

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. 96-NM-12-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 757 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 all Boeing Model 757 series airplanes, that would have required the replacement of certain discrepant ram air turbine (RAT) deployment actuator assemblies that were shipped improperly. That proposal was prompted by reports of certain RAT actuators that failed to deploy upon command due to interference in the actuator locking mechanism caused by damage incurred during shipping of the actuators. This new action revises the proposed rule to require the use of an FAA-approved maintenance program in lieu of the use of shipping procedures prescribed in that proposal. Failure of the RAT to deploy, specifically during a dual engine failure, would result in loss of hydraulic power and would adversely affect the continued safe flight and landing of the airplane.

DATES: Comments must be received by November 26, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-12-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 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: Sheila I. Mariano, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227-2675; fax (425) 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 96-NM-12-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. 96-NM-12-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 include an airworthiness directive (AD) that is applicable to all Boeing Model 757 series airplanes was published in the **Federal Register** on August 6, 1996 (61 FR 40758). That NPRM would have required the replacement of certain discrepant ram air turbine (RAT) deployment actuator assemblies with units that have been modified (repaired and reidentified) and shipped in a specific fashion prior to installation. It also proposed to require that any RAT installed on an airplane in the future must have been modified and shipped properly prior to installation.

That NPRM was prompted by several reports indicating that certain RAT deployment actuators failed to deploy upon command due to interference in the actuator locking mechanism. The interference condition was caused by damage that had been incurred during shipping of the actuator assembly.

The actions specified by that NPRM were intended to ensure that the RAT is deployed when commanded to do so. Failure of the RAT to deploy, specifically during a dual engine failure, would result in loss of hydraulic power, which would adversely affect the continued safe flight and landing of the airplane.

Explanation of New Service Information

Since the issuance of that NPRM, the FAA has reviewed and approved two new Arkwin Industries service bulletins. (Arkwin Industries, Inc., is the manufacturer of the subject RAT deployment actuator assemblies.) These new service bulletins are essentially identical to the original issues, but contain certain changes regarding warranty, shipping, and price and availability information. Arkwin Industries Service Bulletin 1211233-29-21-3, Revision 3, dated February 7, 1997, includes the warranty and shipping information for the RAT. Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 3, dated February 7, 1997, includes clarification of price and availability information.

Consideration of Comments Received

Since the issuance of that NPRM, the FAA has given due consideration to the comments received in response to the

NPRM. Certain of these comments and the information they provided have led the FAA to consider making certain significant changes to the proposal. These comments and the changes prompted by them are explained below:

Request to Require Revision of the Maintenance Program

Several commenters request that the proposal be revised to allow operators to change their FAA-approved maintenance program to incorporate the procedures specified in the proposal. These commenters express concern over the difficulty there will be in attempting to use standard recordkeeping procedures to show compliance with the proposed provisions that would mandate the use of a particular shipping container and shipping sleeve when transporting the actuator assemblies. The commenters also suggest that the personnel involved in shipping and receiving usually are not familiar with the stringent recordkeeping requirements imposed by the AD process; as a result, implementation of the proposed rule could prove costly and difficult. The commenters state that, while the proposed rule attempts to associate shipping requirements with the task of installing the modified RAT on the airplane, in actuality, the technician who signs the paperwork for installing the RAT cannot be held responsible for determining whether the RAT has been shipped in the proper container during the various stages of transport. Further, these commenters point out that airworthy parts are successfully shipped every day within every operator's FAA-approved maintenance program, so it is unnecessary to create and maintain a separate AD procedure specifically for shipping the subject actuator assembly.

The FAA partially concurs with the commenters' requests. The FAA acknowledges that, through the maintenance program, compliance with the required actions can be more easily demonstrated. Therefore, the FAA has changed the proposed AD to require that operators revise their FAA-approved maintenance program to include the use of the shipping container and shipping sleeve assembly specified in Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 3, dated February 7, 1997, whenever the deployment actuator of the RAT is removed from the airplane. This action is described in paragraph (a) of this AD.

However, the FAA does not concur that stringent recordkeeping requirements will prove costly and difficult. The FAA contends that by revising the maintenance program, the

operators may choose how to track proper shipment of the RAT's. This may be demonstrated through the use of shipping tags, which the FAA contends would not cause an undue burden on the operators. In addition, the FAA does not concur with the commenter's statement that the technician who signs the paperwork for installing the RAT cannot be held responsible for determining whether proper shipping procedures were followed. The FAA finds that, through the maintenance program, an individual (e.g., technician or installer) may be designated to ensure that proper shipping procedures were used to prevent damage during shipment.

In addition, the FAA acknowledges the commenter's statement that within every operator's FAA-approved maintenance program, airworthy parts can be shipped successfully, so there is no reason to maintain a separate AD procedure for shipping the RAT actuator assemblies. However, in this case, there are no FAA requirements for shipping RAT actuators because the FAA did not foresee that the actuators would be susceptible to damage during shipment. In addition, the FAA finds that practices may vary among operators when shipping airworthy parts. Therefore, in order to minimize the probability of damage to the actuators, the FAA concludes that the requirements for shipping the actuators must be included in this AD and added to the operator's maintenance program.

Request to Exempt Certain Actuators

One commenter, a U.S. operator, requests that a stipulation be added to the proposal to "exempt" those actuators that have been modified and delivered directly from Boeing to operators as equipment on new airplanes. As an alternative to this suggestion, the commenter requests that the proposal include data from Boeing or Arkwin that indicate the serial numbers of actuators that meet the specifications of Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2, dated June 17, 1994. As justification for these requests, this commenter states that the majority of its RAT deployment actuator assemblies were received as on-aircraft equipment when the airplanes were delivered new from Boeing. All of these on-aircraft actuators have been modified, as indicated by the "B" suffix on the serial number; however, this operator has no way of knowing whether these specific actuators were shipped (prior to installation) in accordance with the Arkwin service bulletin.

The FAA partially concurs with the commenter's request. However, in responding to this commenter, the FAA finds that some clarification is necessary:

The commenter's justification suggests that modified actuators having a "B" suffix in the serial number should be exempt because they were delivered by the manufacturer as equipment on a new airplane. This justification assumes that the manufacturer shipped the actuator properly. While this may be true, the FAA considers that the identified problems will recur if the RAT is removed and shipped after delivery (i.e., as a replacement to another facility). Therefore, those operators that have received the modified "B" RAT as delivered on the airplane are "exempt" only if it can be verified that the RAT was not removed or shipped after delivery of the airplane.

As far as the commenter's request for the serial numbers of actuators that meet the specifications of Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2, the FAA reiterates that all of the actuators—all serial numbers from 00001 and subsequent—are suspect if they have not been modified and/or have not been shipped properly. The FAA finds that the only way to know if a modified actuator is not susceptible to the failures (and thus "exempt" from the requirements of this AD) is to know that it has been shipped properly. Besides reviewing shipping records or tags, the only other way to determine this is to know whether the actuator had been removed from an airplane and then shipped.

In light of this comment, the FAA finds that it is appropriate to revise the proposal to require that operators first inspect the identification plate on the deployment actuator of the RAT to determine the actuator serial number. Certain actuators would be required to be removed and replaced immediately; namely:

1. Any actuator having Boeing part number (P/N) S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005) and a serial number of 00001 through 00631 inclusive, with no suffix letter "B"; or

2. Any actuator having Boeing P/N S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005) and a serial number of 00001 through 00631 inclusive, with a suffix letter "B"; or a serial number of 00632 or subsequent; and if that actuator had been removed previously from an airplane and shipped in the extended position.

No action would be required if the actuator has Boeing P/N S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005), and has a serial number of 00001 through 00631 inclusive, with a suffix letter "B"; or has a serial number of 00632 or subsequent; and if it is determined that the actuator had not been removed previously from an airplane, or if the actuator had been removed and shipped in accordance with Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2 or Revision 3.

Request to Allow In-House Modification

One operator requests that the proposal be revised to allow operators to modify the actuator assemblies in-house if they have the equipment to successfully modify and test the unit in a manner equivalent to that described in the referenced Arkwin service bulletin. This commenter points out that NOTE 2 of the proposal and the Arkwin service bulletins imply that only Arkwin can successfully accomplish this modification; however, the commenter maintains that this is not the case. Further, the commenter states that, if the unit is modified in-house, the safety concerns related to the problems of transporting of the units between Arkwin and its customers would be minimized.

The FAA concurs. The FAA acknowledges that Arkwin is not the only supplier that can modify and test the units. The proposal has been revised to indicate that the modification may be accomplished by Arkwin or any other FAA-approved facility.

Requests to Permit a Functional Test Only

Several commenters request that the proposal be revised to permit operators to perform only a functional test to verify deployment of the RAT in those cases where the RAT has not been removed, reworked, or subsequently shipped. These commenters state that they have been performing an on-wing functional check of the RAT at every scheduled "C" check, and have found no RAT that has failed to deploy. These commenters consider this type of functional test to be sufficient to verify proper operation of the RAT.

The FAA does not concur. The FAA does not consider that a functional test is sufficient to detect the type of latent failures caused by the damaged lock rods, pins, etc. Although failures have been discovered during functional testing of airplanes in production, there have been at least two in-service

failures, which were not detected prior to delivery of the airplane. These problems were related to damage that was incurred during the shipping of the RAT to the aircraft manufacturer prior to delivery. The FAA has identified the RAT's that were not shipped correctly as those with serial numbers 00001 through 00631 inclusive; these actuators must be inspected. Those RAT's with serial numbers 00632 and subsequent that were delivered on the airplane must also be inspected if they have been removed or shipped after delivery of the airplane.

Requests To Extend Compliance Time

Several commenters request that the compliance time for replacing discrepant RAT deployment actuators be extended beyond the proposed 30 months. These commenters are concerned that an ample number of replacement actuators would not be available for the affected fleet. One commenter states that Arkwin has committed to a turnaround time of 30 days for modifying the actuators; however, this commenter, a U.S. operator, indicates that if it were required to replace all 31 of the actuators in its fleet, neither it nor Arkwin could meet the 30-month compliance deadline. Another commenter points out that if all of the 631 (non-modified) actuators needed to be replaced, Arkwin would have to process 21 units per month during the 30-month compliance time; however, the commenter states that representatives from Arkwin indicated that they "could not handle 21 units per month."

The FAA does not concur. The 30-month compliance time was determined after discussions with both Boeing and Arkwin. That compliance period takes into consideration not only the safety implications, but the availability of necessary parts to retrofit the U.S. fleet and the practical aspect of performing the required actions during an interval of regularly scheduled maintenance. The FAA has received no indication from Arkwin that an ample number of parts would not be available within the compliance time. In addition, as discussed previously, Arkwin is not the only supplier that can modify and test the units. In light of this, the FAA finds no technical reason for revising the 30-month compliance time.

Request for Redesign of the Actuator as Terminating Action

One commenter raises concerns about the design of the affected actuators, which apparently makes them particularly susceptible to the addressed

problems. This commenter states that Boeing has agreed with the validity of this concern and has taken an action item to review the design of the entire actuator. This commenter requests that the proposal be revised to mandate repetitive deployment checks, until an improved actuator design is developed and a relevant service bulletin is issued. The commenter maintains that, until a modification solution is developed, deployment checks will offer an equivalent level of safety.

The FAA does not concur. While a design solution would be ideal, to date there has been no new design of the actuator developed. Further, the FAA finds that deployment checks alone would not adequately address the unsafe condition that prompted this AD action. Deployment checks will not detect damage to the lock rods, pins, etc., that could eventually prevent deployment of the RAT. The failure condition is not dynamic; it is gradual, and the deployment checks would not detect the degradation of the pins and rods until an actual failure occurred. The intent of this proposed AD is to detect and correct the failure conditions before the RAT actuator system is needed during flight.

Requests To Withdraw Proposal

Several commenters suggest that the issuance of the proposed AD is not warranted. Two commenters consider that the proposed requirements for using special shipping procedures are inappropriate for an AD. One commenter considers that its routine maintenance program of inspection and operational checks of the actuators at regular intervals is adequate for detecting and correcting the problems addressed by the proposed AD. Another commenter considers that no safety problem exists, because the failure of the RAT actuator to deploy was reviewed in accordance with § 25.1309 of the Federal Aviation Regulations (14 CFR 25.1309) and was demonstrated to be an extremely improbable event.

The FAA infers from these statements that the commenters request that the proposal be withdrawn. The FAA does not concur; nor does the FAA concur with the statement that use of an AD to address the problem is inappropriate. According to section 39.1 of the Federal Aviation Regulations (14 CFR 39.1), the issuance of an AD is based on the finding that an unsafe condition exists or is likely to develop in aircraft of a particular type design. Regardless of the cause or the source of an unsafe condition, the FAA has the authority to issue an AD when it is found that an unsafe condition is likely to exist or

develop on other products of the same type design.

Further, it is within the FAA's authority to issue AD's to require actions to address unsafe conditions that are not otherwise being addressed (or addressed adequately) by normal maintenance procedures. The FAA may address such unsafe conditions by requiring specific steps to be taken or by requiring revisions to maintenance programs as a condition under which airplanes may continue to be operated. While the subject of this AD relates to a problem with the RAT actuator identified during regular maintenance procedures, the FAA points out that reports of this problem came from several different operators. From the data garnered from these reports, the FAA has identified the existence of an unsafe condition. As a result, the FAA is proposing to issue this AD to address the unsafe condition.

Since the root of the unsafe condition relates to damage incurred during the current shipping process, the FAA has determined that a requirement to add the use of the shipping container and sleeve in accordance with the maintenance program is appropriate.

Request To Clarify Part Numbers and Serial Numbers of Affected Actuators

One commenter requests that the proposal be revised to specify the correct Boeing part number of one of the affected RAT deployment actuators. This commenter points out that the actuator identified as "Boeing part number 1211233-4" should be "Boeing part number S271N102-4." This same commenter notes that the applicability statement of the proposed rule included the serial numbers for the actuators having part number S271N102-5, but it did not include the serial numbers for the other affected actuator.

The FAA concurs that some clarification is necessary on both points brought up by the commenter:

First, the FAA acknowledges that the correct Boeing part number of one of the affected actuators is "S271N102-4," and has corrected this number in the supplemental NPRM.

Second, the serial numbers listed in the applicability statement of the proposal as "00001 and subsequent" apply to both of the affected actuators (part numbers S271N102-4 and S271N102-5). The applicability statement of this supplemental NPRM has been revised to clarify this.

Request To Clarify Service Bulletin References

One commenter requests that the proposal be revised to specify the

correct number of the Arkwin Industries service bulletin as "1211233-29-21-3." This commenter points out that several references to this service bulletin in the proposal indicated its number as "1211233-19-21-3."

The FAA acknowledges that because of a typographical error of the service bulletin number in the service bulletin, the number was incorrectly shown in several places in the proposal. This information has been corrected in this supplemental NPRM.

Request To Revise Cost Impact Information

One commenter requests that the cost impact information be expanded to include the costs incurred if the RAT actuator is shipped to Arkwin to be fixed. The commenter points out that the information presented in the preamble to the proposal appears to analyze the costs only for those cases where an operator itself fixes the actuator. This commenter asserts that, if the actuators are returned to Arkwin for modification, the airplane will need to have a replacement RAT actuator installed in the interim; this will increase the costs associated with the AD.

The FAA concurs that the cost information could be expanded to include other scenarios. Arkwin Industries has advised the FAA that the cost for returning the actuator to them for retrofit would be approximately \$22.33 per actuator. The FAA has added this information to the cost impact information, below.

Conclusion

Since certain of the changes discussed previously 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.

Cost Impact

There are approximately 631 Boeing Model 757 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 389 airplanes of U.S. registry would be affected by this AD.

The proposed revision to the FAA-approved maintenance program would take approximately 2 work hours per operator to accomplish, 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 \$120 per operator.

The proposed inspection and replacement of the RAT deployment actuator would take approximately 4

work hours per airplane, at an average labor rate of \$60 per work hour.

Required replacement parts would cost approximately \$4,832 per airplane. (If the unit is under warranty, the required parts would be provided by the actuator manufacturer at no cost to the operator. If the actuator is returned to the vendor for modification, the charge would be approximately \$22.33 per actuator.) Based on these figures, the cost impact of this proposed requirement on U.S. operators is estimated to be between \$240 and \$5,072 per airplane.

The cost impact figures discussed above are based on the 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. However, the FAA has been advised that the proposed requirement to replace the RAT deployment actuator [paragraph (b)] has been accomplished previously on approximately 13 airplanes of U.S. registry. Therefore, the future cost impact of this proposed AD on U.S. operators is reduced by approximately \$65,936.

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: Amendment 39- . Docket 96-NM-12-AD.

Applicability: Model 757 series airplanes; equipped with ram air turbine (RAT) deployment actuators having Boeing part number (P/N) S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005), and having a serial number of 00001 and subsequent; 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 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 the failure of the actuators used to deploy the ram air turbine (RAT), accomplish the following:

(a) Within 120 days after the effective date of this AD, revise the FAA-approved maintenance program to require verification that the shipping container and shipping sleeve assembly, as specified in Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 3, dated February 7, 1997, was used in shipping the actuator to a location where it is to be installed.

Note 2: Once the maintenance program has been revised to include the procedures specified in this paragraph, operators are not required to subsequently record accomplishment each time that an actuator is shipped.

(b) Within 30 months after the effective date of this AD, inspect the identification plate on the deployment actuator of the RAT to determine the actuator serial numbers, in accordance with Arkwin Industries Service Bulletin 1211233-29-21-3, Revision 2, dated

June 17, 1994, or Revision 3, dated February 7, 1997.

(1) If the actuator bears Boeing part number (P/N) S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005), and has a serial number of 00001 through 00631 inclusive (with no "B" suffix): Prior to further flight, remove the RAT deployment actuator and repair or replace it, in accordance with the Arkwin Industries service bulletins previously referenced in paragraph (b) of this AD or in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note 3: Arkwin Industries Service Bulletin 1211233-29-21-3, Revision 2, dated June 17, 1994, or Revision 3, dated February 7, 1997, recommends that the actuator unit be returned to Arkwin Industries for modification, since specialized equipment is needed to perform the rework of the unit. However, any FAA-approved facility may modify the unit, provided that it has the appropriate equipment to successfully modify and test the unit in accordance with a method approved by the Manager, Seattle ACO, or in accordance with the Arkwin Industries service bulletins referenced in paragraph (b) of this AD.

(2) Prior to further flight, remove the RAT deployment actuator and repair or replace it, in accordance with Arkwin Industries Service Bulletin 1211233-29-21-3, Revision 2, dated June 17, 1994, or Revision 3, dated February 7, 1997, if the actuator:

(i) Has Boeing P/N S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005); and

(ii) Has a serial number of 00001 through 00631 inclusive, with a suffix letter "B;" or has a serial number of 00632 or subsequent; and

(iii) Has been removed previously from an airplane and shipped in the extended position and not in accordance with Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2, dated June 17, 1994, or Revision 3, dated February 7, 1997.

Note 4: Shipping records or tags may be reviewed to determine whether the actuator was shipped in accordance with Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2 or Revision 3.

Note 5: Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2 or Revision 3, provide procedures for proper identification of the necessary reusable shipping container and shipping sleeve assembly that is to be used when transporting or shipping the RAT deployment actuator assembly. Use of this container and sleeve will prevent damage to the assembly during shipping.

(3) No further action is required by paragraph (b) of this AD, if the actuator:

(i) Has Boeing P/N S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005); and

(ii) Has a serial number of 00001 through 00631 inclusive, with a suffix letter "B;" or has a serial number of 00632 or subsequent; and

(iii) Has not been removed previously from an airplane, or has been removed and shipped in the extended position, in

accordance with Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2, dated June 17, 1994, or Revision 3, dated February 7, 1997.

(c) As of 30 months after the effective date of this AD, no person shall install on any airplane a RAT deployment actuator assembly, having Boeing P/N S271N102-4 (Arkwin P/N 1211233-004) or Boeing P/N S271N102-5 (Arkwin P/N 1211233-005), and having serial number 00001 and subsequent; unless the conditions, as specified in both paragraphs (c)(1) and (c)(2) of this AD apply:

(1) The actuator assembly has been modified (repaired and reidentified) in accordance with Arkwin Industries Service Bulletin 1211233-29-21-3, Revision 2, dated June 17, 1994, or Revision 3, dated February 7, 1997; or the actuator is replaced with a new actuator from Arkwin Industries, Inc.; and

(2) Prior to installation, the actuator was shipped (i.e., to the place where installation is accomplished) in accordance with Arkwin Industries Service Bulletin 1211233-29-21-4, Revision 2, dated June 17, 1994, or Revision 3, dated February 7, 1997.

(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 ACO. 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 6: 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 October 20, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-28318 Filed 10-24-97; 8:45 am]

BILLING CODE 4910-13-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NH-7157b; FRL-5906-9]

Approval and Promulgation of Implementation Plans; New Hampshire

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: The EPA is proposing action on State Implementation Plan (SIP) revisions submitted by the State of New Hampshire. The EPA is proposing