

airplanes) or Airbus Service Bulletin A300-53-6066 (for Model A300-600 series airplanes), both dated October 16, 1996, as applicable. If any discrepancy is found, prior to further flight, repair in accordance with the applicable service bulletin. Thereafter, repeat the inspection at the interval specified in paragraph (a)(1) or (a)(2), as applicable.

(1) For airplanes on which Airbus Service Bulletin A310-53-2036 or A300-53-6017 has not been accomplished: Repeat the inspection at intervals not to exceed 3 years.

(2) For airplanes on which Airbus Service Bulletin A310-53-2036 or A300-53-6017 has been accomplished: Repeat the inspection at intervals not to exceed 5 years.

(b) If any discrepancy is found during an inspection required by paragraph (a) of this AD, and the applicable service bulletin specifies to contact Airbus for appropriate action: Prior to further flight, repair in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate.

(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, International Branch, ANM-116. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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.

**Note 3:** The subject of this AD is addressed in French airworthiness directive 97-061-212(B), dated February 26, 1997.

Issued in Renton, Washington, on March 13, 1998.

**Darrell M. Pederson,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-24-AD]

RIN 2120-AA64

#### Airworthiness Directives; Aerospatiale Model ATR42-300 and -320, and Model ATR72 Series Airplanes

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

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

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Aerospatiale Model ATR42-300 and -320, and Model ATR72 series airplanes. This proposal would require modification of the engine fuel drainage system. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent fuel from overflowing into the engine nacelle, which could result in a fire in the nacelle.

**DATES:** Comments must be received by April 20, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-24-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 Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

#### 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 98-NM-24-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-114, Attention: Rules Docket No. 98-NM-24-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Aerospatiale Model ATR42-300 and -320, and Model ATR72 series airplanes. The DGAC advises that the existing design of the engine fuel drainage system could allow the drainage system to clog. If the engine fuel drainage system is clogged, fuel leakage from the nozzles or turbine may result in fuel overflowing into the engine nacelle. This condition, if not corrected, could result in a fire in the nacelle.

#### Explanation of Relevant Service Information

Aerospatiale has issued Service Bulletin ATR42-71-0010, Revision 4, dated October 23, 1996 (for Model ATR42 series airplanes), which describes procedures for modifying the engine fuel drainage system to allow improved drainage. This modification involves bypassing the manifold by disconnecting the drain pipe from the engine nozzle to the manifold, installing a plug on the manifold where the drain pipe was connected, and connecting a new drain hose from the engine nozzle drain point directly to the breather tube outlet.

Aerospatiale also has issued Service Bulletin ATR72-71-1006, Revision 1, dated October 21, 1996 (for Model ATR72 series airplanes), which describes procedures for modifying the engine fuel drainage system. This modification involves isolating the engine turbine drain pipe from the collector manifold by installing a new

drain pipe, which bypasses the manifold.

Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The DGAC classified these service bulletins as mandatory and issued French airworthiness directives 96-109-063 (B) and 96-110-030 (B), both dated June 5, 1996, in order to assure the continued airworthiness of these airplanes in France.

#### FAA's Conclusions

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 Proposed 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, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously.

#### Cost Impact

The FAA estimates that 145 airplanes of U.S. registry would be affected by this proposed AD.

For Model ATR42-300 and -320 series airplanes (106 airplanes), it would take approximately 8 work hours per airplane to accomplish the proposed modification, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of this modification proposed by this AD on U.S. operators is estimated to be \$50,880, or \$480 per airplane.

For Model ATR72 series airplanes (39 airplanes), it would take approximately 15 work hours per airplane to accomplish the proposed modification, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$1,499 per airplane. Based on these figures, the cost impact of this modification proposed by this

AD on U.S. operators is estimated to be \$93,561, or \$2,399 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:

**Aerospatiale:** Docket 98-NM-24-AD.

**Applicability:** Model ATR42-300 and -320 series airplanes, on which Aerospatiale Modification 1696 (reference Aerospatiale

Service Bulletin ATR42-71-0010) has not been accomplished; and Model ATR72-101, -201, -102, -202, -211, and -212 series airplanes, on which Aerospatiale Modification 3742 (reference Aerospatiale Service Bulletin ATR72-71-1006) has not been accomplished; 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 fuel from overflowing into the engine nacelle, which could result in a fire in the nacelle, accomplish the following:

(a) Within 24 months after the effective date of this AD, modify the engine fuel drainage system, in accordance with Aerospatiale Service Bulletin ATR42-71-0010, Revision 4, dated October 23, 1996 (for Model ATR42 series airplanes), or Aerospatiale Service Bulletin ATR72-71-1006, Revision 1, dated October 21, 1996 (for Model ATR72 series airplanes), as applicable.

(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, International Branch, ANM-116, 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, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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.

**Note 3:** The subject of this AD is addressed in French airworthiness directives 96-109-063 (B) and 96-110-030 (B), both dated June 5, 1996.

Issued in Renton, Washington, on March 13, 1998.

**Darrell M. Pederson,**

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