

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 removing amendment 39-10011 (62 FR 24325, May 5, 1997), and by adding a new airworthiness directive (AD), to read as follows:

**Boeing:** Docket 97-NM-157-AD. Revises AD 97-09-15, Amendment 39-10011.

**Applicability:** All Model 737-100, -200, -300, -400, and -500 series airplanes, 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 (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 sudden uncommanded yawing of the airplane due to potential failures within the yaw damper system, and consequent injury to passengers and crewmembers, accomplish the following:

(a) Perform a one-time inspection of the engage solenoid valve of the yaw damper on the rudder power control unit (PCU) to determine the part number (P/N) of the valve. If any valve having Parker P/N 59600-5011 (Boeing P/N 10-60811-9), Parker P/N 59600-5007 (Boeing P/N 10-60811-3), or Parker P/N 59600-5003 (Boeing P/N 10-60811-1) is installed, prior to further flight, replace it with a valve having Parker P/N 881600-1001 (Boeing P/N 10-60811-13), Sterer P/N 45080-1 (Boeing P/N 10-60811-8), or Sterer P/N 45080 (Boeing P/N 10-60811-3).

Accomplish the actions in accordance with procedures specified in Chapter 22-11-61 (for Model 737-100 and -200 series airplanes) or Chapter 22-12-21 (for Model 737-300, -400, and -500 series airplanes) of the Boeing Maintenance Manual, as applicable. Accomplish the inspection at the earlier of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Within 5 years or 15,000 flight hours after June 9, 1997 (the effective date of AD 97-09-15, amendment 39-10011), whichever occurs first.

(2) At the next time the PCU is sent to a repair facility.

**Note 2:** Boeing In-Service Activities Report 95-03-2725-10, dated February 16, 1995 (for Model 737-100 and -200 series airplanes), or 95-04-2725-10, dated February 24, 1995 (for Model 737-300, -400, and -500 series airplanes), provides additional information concerning interchangeability of solenoid valve part numbers.

**Note 3:** Operators should note that, as specified in paragraph (a) of this AD, both the Parker and Sterer P/N's have the same Boeing P/N (10-60811-3). If, upon inspection, Boeing P/N 10-60811-3 is found to be installed, operators must ascertain the vendor P/N. Parts having Boeing P/N 10-60811-3 and Parker P/N 59600-5007 must be replaced and are not considered to be acceptable replacement parts. In addition, some engage solenoid valves may be labeled with only the name "Berteau," rather than "Parker" or "Parker-Berteau."

(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 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

Issued in Renton, Washington, on November 6, 1997.

**Darrell M. Pederson,**

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

[FR Doc. 97-29820 Filed 11-12-97; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-238-AD]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 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 all Boeing Model 737-100, -200, -300, -400, and -500 series airplanes. This

proposal would require installation of a placard that warns the cabin crew not to put the selector valve for the forward lavatory water supply in the "DRAIN" position during flight. This proposal also would require installation of an isolation valve in the drain line downstream of the selector valve. This proposal is prompted by reports of damage to the horizontal stabilizer and engine flameout caused by ice formed from water drained inadvertently through a mispositioned selector valve. The actions specified by the proposed AD are intended to prevent damage to the engines, airframe, or horizontal stabilizer, and/or prevent a hazard to persons or property on the ground, as a result of ice that could dislodge from the airplane.

**DATES:** Comments must be received by December 29, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-238-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.

**FOR FURTHER INFORMATION CONTACT:** Don Eiford, 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 (425) 227-2788; 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 97-NM-238-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. 97-NM-238-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The FAA has received several reports that ice has formed on the skin of Boeing Model 737 series airplanes due to drainage of potable water through an incorrectly positioned selector valve for the forward lavatory water supply. Two of these incidents resulted in engine flameout and two other incidents resulted in damage to the horizontal stabilizer.

The selector valve is a three-position ("DRAIN," "SUPPLY," and "SHUTOFF") selector valve for the forward lavatory water supply. It is possible to place the selector valve in the "DRAIN" position instead of the "SHUTOFF" position during flight, which results in the contents of the potable water supply tank draining onto the skin of the airplane. This condition, if not corrected, could result in the formation of ice that could dislodge from the airplane and, consequently, cause damage to the engines, airframe, or horizontal stabilizer and/or pose a hazard to persons or property on the ground.

#### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require installation of a placard to warn the cabin crew not to put the selector valve for the forward lavatory water supply in the "DRAIN" position during flight. In addition, the proposed AD would require installation of an isolation valve in the drain line downstream of the selector valve. These actions would be required to be accomplished in accordance with a method approved by the FAA.

#### Cost Impact

There are approximately 2,830 Boeing Model 737-100, -200, -300, -400, and -500 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,037 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 placard installation, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this installation proposed by this AD on U.S. operators is estimated to be \$62,220, or \$60 per airplane.

It would take approximately 6 work hours per airplane to accomplish the proposed installation of an isolation valve, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$300 per airplane. Based on these figures, the cost impact of this installation proposed by this AD on U.S. operators is estimated to be \$684,420, or \$660 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 97-NM-238-AD.

*Applicability:* All Model 737-100, -200, -300, -400, and -500 series airplanes, 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 (c) 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 damage to the engines, airframe, or horizontal stabilizer, and/or a hazard to persons or property on the ground, accomplish the following:

(a) Within 6 months after the effective date of this AD, install a placard (as shown in Figure 1 of this AD) on the door beneath the forward lavatory sink that warns the cabin crew not to put the selector valve for the forward lavatory water supply in the "DRAIN" position during flight. The installation shall be accomplished in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(b) Within 36 months after the effective date of this AD, install an isolation valve in the drain line downstream of the selector valve for the forward lavatory water supply, in accordance with a method approved by the Manager, Seattle ACO.

(c) 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 2:** Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Seattle ACO.

(d) 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.

BILLING CODE 4910-13-U

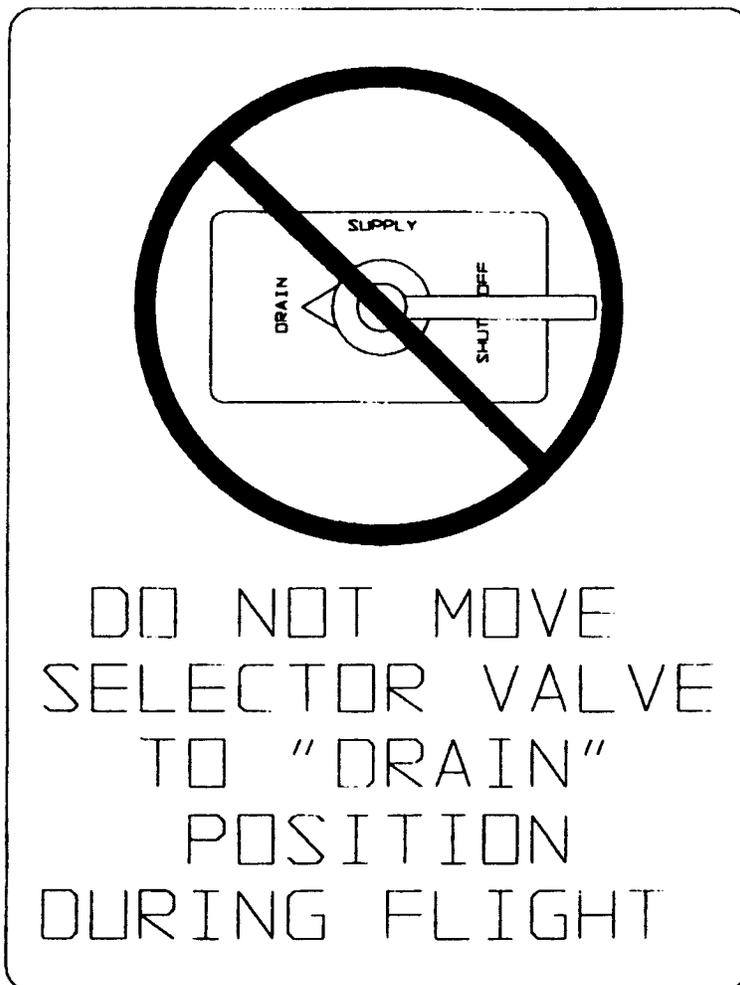


Figure 1

Issued in Renton, Washington, on November 6, 1997.

**Darrell M. Pederson,**  
*Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.*  
[FR Doc. 97-29819 Filed 11-12-97; 8:45 am]

BILLING CODE 4910-13-C