

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 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 (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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 a new airworthiness directive (AD) to read as follows:

99-18-15 Raytheon Aircraft Company (All type certificates of the affected airplanes previously held by the Beech Aircraft Corporation): Amendment 39-11281; Docket No. 99-CE-56-AD.

Applicability: The following Raytheon Beech airplane models and serial numbers, certificated in any category:

REPLACEMENT REQUIREMENTS OF PARAGRAPH (A) OF THIS AD

Model	Serial numbers
C90A	LJ-1526 through LJ-1550.
B200	BB-1628 through BB-1659.
B300	FL-213 through FL-237.
1900D	UE-346 through UE-356, UE-358, and UE-367.

INSTALLATION REQUIREMENTS OF PARAGRAPH (B) OF THIS AD

Model	Serial numbers
C90A	All serial numbers.
B200	All serial numbers.
B300	All serial numbers.
1900D	All serial numbers.

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 (e) 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 in the body of this AD, unless already accomplished.

To detect any improperly machined landing gear emergency hand pumps, which, if not removed from service, could result in the inability to properly lower and lock the landing gear in the event of failure of the primary retraction/extension system, accomplish the following:

(a) *For the airplanes referenced in the Replacement Requirements of Paragraph (a) of this AD portion of the Applicability section of this AD:* Within the next 25 hours time-in-service (TIS) after the effective date of this AD, replace any landing gear emergency hand pump, part number 101-388007-3, that incorporates a serial number in the range of 2702 through 2833.

Note 2: This AD allows the aircraft owner or pilot to check the maintenance records to determine whether the landing gear emergency hand pump, part number 101-388007-3, has been replaced with one outside the serial number range of 2702 through 2833. See paragraph (c) of this AD for authorization.

(b) *For the airplanes referenced in the Installation Requirements of Paragraph (b) of this AD portion of the Applicability section of this AD:* As of the effective date of this AD, no person may install a landing gear emergency hand pump, part number 101-388007-3, that incorporates a serial number in the range of 2702 through 2833.

(c) The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may check the maintenance records to determine whether the landing gear emergency hand pump, part number 101-388007-3, that is installed incorporates a serial number outside the range of 2702 through 2833. If, by checking the maintenance records, it can be positively shown that an actuator with a serial number outside of the range of 2702 through 2833 is installed, the requirements of paragraph (a) of

this AD do not apply and the owner/operator must make an entry into the aircraft records showing compliance with this portion of the AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(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.

(e) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

(f) This amendment becomes effective on September 27, 1999.

Issued in Kansas City, Missouri, on August 23, 1999.

Terry L. Chasteen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-22534 Filed 8-30-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-03-AD; Amendment 39-11271; AD 99-18-05]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 727 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Boeing Model 727 series airplanes, that requires repetitive inspections to detect cracks in the forward flange of the vertical beam of the aft pressure bulkhead at certain buttock lines, and installation of a splice repair, if necessary. The amendment also requires installation of a preventative modification on the vertical beam of the door frame in certain cases. This amendment is prompted by reports of fatigue cracks found in the vertical beam web and forward flange of the aft pressure bulkhead. The actions specified by this AD are intended to detect and correct

such fatigue cracking, which could result in the inability of the subject vertical beam to withstand the fail-safe loads, and consequent loss of cabin pressurization.

DATES: Effective October 5, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 5, 1999.

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: Walter Sippel, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227-2774; fax (425) 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 all Boeing Model 727 series airplanes was published in the **Federal Register** on July 18, 1997 (62 FR 38493). That action proposed to require repetitive inspections to detect cracks in the forward flange of the vertical beam of the aft pressure bulkhead at certain buttock lines, and installation of a splice repair, if necessary. That action also proposed to require installation of a preventative modification on the vertical beam of the door frames in certain cases.

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.

Two commenters support the proposed rule.

Request to Correct Service Information

One commenter states that the last sentence under the heading "Explanation of Relevant Service Information" of the proposed AD incorrectly references Boeing Service Bulletin 727-53-0055 as "an additional source of service information for identical procedures to repair and modify the affected area." The commenter adds that Boeing Service

Bulletin 727-53-0055 specifies a splice installation only if cracks are beyond repair/modification limits, whereas Boeing Service Bulletin 727-53-0210, dated April 1, 1993, specifies a splice repair and modification any time cracks are found.

The FAA does not concur that the reference to Boeing Service Bulletin 727-53-0055 is incorrect in the proposed AD. Although Boeing Service Bulletins 727-53-0055 and 727-53-0210 specify an inspection of the vertical beam at different locations, both service bulletins specify the same procedures for accomplishing the preventative modification and the splice repair. In light of this, the FAA considers that the reference to Boeing Service Bulletin 727-53-0055 is correct. However, the "Explanation of Relevant Service Information" does not reappear in the final rule; therefore, no change to the final rule is necessary in this regard.

Requests to Revise the Cost Estimate

Three commenters request that the cost estimate in the proposed AD be revised.

One commenter estimates that access to the affected area and removal and installation of the lavatories and walls would require 80 hours for a fleet cost of \$389,000 for the inspection, total out-of-service costs of \$1,285,380, additional inspection costs of \$728,382 because of a disruption of normal "C" checks, and an inspection-only cost of \$2,402,762. The commenter adds that the proposed AD requires inspections within 1,500 flight cycles, which would not allow the airplane to be scheduled into normal "C" checks and would necessitate its removal from service for approximately 90 days.

Another commenter estimates approximately 10 hours for the inspections. This estimate is based on 4 hours to gain access to the inspection area, 2 hours to accomplish the inspection, and 4 hours to close up the inspection area, with a cost per airplane of approximately \$600 and a fleet cost of \$632,400.

Another commenter estimates 200 hours (two mechanics for 5 working days) to remove/replace the lavatories and perform the inspections. The commenter states that, because the proposed initial inspection interval of 1,500 flight cycles is 500 flight cycles less than its current "C" check interval, 25 percent of its Model 727 fleet would need to be removed from service on a "special route" basis and flown to a maintenance base to accomplish the inspection. The commenter adds that this schedule disruption and the downtime added to routine "C" check

visits would severely impact operations and result in unnecessary expense and burden.

The FAA does not concur with the commenters' requests to revise the cost estimate in the AD. The FAA based its estimate on the cost estimate recommended in Boeing Service Bulletin 727-53-0210, dated April 1, 1993; as revised by Notice of Status Change 727-53-0210 NSC 1, dated June 17, 1993; and Notice of Status Change 727-53-0210 NSC 2, dated September 21, 1995. In that service bulletin, the time for removal and installation of lavatories is not included in the estimate because those times vary significantly based on the type of lavatories installed and whether lavatory galleys are installed (freighters have neither), and whether or not other inspections are being accomplished.

The FAA recognizes that, in accomplishing the requirements of any AD, operators may incur "incidental" costs in addition to the "direct" costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental costs, such as the time required to gain access and close up; planning time; or time necessitated by other administrative actions. Because incidental costs may vary significantly from operator to operator, they are almost impossible to calculate.

In addition, where safety considerations allow, the FAA attempts to impose compliance times that generally coincide with operators' maintenance schedules. However, because operators' schedules vary substantially, the FAA is unable to accommodate every operator's optimal scheduling in each AD. Each AD does allow individual operators to obtain approval for extensions of compliance times, based on a showing that the extension will not affect safety adversely. Therefore, the FAA does not consider it appropriate to attribute to the AD, the costs associated with the type of special scheduling that might otherwise be required. Furthermore, because the FAA generally attempts to impose compliance times that coincide with operators' scheduled maintenance, the FAA considers it inappropriate to attribute the cost associated with aircraft "downtime" to the cost of the AD, because, normally, compliance with the AD will not necessitate any additional downtime beyond that of a regularly scheduled maintenance hold. Even if, in some cases, additional downtime is necessary for some airplanes, the FAA does not possess sufficient information to evaluate the number of airplanes that may be so affected or the amount of additional downtime that may be

required. No change to the final rule is necessary in this regard.

Request to Revise Compliance Time

One commenter requests revising **Note 2** [following paragraph (a)(2) of the proposed AD]. The commenter states that **Note 2** does not agree with the service bulletin. The commenter considers that if the splice repair has been accomplished, the inspection threshold should be 20,000 flight cycles since installation of the splice repair; whereas, if the splice repair has not been accomplished, the threshold should be 20,000 flight cycles from time of delivery.

The FAA agrees with the commenter's remark that **Note 2** of the proposed AD does not correspond with the service bulletin, and has removed the note from this final rule. In reviewing this comment, the FAA notes that the compliance time specified in the proposed AD differs from the service bulletin. However, the FAA's intent was that the compliance times coincide with the service bulletin.

Further, the FAA notes that the splice repair or the preventative modification may have been installed independently on the left and right vertical beams. In such cases, in order to allow those beams to be inspected independently, the FAA has revised the final rule to specify compliance times from the time of installation of the splice repair or preventative modification of the vertical beams. The compliance times in paragraphs (a)(1) and (a)(2) of this AD have been revised to coincide with the service bulletin, as follows:

- For any vertical beam on which neither the preventative modification nor the splice repair have been accomplished, paragraph (a)(1) of this AD requires an inspection prior to the accumulation of 20,000 total flight cycles, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later.
- For any vertical beam on which the preventative modification has not been accomplished and the splice repair has been accomplished, paragraph (a)(2) of this AD requires an inspection prior to the accumulation of 20,000 flight cycles since installation of the splice repair, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later.

Request to Extend Compliance Time for Inspections

One commenter requests an inspection interval of 4,000 flight cycles, with repeat inspections every 4,000 flight cycles if the preventative modification has not been

accomplished. The commenter states that the 4,000 flight cycle limit would allow the operator to remove the lavatories, accomplish the inspection, and install the preventative modification during scheduled corrosion (R-check) visits. The commenter adds that these corrosion visits are of sufficient duration to absorb the additional work without undue impact, and that its current fleet plans include the initial inspection and installation of the preventative modification during the same visit. The commenter considers that the 4,000 flight cycles for the initial inspection is justified from a technical standpoint because it has been conducting routine intensified inspections and repairs of the aft pressure bulkhead vertical beam at scheduled heavy maintenance visits since 1988. The commenter also states that the inspection interval of 1,500 flight cycles is 500 flight cycles less than its current "C-check" interval. The commenter adds that, unless the inspection intervals are increased, 25% of its 727 fleet would be removed from service on a "special route" basis and flown to base maintenance. The commenter considers that this schedule disruption and the additional downtime added to routine C-checks would severely impact operations and result in unnecessary expense and burden, whereas inspection intervals of 4,000 flight cycles would allow sufficient time to accomplish the work without undue impact.

The FAA does not concur with the commenter's request to revise the compliance times, as described. The grace period for the initial inspection and the inspection intervals specified in this AD were determined based on engineering analysis of crack growth rates and the type of detection methods used. The compliance times proposed by the commenter do not ensure that cracking will be detected in a timely manner.

Another commenter requests that the initial inspection threshold required by paragraph (a)(1) of the proposed AD be increased from "18,500 total flight cycles" to "30,000 total flight cycles." The commenter states that the two reports of cracks have both occurred at 48,000 and 48,500 flight cycles. The commenter adds that it considers the inspection threshold of 18,500 flight cycles to be premature because cracking did not occur before 48,000 flight cycles.

The FAA does not concur that the inspection threshold required by paragraph (a)(1) of the final rule, should be increased to 30,000 total flight cycles. While Boeing Service Bulletin 727-53-

0210 specifies that cracks occurred at thresholds exceeding 48,000 flight cycles, the FAA considers that the extent of such cracking was unsafe. In developing an appropriate compliance time for this AD, the FAA considered the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, the time necessary to perform the inspection, and the practical aspects of performing the inspections. In consideration of these factors, the FAA finds that the compliance time required by paragraph (a)(1) of this AD represents an appropriate threshold for accomplishment of the inspection in a timely manner within the fleet and still maintain an adequate level of safety. The FAA considers that the inspections can be accomplished within an interval of time that parallels normal scheduled maintenance for a majority of affected operators, and within an appropriate interval to prevent the initiation and propagation of fatigue cracking in the vertical beam web and forward flange of the aft pressure bulkhead.

Because the objective of the proposed inspections is to detect and correct these cracks before the extent of the cracking found on those airplanes, the FAA has determined that the inspection threshold specified in paragraph (a)(1) of the AD is appropriate. No change was made to the final rule in this regard.

Request to Defer Accomplishment of Modification on Both Frames

One commenter states that operators should have the option of "terminating the inspection" on both frames. The FAA infers that the commenter requests that the repair be required for cracked door frames only, and that operators be allowed to accomplish the modification at a time established by the operator. The FAA has determined that an appropriate level of safety can be assured by accomplishment of both the repair and modification on all cracked door frames prior to further flight, as recommended by the manufacturer. Additionally, repetitive inspections of uncracked door frames must be accomplished at the intervals specified in this AD. Paragraphs (b) and (c) of this AD have been revised accordingly.

Request to Change Installation Requirement for Splice Repair

One commenter requests that an operator should be allowed to install the splice repair only (not the preventative modification) on a cracked door frame, followed by repeat inspections beginning at 18,500 flight cycles.

The FAA does not concur that an adequate level of safety can be ensured

by requiring only the splice repair and continued inspection beginning at 18,500 flight cycles after repair of the cracked vertical beam. The FAA points out that the commenter provided no technical justification for accomplishing only the repair with repetitive inspections of a cracked vertical beam; the FAA considers cracking in the forward flange of the vertical beam of the aft pressure bulkhead to be a significant safety issue.

In developing the appropriate actions (i.e., repair, modification, and repetitive inspections) for this AD, the FAA considered not only those safety issues but the recommendations of the manufacturer, the availability of parts, and the practical aspect of accomplishing the required inspections within an interval of time that parallels normal scheduled maintenance for the majority of affected operators. The FAA considers that the repair, modification, and repetitive inspections required by the proposed AD are necessary to ensure the timely detection of cracking.

To further clarify the required repetitive inspection intervals of uncracked vertical beams and the required actions for cracked vertical beams, paragraphs (b)(1)(i) and (b)(1)(ii) have been added, and paragraphs (b), (b)(1), (b)(2), and (c) have been revised in the final rule.

Requests to Clarify the Repetitive Inspection Intervals

One commenter requests that paragraph (a)(2) of the proposed AD, which specifies repetitive inspections at intervals not to exceed 6,000 flight cycles, be divided into two sections, one for airplanes inspected at 3,000 flight cycles and another for airplanes inspected at 6,000 flight cycles. The commenter states that, for airplanes with the modification accomplished previously, paragraph (a)(2) requires repetitive inspections thereafter at intervals not to exceed 6,000 flight cycles; however, paragraph (b)(2) requires such inspections at intervals not to exceed 3,000 flight cycles. The commenter considers that the FAA's intent was to require such inspections thereafter at intervals not to exceed 3,000 flight cycles for airplanes that do not have preventative modifications installed.

Another commenter states that the actions required by paragraphs (a)(2) and (b)(2) seem to conflict. That commenter suggests changing the wording in those paragraphs to clarify that repetitive inspections are not to exceed 3,000 flight cycles for unmodified structure or 6,000 flight cycles for modified structure.

The FAA concurs. The FAA agrees that clarification of the number of repetitive inspection intervals specified in paragraphs (a)(2) and (b)(2) of the proposed AD is necessary. The FAA also agrees that it is necessary to distinguish between the number of flight cycles required for modified and unmodified structures in the final rule. In light of this, the FAA has deleted the repetitive inspections specified in paragraph (a)(2) of the proposed AD, and has specified the repetitive inspection intervals required for modified and unmodified structures in paragraphs (b)(1)(i) and (b)(1)(ii) of the final rule.

Request to Allow Repair/Modification During D-Check

One commenter requests that the repair and modification required by the proposed AD be accomplished during "D-check" opportunities because the actions required could exceed 200 hours and possibly 4 days.

The FAA does not concur. The FAA points out that the compliance times specified in the AD for the repair and preventative modification were based on the information included in Boeing Service Bulletin 727-53-0210, and that it considers these estimates appropriate. The FAA has determined that continued flight with unmodified structure, which has begun to crack and is likely to continue cracking, does not provide an acceptable level of safety. In light of these considerations, no change has been made to the final rule in this regard.

Request to Correct Typographical Error

Two commenters request a correction to paragraph (c) of the NPRM to delete a reference to paragraph (a)(3). The FAA agrees that paragraph (a)(3) did not exist in the NPRM and that a reference to that paragraph should not have been included in paragraph (c) of the NPRM. However, the final rule now includes a paragraph (a)(3), which is appropriately referenced in paragraph (c) of this final rule.

Request to Permit "Industry-Accepted Shop Practices"

One commenter requests including a statement in the final rule allowing the use of industry-accepted shop practices in lieu of processes and finishes (e.g., primer, paint, or sealant) that are specified by the original equipment manufacturer (OEM) and that have no effect on the intent of the AD. The commenter states that industry-accepted shop practices would allow operators to use equivalent methods and types of finishes without first having to seek

approval from the FAA for an alternative method of compliance.

The FAA does not concur with the request to allow the use of industry-accepted shop practices instead of the alternative method of compliance required by paragraph (d) of the proposed AD. The FAA points out that such practices could vary from operator to operator and, thus, make it impossible to ensure the appropriate level of safety required. In light of this, the FAA has determined that it is unacceptable to delegate an undefined practice. This final rule requires that the actions be accomplished in accordance with the procedures specified in Boeing Service Bulletin 727-53-0210. An industry-accepted shop practice may be used only if approved as an alternative method of compliance in accordance with paragraph (d) of the final rule. No change has been made to paragraph (d) of the final rule.

Explanation of Changes Made to the Proposal

Operators should note that the following changes were made to this AD to clarify certain terminology:

- The term "aft fuselage bulkhead," which was used in the proposed AD, has been changed to "aft pressure bulkhead" in the final rule. This change was made in the Summary and throughout this AD to correlate with the term used in Boeing Service Bulletin 727-53-0210 and because it more accurately describes the bulkhead.

- The term "close visual inspections," as specified in certain paragraphs of the proposed AD, has been changed to "detailed visual inspections." This terminology is considered to be technically equivalent. This change was made in paragraphs (b)(1)(i), (b)(1)(ii), (b)(2), and (c) of the final rule. In addition, **Note 2** has been added to the final rule, following paragraph (a)(3), to include the definition of a "detailed visual inspection."

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 1,560 Model 727 series airplanes of the affected design in the worldwide fleet. The FAA

estimates that 1,054 airplanes of U.S. registry will be affected by this AD.

It will take approximately 2 work hours per airplane to accomplish the required inspections, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$126,480, or \$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.

Should an operator be required to accomplish the preventative modification, it will take approximately 100 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. The cost of required parts could range between \$910 and \$1,042 per preventative modification kit (2 kits per airplane). Based on these figures, the cost impact of the preventative modification required by this AD on U.S. operators is estimated to be between \$7,820, and \$8,084 per airplane.

Should an operator be required to accomplish the splice repair, it will take approximately 148 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$3,545 per airplane (\$1,756 for the splice repair kit on the left side, and \$1,789 for the splice repair kit on the right side). Based on these figures, the cost impact of the splice repair required by this AD on U.S. operators is estimated to be \$12,425 per airplane.

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 adding the following new airworthiness directive:

99-18-05 Boeing: Amendment 39-11271. Docket 97-NM-03-AD.

Applicability: All Model 727 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 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 detect and correct fatigue cracking in the forward flange of the vertical beam of the aft pressure bulkhead, which could result in the inability of the subject vertical beam to withstand the fail-safe loads, and consequent loss of cabin pressurization, accomplish the following:

Initial Inspections

(a) Perform a detailed visual inspection and a high frequency eddy current (HFEC) inspection to detect cracks in the forward flange of the vertical beam at left and right buttock line 17.8 from water lines 265 through 288 inclusive, in accordance with Boeing Service Bulletin 727-53-0210, dated April 1, 1993, as revised by Notice of Status

Change 727-53-0210 NSC 1, dated June 17, 1993, and Notice of Status Change 727-53-0210 NSC 2, dated September 21, 1995; at the time specified in paragraph (a)(1), (a)(2), or (a)(3) of this AD, as applicable.

(1) For any vertical beam on which neither the preventative modification nor the splice repair have been accomplished, as specified in Boeing Service Bulletin 727-53-0210, dated April 1, 1993; or Boeing Service Bulletin 727-53-0055, Revision 6, dated February 28, 1986, Revision 7, dated March 5, 1987, Revision 8, dated December 17, 1987, or Revision 9, dated August 3, 1989: Inspect prior to the accumulation of 20,000 total flight cycles, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later.

(2) For any vertical beam on which the preventative modification has not been accomplished and the splice repair has been accomplished, as specified in Boeing Service Bulletin 727-53-0210, dated April 1, 1993, or Boeing Service Bulletin 727-53-0055, Revision 6, dated February 28, 1986, Revision 7, dated March 5, 1987, Revision 8, dated December 17, 1987, or Revision 9, dated August 3, 1989: Inspect prior to the accumulation of 20,000 flight cycles since installation of the splice repair, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later.

(3) For any vertical beam on which the preventative modification has been accomplished and the splice repair has or has not been accomplished, as specified in Boeing Service Bulletin 727-53-0210, dated April 1, 1993, or Boeing Service Bulletin 727-53-0055, Revision 6, dated February 28, 1986, Revision 7, dated March 5, 1987, Revision 8, dated December 17, 1987, or Revision 9, dated August 3, 1989: Inspect prior to the accumulation of 40,000 flight cycles since installation of the preventative modification, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later.

Note 2: For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc. may be used. Surface cleaning and elaborate access procedures may be required."

Repetitive Inspections and Corrective Action

(b) If no crack is detected during any inspection required by paragraph (a)(1), (a)(2), or (a)(3) of this AD, accomplish either paragraph (b)(1) or (b)(2) of this AD, as applicable, in accordance with Boeing Service Bulletin 727-53-0210, dated April 1, 1993, as revised by Notice of Status Change 727-53-0210 NSC 1, dated June 17, 1993, and Notice of Status Change 727-53-0210 NSC 2, dated September 21, 1995.

(1) For any vertical beam on which the preventative modification has not been accomplished, as specified in paragraphs (a)(1) and (a)(2) of this AD, accomplish either paragraph (b)(1)(i) or (b)(1)(ii) of this AD in accordance with the service bulletin.

(i) Prior to further flight, install the preventative modification. Prior to the accumulation of 40,000 flight cycles following accomplishment of a preventative modification, accomplish the detailed visual and HFEC inspections specified in paragraph (a) of this AD for any modified area. Repeat those inspections thereafter at intervals not to exceed 6,000 flight cycles for that modified area. Or

(ii) Repeat the detailed visual and HFEC inspections specified in paragraph (a) of this AD for any unmodified area at intervals not to exceed 3,000 flight cycles.

(2) For any vertical beam on which the preventative modification has been accomplished, repeat the detailed visual and HFEC inspections specified in paragraph (a) of this AD thereafter at intervals not to exceed 6,000 flight cycles.

(c) If any crack is detected during any inspection required by paragraph (a)(1), (a)(2), or (a)(3) of this AD, prior to further flight, install a splice repair and preventative modification to all cracked door frames, in accordance with Boeing Service Bulletin 727-53-0210, dated April 1, 1993, as revised by Notice of Status Change 727-53-0210 NSC 1, dated June 17, 1993, and Notice of Status Change 727-53-0210 NSC 2, dated September 21, 1995. Prior to the accumulation of 40,000 flight cycles following accomplishment of the preventative modification, accomplish the detailed visual and HFEC inspections specified in paragraph (a) of this AD. Repeat those inspections specified in paragraph (a) for that repaired and modified area thereafter at intervals not to exceed 6,000 flight cycles.

Alternative Method of Compliance

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

Special Flight Permits

(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.

Incorporation by Reference

(f) The actions shall be done in accordance with Boeing Service Bulletin 727-53-0210, dated April 1, 1993, as revised by Notice of Status Change 727-53-0210 NSC 1, dated June 17, 1993, and Notice of Status Change 727-53-0210 NSC 2, dated September 21, 1995. 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.

(g) This amendment becomes effective on October 5, 1999.

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

Vi L. Lipski,

Acting Manager,

Transport Airplane Directorate,

Aircraft Certification Service.

[FR Doc. 99-22397 Filed 8-30-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-224-AD; Amendment 39-11278; AD 99-18-12]

RIN 2120-AA64

Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Fokker Model F27 Mark 050 series airplanes. This action requires a one-time inspection to detect cracking of the fuselage between stations 15375 and 16275, at the skin splice above the cabin windows; and corrective action, if necessary. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to detect and correct such cracking, which could result in depressurization of the cabin and reduced structural integrity of the airplane fuselage.

DATES: Effective September 15, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 15, 1999.

Comments for inclusion in the Rules Docket must be received on or before September 30, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-

224-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, The Netherlands. 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:

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: The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, notified the FAA that an unsafe condition may exist on all Fokker Model F27 Mark 050 series airplanes. The RLD advises that a report was received of a crack that had been discovered on the left-hand side of the fuselage between stations 15375 and 16275, at the skin splice above the cabin windows. Subsequent investigation of the skin splice revealed that the crack had initiated at a scratch in the bonded doubler at the edge of the lower skin. Fatigue caused the crack to grow to 21.3 inches (540 mm) undetected, until the skin splice opened, due to overload. This resulted in pressurization problems during climb of the airplane, leading to the detection of the crack. This condition, if not corrected, could result in depressurization of the cabin and reduced structural integrity of the airplane fuselage.

Explanation of Relevant Service Information

Fokker has issued Service Bulletin SBF50-53-053, dated February 1, 1997, which describes procedures for a one-time eddy current inspection to detect cracking of the fuselage between stations 15375 and 16275, at the skin splice above the cabin windows. The RLD classified this service bulletin as mandatory and issued Dutch airworthiness directive 1997-022 (A), dated February 28, 1997, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

This airplane model is manufactured in the Netherlands and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the