

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:

96-17-02 Boeing: Amendment 39-9710.

Docket 96-NM-195-AD.

Applicability: Model 757 series airplanes, line positions 478 through 699 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 (b) 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 uncommanded fuel flow from the fuel tanks to the engine nacelle in the event of a leak in the engine fuel line or a fire in the engine nacelle, accomplish the following:

(a) Within 60 days after the effective date of this AD, perform an inspection to detect leakage of the fuel shutoff (spar) valves and verify that the valves do not leak when commanded to close, in accordance with Boeing Alert Service Bulletin 757-28A0045, dated July 30, 1996.

(1) If both fuel shutoff valves pass the inspection for leakage and the valves close when commanded, no further action is required by this AD.

(2) If either or both of the fuel shutoff valves do not pass the inspection for leakage: Prior to further flight, adjust the engine fuel shutoff valve(s) in accordance with Part III of the alert service bulletin and repeat the requirements of paragraph (a) of this AD.

(b) 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.

(c) The actions shall be done in accordance with Boeing Alert Service Bulletin 757-28A0045, dated July 30, 1996. 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 98124-2207. Copies may

be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(d) This amendment becomes effective on August 28, 1996.

Issued in Renton, Washington, on August 6, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-20428 Filed 8-12-96; 8:45 am]

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14 CFR Part 39

[Docket No. 96-NM-192-AD; Amendment 39-9711; AD 96-17-03]

RIN 2120-AA64

Airworthiness Directives; Jetstream Model 4101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Jetstream Model 4101 airplanes. This action requires an inspection to determine the serial number of the leg assemblies of the main landing gear (MLG), and replacement of defective pins with serviceable pins. This amendment is prompted by a report indicating that pins installed on certain leg assemblies of the MLG's were heat treated incorrectly during manufacture. The actions specified in this AD are intended to prevent failure of the pins due to incorrect heat treatment, and subsequent structural failure of the MLG.

DATES: Effective August 28, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 28, 1996.

Comments for inclusion in the Rules Docket must be received on or before October 15, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-192-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. This information may be

examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Jetstream Model 4101 airplanes. The CAA advises that it received a report indicating that certain torque arm pivot pins, drag brace attachment pins, and drag brace pivot pins installed on the leg assemblies of the main landing gears (MLG) on Model 4101 airplanes were heat treated incorrectly during manufacture. Such incorrect heat treatment of these pins could result in failure of the pins. This condition, if not corrected, could result in structural failure of the MLG.

Explanation of Relevant Service Information

Jetstream has issued Service Bulletin J41-32-023, dated May 27, 1996, which describes procedures for an inspection to determine the serial number of the left and right leg assemblies (shock strut and drag brace) of the MLG, and replacement of defective drag brace attachment pins, drag brace pivot pins, and torque arm pivot pins on certain leg assemblies with serviceable pins. The Jetstream service bulletin references APPH Precision Hydraulics Service Bulletin AIR83090-32-02, dated March 1996, as an additional source of service information. The APPH Precision Hydraulics service bulletin identifies the serial numbers of MLG leg assemblies on which defective pins are installed, and describes procedures for replacement of those pins with serviceable pins.

The CAA classified the Jetstream service bulletin as mandatory and issued United Kingdom airworthiness directive 003-05-96, dated June 12, 1996, in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of § 21.29 of

the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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.

Explanation of Requirements of Rule

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, this AD is being issued to prevent failure of the pins on certain leg assemblies of the MLG due to incorrect heat treatment, and subsequent structural failure of the MLG. This AD requires an inspection to determine the serial number of the left and right leg assemblies (shock strut and drag brace) of the MLG, and replacement of defective drag brace attachment pins, drag brace pivot pins, and torque arm pivot pins on certain leg assemblies with serviceable pins. The actions are required to be accomplished in accordance with the Jetstream service bulletin described previously.

Determination of Rule's Effective Date

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

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 96-NM-192-AD." The postcard will be date stamped and returned to the commenter.

Regulatory Impact

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 that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. 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. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

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 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:

96-17-03 Jetstream Aircraft Limited: Amendment 39-9711. Docket 96-NM-192-AD.

Applicability: Model 4101 airplanes; serial numbers 41060 and 41071 through 41078 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 (b) 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 failure of the pins on certain leg assemblies of the main landing gear (MLG) due to incorrect heat treatment, and subsequent structural failure of the MLG, accomplish the following:

(a) Within 30 days after the effective date of this AD, perform an inspection to determine the serial number of the left and right leg assemblies (shock strut and drag brace) of the MLG in accordance with Jetstream Service Bulletin J41-32-023, dated May 27, 1996.

(1) If no leg assembly has a serial number that is identified in the service bulletin, no further action is required by this AD.

(2) If any leg assembly has a serial number that is identified in the service bulletin, prior to further flight, replace the defective drag brace attachment pins, drag brace pivot pins, and torque arm pivot pins with serviceable pins, in accordance with the service bulletin.

Note 2: The Jetstream service bulletin references APPH Precision Hydraulics Service Bulletin AIR83090-32-02, dated March 1996, as an additional source of service information for identification of the serial numbers of affected MLG leg assemblies, and for replacement of defective pins with serviceable pins.

(b) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) 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.

(d) The actions shall be done in accordance with Jetstream Service Bulletin J41-32-023, dated May 27, 1996. 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 Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on August 28, 1996.

Issued in Renton, Washington, on August 6, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-20427 Filed 8-12-96; 8:45 am]

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14 CFR Part 39

[Docket No. 96-NM-04-AD; Amendment 39-9712; AD 96-17-04]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-100 and -200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-100 and -200 series airplanes, that requires inspections to detect cracking of the support fittings of the Krueger flap actuator and, if necessary, replacement of existing fittings with new steel fittings and modification of the aft attachment of the actuator. This amendment is prompted by reports of cracking due to fatigue and stress corrosion of the support fittings of the Krueger flap actuator. The actions specified by this AD are intended to prevent such cracking, which could result in fracturing of the actuator attach lugs, separation of the actuator from the support fitting, severing of the hydraulic lines, and resultant loss of hydraulic fluids. These conditions, if not corrected, could result in possible

failure of one or more hydraulic systems, and subsequent reduced controllability of the airplane.

DATES: Effective September 17, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 17, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Della Swartz, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2785; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 737-100 and -200 series airplanes was published in the Federal Register on March 13, 1996 (61 FR 10294). That action proposed to require inspections to detect cracking of the support fittings of the Krueger flap actuator and, if necessary, replacement of existing fittings with new steel fittings and modification of the aft attachment of the actuator.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Support for the Proposal

One commenter supports the proposal.

Request to Revise Proposed Inspection Requirements

The Air Transport Association (ATA), on behalf of its member operators, requests that the proposed requirement to perform repetitive eddy current inspections be replaced with a requirement to perform close visual inspections at 3,000-flight hour intervals, followed by an eddy current inspection or replacement of the fitting within a 4-year period. This commenter maintains that this alternative inspection program is:

1. More consistent with the recommendations of the airframe manufacturer;

2. Equivalent in safety to that proposed in the notice; and

3. More cost effective.

Further, this commenter states that, while the proposed eddy current inspection may be viewed as a more critical inspection process, it is not necessary to respond to the airworthiness concern. This commenter contends that, in order to determine whether a more stringent process is required (i.e., more stringent than the manufacturer's recommendations), the FAA should review service history data to determine whether cracking of the subject support fittings has actually become a fleet-wide problem. The commenter maintains that, while the one incident described in the preamble to the notice was certainly of concern, there is insufficient data to indicate that cracked support fittings is an industry problem.

The FAA does not concur. As explained in the preamble to the notice, the subject cracking in the fittings is attributed to stress corrosion combined with fatigue. The crack growth rate for such cracking is not known; however, it is known that material that the fitting is made from, 7075-T6 aluminum, is highly susceptible to stress corrosion cracking and has low toughness. It is also known that the critical crack size for this fitting is 0.165 inch. Cracks of this small size cannot be found with a high degree of confidence using a visual inspection technique. An eddy current inspection is a much more reliable method of finding such small cracks.

As for the service history of the subject problem, there have been several reports of cracking found in actuator attach support fitting assemblies on a number of in-service Model 737 series airplanes. There also have been two accidents involving hydraulic system failures that were associated with the failure of the actuator attach lugs on the support fittings. The FAA considers this a sufficient amount of service history to demonstrate that a potential unsafe condition associated with the subject cracking exists in airplanes equipped with the subject fittings.

In light of the small critical crack size, the high susceptibility to stress corrosion cracking of 7075-T6 material, and the ample service history relative to the addressed unsafe condition, the FAA does not find that the commenter's suggested alternative inspection program would provide an acceptable level of safety compared to that required by this final rule.