of the results of the initial tests and inspections required by paragraph (a) of this AD, both positive and negative, to the FAA, Seattle Aircraft Certification Office, ANM-100S, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and have been assigned OMB Control Number 2120-0056.

(d) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager,

Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

**Note:** The request should be forwarded through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Seattle ACO.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

(f) The inspections and tests shall be done in accordance with Boeing Service Bulletin 767-78-0046, dated July 2, 1991. The deactivation procedures shall be done in accordance with section 78-31-1 of Boeing Document D630T002, "Boeing 767 Dispatch Deviation Guide," Revision 9, dated May 1, 1991, which includes the following list of effective pages:

Page No.	Date
2-78-31-1.0	May 1, 1991.
2-78-31-1.1, 2-78-31-1.2, 2-78-31-1.3, 2-78-31- 1.4, 2-78-31-1.6.	August 15, 1989.
2-78-31-1.5	June 29, 1990.
2-78-31-1.7, 2-78-31-1.8, 2-78-31-1.9.	December 14, 1990.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. Copies may be inspected at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington, or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

This amendment (39-7073, AD 91-15-09) becomes effective July 10, 1991.

Issued in Renton, Washington, on July 3, 1991.

Leroy A. Keith,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. 91-16433 Filed 7-5-91; 3:50 pm]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 4

[Docket No. RM83-56-001; Order No. 413-A]

#### Application for License, Permit, and Exemption From Licensing for Water Power Projects; Order of Rehearing

July 1, 1991.

**AGENCY:** Federal Energy Regulatory  
Commission, DOE.

**ACTION:** Final rule; ordering on  
rehearing.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is issuing an order on rehearing that with one exception rejects requests to modify the final rule adopted in this proceeding, governing hydropower procedural regulations. Necessary and appropriate changes in these regulations have been made in rulemakings conducted since the final rule in this proceeding was issued. As requested, the Commission is amending standard article 2 for exemptions to add the National Marine Fisheries Service as an agency empowered to set terms and conditions to protect fish and wildlife at exempt projects. This change codifies current practice.

**EFFECTIVE DATE:** July 1, 1991.

#### FOR FURTHER LEGAL INFORMATION

**CONTACT:** Merrill Hathaway, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426 (202) 208-0825.

#### FOR FURTHER TECHNICAL INFORMATION

**CONTACT:** William Wakefield, Office of Hydropower Licensing, Federal Energy Regulatory Commission, 810 1st Street, NE., Washington, DC 20426 (202) 219-2784.

**SUPPLEMENTARY INFORMATION:** In addition to publishing the full text of this document in the *Federal Register*, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in room 3308 at the Commission's headquarters, 941 North Capitol Street, NE., Washington, DC 20426.

The Commission's Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, set your communications software to use 300, 1200, or 2400 baud, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this final rule will be available on CIPS for 30 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in room 3308, 941 North Capitol Street, NE., Washington, DC 20426.

On March 20, 1985, the Federal Energy Regulatory Commission (Commission) issued Order No. 413,<sup>1</sup> adopting a final

<sup>1</sup> 50 FR 11,658 (March 25, 1985), 50 FR 23,947 (June 7, 1985); FERC Stats. & Regs., Regulations Preambles 1982-1985 ¶ 30,632 (March 20, 1985).