

# Proposed Rules

Federal Register

Vol. 61, No. 61

Thursday, March 28, 1996

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-NM-89-AD]

#### Airworthiness Directives; de Havilland Model DHC-8-100 and -300 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to certain de Havilland Model DHC-8-100 and -300 series airplanes, that would have required inspections to detect corrosion on areas of the airplane structure where black film thermal insulation is used; repair, if necessary; and replacement of black insulation blankets with certain aluminized (silver) insulation. That proposal was prompted by reports of corrosion forming on areas of the airplane structure where the black film covers the thermal insulation blankets. This action would expand the inspection area, and would require replacement of the black film insulation in that area. This action also would expand the applicability of the proposed AD to include additional airplanes. The actions specified by this proposed AD are intended to prevent degradation of the structural capability of the airplane fuselage and sudden loss of cabin pressure due to corrosion of the airplane fuselage structure.

**DATES:** Comments must be received by April 24, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-89-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 Bombardier, Inc., Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York.

**FOR FURTHER INFORMATION CONTACT:** Jon Hjelm, Aerospace Engineer, Airframe Branch, ANE-172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7523; fax (516) 568-2716.

#### 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-89-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-89-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain de Havilland Model DHC-8-100 and -300 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the Federal Register on September 27, 1994 (59 FR 49219). That NPRM would have required a one-time visual inspection to detect corrosion on areas of the airplane structure where black film thermal insulation is used, and repair, if necessary; and replacement of black Orcan film insulation blankets with AN4C aluminized (silver) film insulation. That NPRM was prompted by reports of corrosion forming on areas of the airplane structure where the black film covers the thermal insulation blankets. That condition, if not corrected, could result in degradation of the structural capability of the airplane fuselage and sudden loss of cabin pressure due to corrosion of the airplane fuselage structure.

Since the issuance of that NPRM, Bombardier has issued revisions to each of the service bulletins cited in the NPRM. These service bulletin revisions are essentially the same as those referenced in the proposed AD. However, in each of these revisions, the service bulletin effectivity has been updated to remove those airplanes on which silver insulation was installed during production. Further, references to existing part numbers, part descriptions, and new part numbers have been revised. Two of the service bulletin revisions address the black thermal insulation in the passenger compartment area:

- S.B. 8-25-89, Revision E, dated July 6, 1994; and
- S.B. 8-25-92, Revision E, dated July 20, 1994.

Two of the service bulletins address the insulation in the air conditioning ducts:

- S.B. 8-25-90, Revision C, dated July 5, 1994; and

• S.B. 8-25-93, Revision C, dated July 20, 1994.

One service bulletin revision addresses the insulation in the flight compartment and the forward fuselage areas: S.B. 8-25-91, Revision D, dated July 20, 1994.

Bombardier also issued Service Bulletin S.B. 8-21-68, dated July 20, 1994, which describes procedures to determine from the airplane modification records if any of the retrofit kits listed in the service bulletin have been installed on the airplane. The service bulletin also describes procedures for removal of the black Orcon film insulation that may have been installed in a retrofit kit; inspections for corrosion of the airplane structure that has been in contact with the black film insulation, and repair, if necessary; and replacement of the black Orcon film insulation with AN4C aluminized (silver) film insulation blankets. The effectivity of this service bulletin addresses airplanes on which the black insulation was installed through retrofit kits.

Additionally, Bombardier issued Service Bulletin S.B. 8-21-66, Revision C, dated March 24, 1995, which describes procedures for removal of the black Orcon film from delivery and recirculation ducts of the air conditioning system in the rear fuselage, inspections for corrosion of the airplane structure that has been in contact with the black film insulation, and repair, if necessary. The service bulletin also describes procedures for replacement of the black Orcon film insulation with AN4C aluminized (silver) film insulation.

Transport Canada Aviation, which is the airworthiness authority for Canada, classified these service bulletins as mandatory and issued Canadian airworthiness directives CF-94-25R1 and CF-94-26R1, both dated June 30, 1995, in order to assure the continued airworthiness of these airplanes in Canada.

The FAA has examined the findings of Transport Canada Aviation and has reviewed the service bulletin revisions and new service information. The FAA has determined that the proposed rule must be revised to cite the latest revisions of the service bulletins referenced in the NPRM as the appropriate sources of service information.

The FAA also has determined that the addressed unsafe condition is also likely to exist or develop on the airplanes

addressed in Bombardier Service Bulletin S.B. 8-21-68. Therefore, the FAA has added a new paragraph (a) to this supplemental NPRM to require the procedures specified in that service bulletin.

Additionally, the FAA finds that the proposed rule must be revised to address inspection for corrosion and replacement of black Orcon film insulation with AN4C aluminized (silver) film insulation blankets in the delivery and recirculation ducts of the air condition system, as specified in Bombardier Service Bulletin S.B. 8-21-66. The FAA has revised paragraph (b) of this supplemental NPRM to include those requirements.

In addition, the applicability of this supplemental NPRM has been revised to specify that the AD applies to those airplanes on which black Orcon film insulation is installed to include airplanes listed in Bombardier Service Bulletins S.B. 8-21-66 and S.B. 8-21-68.

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

There are approximately 378 Model DHC-8-100 and -300 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 125 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 650 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. (Work hours associated with the proposed actions described in Service Bulletin S.B. 8-21-68 cannot be estimated at this time since exact numbers of the retrofit kits installed are unknown.) However, the FAA has been advised that the manufacturer plans to provide required parts and to accomplish the required modification at no expense to operators. Therefore, there is no cost impact to U.S. operators that is associated with this proposed rule with regard to labor charges or parts costs.

The FAA does recognize, however, that while operators may incur administrative costs associated with compliance to this proposed rule, the one-year compliance time specified in paragraphs (a) and (b) of this proposed AD should allow ample time for the proposed requirements to be accomplished coincidentally with scheduled major airplane inspection

and maintenance activities, thereby minimizing the costs associated with special airplane scheduling.

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.

#### 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 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

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

De Havilland, Inc.: Docket 94-NM-89-AD.

*Applicability:* Model DHC-8-100 and -300 series airplanes, equipped with black Orcon film insulation; certificated in any category; and listed in the following Bombardier Service Bulletins:

DHC-8 models	Service bulletin No.	Revision level	Date
102, 103, and 106 .....	S.B. 8-25-89 .....	E	July 6, 1994.
102, 103, and 106 .....	S.B. 8-25-90 .....	C	July 5, 1994.
102, 103, 106, 301, 311, and 314 .....	S.B. 8-25-91 .....	D	July 20, 1994.
301, 311, and 314 .....	S.B. 8-25-92 .....	E	July 20, 1994.
301, 311, and 314 .....	S.B. 8-25-93 .....	C	July 20, 1994.
102, 103, 106, 301, 311, and 314 .....	S.B. 8-21-68 .....		July 20, 1994.
102, 103, 301, 311, and 314 .....	S.B. 8-21-66 .....	C	March 24, 1995.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (d) 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 as indicated, unless accomplished previously.

To prevent degradation of the structural capability of the airplane fuselage and sudden loss of cabin pressure due to corrosion of the airplane fuselage structure, accomplish the following:

(a) For airplanes listed in Bombardier Service Bulletin S.B. 8-21-68, dated July 20, 1994: Within one year after the effective date of this AD, accomplish the requirements of paragraphs (a)(1), and (a)(2) of this AD.

(1) Determine from the airplane modification records if any of the retrofit kits listed in the service bulletin have been installed in the airplane, in accordance with the service bulletin.

(i) If no kit has been installed, no further action is required by this paragraph.

(ii) If any kit has been installed, prior to further flight, remove any black film insulation blanket, and perform a visual inspection to detect corrosion of all airplane structure in contact with the black insulation, in accordance with the service bulletin.

(A) If any corrosion is found that is within the limits specified in the service bulletin, prior to further flight, repair in accordance with the service bulletin.

(B) If any corrosion is found that is beyond the limits specified in the service bulletin, prior to further flight, repair in accordance with a method approved by the New York Aircraft Certification Office (ACO), ANE-170, FAA Engine and Propeller Directorate.

(2) Install the AN4C aluminized (silver) film insulation in accordance with the service bulletin.

(b) Within 1 year after the effective date of this AD, accomplish the requirements of paragraph (b)(1), (b)(2), and (b)(3) of this AD, in accordance with the following Bombardier service bulletin, as applicable:

S.B. 8-25-89, Revision E, dated July 6, 1994;  
S.B. 8-25-90, Revision C, dated July 5, 1994;  
S.B. 8-25-91, Revision D, dated July 20, 1994;

S.B. 8-25-92, Revision E, dated July 20, 1994;

S.B. 8-25-93, Revision C, dated July 20, 1994; and

S.B. 8-21-66, Revision C, dated March 24, 1995.

(1) Remove any black Orcon film insulation from the flight compartment and forward fuselage of the airplane, the passenger compartment, the air conditioning ducts, and the delivery and recirculation ducts of the air conditioning system in the rear fuselage, in accordance with the applicable service bulletin.

(2) Perform a visual inspection to detect corrosion of all airplane structure in contact with the black insulation, in accordance with the applicable service bulletin.

(i) If any corrosion is found that is within the limits specified in the service bulletin, prior to further flight, repair in accordance with the applicable service bulletin.

(ii) If any corrosion is found that is beyond the limits specified in the service bulletin, prior to further flight, repair in accordance with a method approved by the Manager, New York ACO.

(3) Install the AN4C aluminized (silver) film insulation in accordance with the applicable service bulletin.

(c) As of the effective date of this AD, no person shall install black Orcon film insulation, part number AN46B/AN36B, on any airplane.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(e) Special flight permits may be issued in accordance with sections 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.

Issued in Renton, Washington, on March 22, 1996.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-7550 Filed 3-27-96; 8:45 am]

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## 14 CFR Part 39

[Docket No. 95-NM-204-AD]

### Airworthiness Directives; McDonnell Douglas Model DC-10-10 and -15 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC-10-10 and -15 series airplanes. This proposal would require repetitive inspections to detect cracks in the bulkhead tee caps, and repair and follow-on actions, if necessary. The proposal would also provide for an optional terminating modification for the repetitive inspections. This proposal is prompted by reports of cracking in the bulkhead tee caps at a fuselage station in the area of certain longerons due to fatigue. The actions specified by the proposed AD are intended to prevent such fatigue cracking, which could result in loss of pressurization and damage to adjacent structure.

**DATES:** Comments must be received by May 21, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-204-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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.