

Proposed Rules

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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. 95-NM-22-AD]

Airworthiness Directives; Boeing Model 747-100, -200, -300, and SP 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 Boeing Model 747-100, -200, -300, and SP series airplanes, that would have required revising the Airplane Flight Manual (AFM) to prohibit the use of the autoland function. That proposal would have also required installation of a diode and a marker on certain shelves and making wiring changes to the flight mode annunciator of the autopilot/flight director system, which would have terminated the requirements for the AFM limitation. That proposal was prompted by a report that the flightcrew was unaware of the configuration of the autoland system during landing. This action revises the proposed rule by revising the applicability to include additional airplanes. The actions specified by this proposed AD are intended to ensure flightcrew awareness of the configuration of the autoland system in the event of a change from fail-operational to fail-passive mode.

DATES: Comments must be received by January 29, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-22-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comments may be inspected at this location

between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Hania Younis, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2764; fax (206) 227-1181.

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 95-NM-22-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-22-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 Boeing Model 747-100, -200, -300, and SP series airplanes, was published as a notice of proposed rulemaking (NPRM) in the Federal Register on June 28, 1995 (60 FR 33373). That NPRM would have required revising the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to prohibit the use of the LAND mode, if there is a flag on any channel. That NPRM would have also required installing a diode and a marker on certain shelves, and making wiring changes to the flight mode annunciator (FMA) of the autopilot/flight director system, which would terminate the requirement for the AFM limitation. Additionally, that NPRM would have required operational tests of the newly installed diodes.

That NPRM was prompted by a report indicating that the flightcrew was unaware of the configuration of the autoland system during landing in which the autoland system failed to flare a Model 747-200 series airplane for landing, which resulted in a hard landing. That condition, if not corrected, could result in the flightcrew being unaware of the configuration of the autoland system in the event of a change from fail-operational to fail-passive mode.

Description of Revised Service Information

Since the issuance of that NPRM, the FAA has reviewed and approved Revision 2 of Boeing Alert Service Bulletin 747-22A2213, dated June 22, 1995. The installation and wiring change procedures described in this revision are essentially identical to those described in Revision 1 of the service bulletin (which was referenced in the NPRM). However, Revision 2 clarifies the preliminary set-up procedures and contains certain minor editorial changes. Additionally, Revision 2 deletes certain airplanes from its effectivity listing and includes certain other airplanes that are subject to the addressed unsafe condition.

Explanation of Changes Made to the Proposal

The FAA has revised the applicability of the proposed rule to include those newly-identified airplanes that are now listed in Revision 2 of Boeing Alert Service Bulletin 747-22A2213. Since this change expands 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.

The FAA also has revised paragraphs (b) and (c) of the proposed rule to reference Revision 2 of the service bulletin as an additional source of service information.

Additionally, the FAA has reconsidered the wording of the AFM limitation that would have been required by paragraph (a) of this originally-issued NPRM, and finds that the proposed wording must be revised to be more specific. Paragraph (a) of this supplemental NPRM has been revised accordingly.

Consideration of Comments Received

In addition, the FAA has given due consideration to the following comments that were received in response to the originally-issued NPRM:

One commenter requests that the description of the unsafe condition, as stated in the notice, be clarified. The description in the Summary section of the preamble to the notice states that “* * * to prevent failure of the autoland system to flare the airplane for landing, which could subsequently result in a hard landing.” However, the commenter asserts that a more accurate description of the unsafe condition is “* * * to ensure flightcrew awareness of autoland system configuration in the event of a change from fail-operational to fail-passive mode.” The FAA agrees that the commenter’s wording describes the addressed unsafe condition more accurately. The FAA has revised all references to the unsafe condition accordingly throughout this supplemental NPRM.

Two commenters note that the AFM revision in paragraph (a) of the proposal states that “* * * If there is a flag on ANY channel, the approach must be down-graded to dual channel, CAT II configuration, and the autopilot must be disconnected prior to landing.” The commenters agree that the approach should be down-graded to CAT II. However, the commenters request that the FAA revise the language of the AFM revision specified in paragraph (a) of the proposed rule to allow for continuation of the approach with the autopilot

engaged. One of these commenters states that, once the anomalous channel is disconnected, the remaining two channels provide for a normal dual channel configuration, which is certified for CAT II weather operations.

The FAA does not concur with the commenter’s request to revise paragraph (a) of the proposal. While the FAA acknowledges that the two remaining channels could provide for a normal dual channel autoland, the FAA finds that the annunciation system would no longer be adequate to support such an autoland. The FAA also finds an increased potential for the pilot to disconnect the wrong autopilot channel. Such a situation could result in the flightcrew being misled into thinking that there are two properly functioning autopilot channels engaged. Therefore, the FAA has determined that the autopilot must still be disconnected prior to landing.

Cost Impact

There are approximately 179 Model 747-100, -200, -300, and SP series airplanes of the affected design in the worldwide fleet. The FAA estimates that 12 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 1 work hour per airplane to accomplish the proposed revision to the AFM, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this proposed requirement on U.S. operators is estimated to be \$720, or \$60 per airplane.

It would take approximately 10 work hours per airplane to accomplish the proposed installation and operational test, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$613 per airplane. Based on these figures, the cost impact of these proposed requirements on U.S. operators is estimated to be \$14,556, or \$1,213 per airplane.

The cost impact figures discussed above are 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.

Regulatory Impact

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:

Boeing: Docket 95-NM-22-AD.

Applicability: Model 747-100, -200, -300, and SP series airplanes, equipped with triple channel autoland autopilots; as listed in Boeing Alert Service Bulletin 747-22A2212, Revision 1, dated April 27, 1995, and Boeing Alert Service Bulletin 747-22A2213, Revision 2, dated June 22, 1995; certificated in any category.

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 use the authority provided in paragraph (d) 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 as indicated, unless accomplished previously.

To ensure flightcrew awareness of the configuration of the autoland system in the event of a change from fail-operational to fail-passive mode, accomplish the following:

(a) Within 3 months after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

"Pay close attention to all 3 NAV receiver flags immediately after FLARE ARM is annunciated on the FMA's. If there is a flag on any NAV receiver, the corresponding autopilot channel must be disconnected; the approach must be down-graded to dual channel, CAT II configuration; and the autopilot must be disconnected prior to landing."

(b) Within 18 months after the effective date of this AD, install a diode and a marker on the E1-4, E1-5, and E1-6 shelves, and make wiring changes to the flight mode annunciator of the autopilot/flight director system, in accordance with Boeing Alert Service Bulletin 747-22A2212, Revision 1, dated April 27, 1995; or Boeing Alert Service Bulletin 747-22A2213, Revision 1, dated April 27, 1995, or Revision 2, dated June 22, 1995; as applicable. After this installation and wiring change is accomplished, the AFM limitation required by paragraph (a) of this AD may be removed from the AFM.

(c) Prior to further flight after accomplishment of paragraph (b) of this AD, perform an operational test of the newly installed diodes, in accordance with Boeing Alert Service Bulletin 747-22A2212, Revision 1, dated April 27, 1995; or Boeing Alert Service Bulletin 747-22A2213, Revision 1, dated April 27, 1995, or Revision 2, dated June 22, 1995; as applicable. Thereafter, repeat the operational test at intervals not to exceed 20,000 flight hours.

(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, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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 January 17, 1996.

Darrell M. Pederson,
*Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.*
[FR Doc. 96-846 Filed 1-22-96; 8:45 am]
BILLING CODE 4910-13-U

14 CFR Part 71

[Airspace Docket No. 96-ASO-2]

Proposed Amendment to Class E Airspace; Brunswick, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend the Class E airspace area at Brunswick, GA, to include the Jekyll Island Airport, which has a VOR or GPS-A Standard Instrument Approach Procedure (SIAP). Additional controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for instrument flight rules (IFR) operations at the Jekyll Island Airport.

DATES: Comments must be received on or before March 5, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 96-ASO-2, Manager, System Management Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

FOR FURTHER INFORMATION CONTACT:

Benny L. McGlamery, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the

airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-ASO-2." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Manager, System Management Branch, ASO-530, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend the Class E airspace area at Brunswick, GA, to include the Jekyll Island Airport which has a VOR or GPS-A SIAP. Additional controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for IFR operations at the Jekyll Island Airport. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical