

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 39

[Docket No. 98-NM-370-AD; Amendment 39-11239; AD 99-16-04]

RIN 2120-AA64

**Airworthiness Directives; Bombardier Model CL-215-1A10 and CL-215-6B11 Series**

**Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Bombardier Model CL-215-1A10 and CL-215-6B11 series airplanes, that currently requires repetitive inspections to detect cracking on certain wing to fuselage frame-angles, and repair, if necessary. This amendment would continue to require the same inspections. This amendment is prompted by an adverse comment received in response to the existing amendment. The actions specified by this AD are intended to detect and correct cracking in the wing to fuselage frame-angles, which could result in reduced structural integrity of the airframe.

**DATES:** Effective September 7, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 7, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. 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 FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Franco Pieri, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7526; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding amendment 39-10458 (63 FR 17672, April 10, 1998). [A correction of the direct final rule was published in the **Federal Register** on May 4, 1998 (63 FR 24389)]. That amendment is applicable to certain Bombardier Model CL-215-1A10 and CL-215-6B11 series airplanes, and was published in the **Federal Register** on April 5, 1999 (64 FR 16366). The action proposed to require repetitive inspections to detect cracking on certain wing to fuselage frame-angles, and repair, if necessary.

**Comments**

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

The commenter supports the proposed rule.

**Conclusion**

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

**Cost Impact**

The FAA estimates that 1 airplane of U.S. registry will be affected by this AD.

It will take approximately 2 work hours per airplane to accomplish the required actions, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$120 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 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.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a

"significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 removing amendment 39-10458 (63 FR 34389, May 4, 1998), and by adding a new airworthiness directive (AD), amendment 39-11239, to read as follows:

**99-16-04 Bombardier Inc. (Formerly Canadair):** Amendment 39-11239. Docket 98-NM-370-AD. Supersedes Amendment 39-10458.

**Applicability:** Model CL-215-1A10 and CL-215-6B11 series airplanes, serial numbers 1001 through 1125 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 (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 detect and correct cracking in the wing to fuselage frame-angles, which could result in reduced structural integrity of the airframe, accomplish the following:

(a) Perform an eddy current inspection to detect cracking of the fuselage frame angles at the wing front and rear spar attachment to the fuselage at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD; in accordance with Bombardier Alert Service Bulletin 215-A476, Revision 3, dated August 21, 1998. Thereafter, repeat the inspection at intervals not to exceed 415 flight hours.

(1) Prior to the accumulation of 2,300 total flight hours.

(2) Within 150 flight hours or 4 months after the effective date of this AD, whichever occurs first.

**Note 2:** Accomplishment of the eddy current inspections of the lower surfaces of the frame angles conducted in accordance with Bombardier Alert Service Bulletin ASB 215-A476, Revision 1, dated January 14, 1997, or ASB 215-A476, Revision 2, dated June 15, 1998, prior to the effective date of this AD is considered to be acceptable for compliance with the requirements of paragraph (a) of this AD for that area only.

(b) If the results of any inspection required by paragraph (a) of this AD are outside the limits specified in paragraph 2.C.(7) of Bombardier Alert Service Bulletin ASB 215-A476, Revision 3, dated August 21, 1998: Prior to further flight, repair in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate.

#### Alternative Methods of Compliance

(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, New York ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

#### Special Flight Permits

(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.

#### Incorporation by Reference

(e) The inspections shall be done in accordance with Bombardier Alert Service Bulletin 215-A476, Revision 3, dated August 21, 1998. 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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 4:** The subject of this AD is addressed in Canadian airworthiness directive CF-97-07R1, dated September 30, 1998.

(f) This amendment becomes effective on September 7, 1999.

Issued in Renton, Washington, on July 23, 1999.

**D. L. Riggins,**

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

[FR Doc. 99-19453 Filed 7-30-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-47-AD; Amendment 39-11237; AD 99-16-02]

RIN 2120-AA64

#### Airworthiness Directives; British Aerospace Model BAC 1-11 200 and 400 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain British Aerospace Model BAC 1-11 200 and 400 series airplanes, that currently limits the number of operations at increased cabin pressure differential, and requires repetitive structural inspections for cracking of the fuselage, and repair or replacement of parts, if necessary. This amendment requires additional repetitive inspections for cracking of the fuselage. This amendment is prompted by the determination that airplanes operating at increased cabin pressure differential are more likely to develop fatigue cracking earlier in their service lives than those airplanes operating at normal cabin differential pressures. The actions specified by this AD are intended to detect and correct fatigue cracking of the airplane fuselage, which could result in reduced structural integrity of the airplane.

**DATES:** Effective September 7, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of September 7, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from British Aerospace, Service Support, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. 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:

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:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 89-18-10, amendment 39-6310 (54 FR 34768, August 22, 1989), which is applicable to certain British Aerospace Model BAC 1-11 200 and 400 series airplanes, was published in the Federal Register on January 5, 1999 (64 FR 435). The action proposed to continue to limit the number of operations at increased cabin pressure differential, and to require repetitive structural inspections for cracking of the fuselage, and repair or replacement of parts, if necessary. The action also proposed to require additional repetitive inspections for cracking of the fuselage.

#### Comments Received

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

#### Service Bulletin Reference

One commenter, the manufacturer, states that paragraph (b)(5) of the proposed AD refers to paragraph 2.2.7 of British Aerospace Alert Service Bulletin 53-A-PM5922, but this service bulletin does not contain a paragraph 2.2.7. The commenter suggests that the correct paragraph reference should be to paragraph 2.1.2 of the alert service bulletin. The FAA concurs that Issue 2 of the alert service bulletin, dated April 27, 1995, does not contain a paragraph 2.2.7. However, paragraph (b) of the AD is an existing requirement retained from AD 89-18-10, which requires accomplishment of certain actions in accordance with Issue 1 of the alert service bulletin, dated January 27, 1987. Since Issue 1 of the alert service bulletin contains a paragraph 2.2.7, the reference is correct, and no change is made to the final rule in this regard. However, to allow better identification of the retained and the new requirements of this AD, subject headers have been added to the final rule.

#### Compliance Time

One commenter notes that it supports the proposed 3-month compliance time