

**14 CFR Part 39**

[Docket No. 96-NM-273-AD; Amendment 39-9866; AD 96-26-03]

RIN 2120-AA64

**Airworthiness Directives; Fokker Model F28 Mark 0070 and 0100 Series Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to all Fokker Model F28 Mark 0070 and 0100 series airplanes, that currently requires a revision to the Airplane Flight Manual (AFM) that will enable the flightcrew to determine if the thrust reversers are properly stowed and locked prior to take-off. In addition, the existing AD requires a revision to the maintenance program to incorporate instructions to perform checks of the thrust reverser system and correct thrust reverser malfunctions. That AD was prompted by results of a review, which indicated that a potential latent failure of the secondary lock actuator switch 1 of the thrust reverser system in the open position may occur, in addition to the potential failure of the secondary lock relay 1 in the energized position. This new AD adds a requirement to accomplish new modifications that will serve as terminating actions for the revisions to the AFM and maintenance program, and new repetitive checks of the thrust reverser system. The actions specified in this AD are intended to ensure protection against inadvertent deployment of the thrust reversers during flight.

**DATES:** Effective January 21, 1997.

The incorporation by reference of Fokker Service Bulletin SBF100-78-012, dated November 22, 1996; Fokker Service Bulletin SBF100-24-034, Revision 1, dated September 12, 1996; and Fokker Service Bulletin SBF100-78-013, dated November 22, 1996; as listed in the regulations; is approved by the Director of the Federal Register as of January 21, 1997.

The incorporation by reference of Fokker All Operator Message TS96.67591, dated November 14, 1996, was approved previously by the Director of the Federal Register as of December 24, 1996 (61 FR 66890, December 19, 1996).

Comments for inclusion in the Rules Docket must be received on or before March 7, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation

Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-273-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Fokker Service B.V., Technical Support Department, P. O. Box 75047, 1117 ZN Schiphol Airport, 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:** Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2141; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** On December 5, 1996, the FAA issued AD 96-24-10, amendment 39-9850 (61 FR 66890, December 19, 1996), applicable to all Fokker Model F28 Mark 0070 and 0100 series airplanes. That AD superseded AD 96-23-16, amendment 39-9825 (61 FR 5887, November 20, 1996). AD 96-24-10 requires a revision to the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to enable the flightcrew to determine if the thrust reversers are properly stowed and locked prior to take-off by monitoring proper engagement of the autothrottle system (ATS). It also allows dispatch of the airplane with both thrust reversers inoperative provided they are deactivated and secured in the stowed position, and no operations are conducted that are predicated on thrust reverser operation. In addition, that AD requires a revision to the FAA-approved maintenance program to incorporate instructions to correct malfunctions of the secondary lock relay 1 of the thrust reversers found during the operational tests; to perform a daily check to detect latent failure of the secondary lock actuator switch 1; and to take corrective actions, if necessary.

That action was prompted by results of a review and safety assessment of the thrust reverser control and indication system, which indicated that a potential latent failure of the secondary lock actuator switch 1 in the open position may occur in addition to the potential failure of the secondary lock relay 1 in the energized position addressed by AD 96-23-16.

The actions required by AD 96-24-10 are intended to prevent such failures, which could result in reduced

protection against inadvertent deployment of the thrust reversers during flight.

In the preamble to AD 96-24-10, the FAA indicated that the actions required by that AD were considered to be "interim action" and that further rulemaking action was being considered. The FAA now has determined that further rulemaking action is indeed necessary, and this AD follows from that determination.

New Service Information from the Manufacturer

Fokker issued Service Bulletin SBF100-78-012, dated November 22, 1996, which describes procedures for modification of the wiring of the electrical control, and indication and warning systems of the thrust reversers. This modification involves changing the wiring of the stow limit relay of the thrust reverser, which will prevent inadvertent loss of the thrust reverser stow signal during certain failure conditions (i.e., bypasses the stow limit relay to ensure that the stow solenoid is energized at all times regardless of the position of the secondary lock actuator switch 1, except during commanded deployment of the thrust reverser). This modification also involves changing the wiring of the flight warning computer (FWC), which will prevent unintended inhibition of the thrust reverser warning (i.e., bypasses the warning switch of the secondary lock relay 1). Accomplishment of this modification will eliminate the need for the revisions to the AFM and maintenance program (currently required by AD 96-24-10).

In addition, accomplishment of this modification will slightly increase the electrical loads on the emergency direct current (DC) bus on Fokker Model F28 Mark 0070 and 0100 series airplanes. The load margin for Fokker Model F28 Mark 0100 series airplanes is adequate to sustain the additional electrical loads created by accomplishment of Service Bulletin SBF100-78-012; however, Fokker Model F28 Mark 0070 series airplanes do not have an adequate load margin to sustain these additional loads. Therefore, Fokker Service Bulletin SBF100-24-034, Revision 1, dated September 12, 1996, must be accomplished on Fokker Model F28 Mark 0070 series airplanes prior to or in conjunction with Fokker Service Bulletin SBF100-78-012. Fokker Service Bulletin SBF100-24-034 describes procedures for modification of the wiring of the priority switching of the emergency inverter power supply. The modification involves reconfiguring the emergency DC bus wiring. Accomplishment of this modification

will reduce the load of the emergency DC bus on Fokker Model F28 Mark 0070 series airplanes.

In addition, Fokker has also issued Service Bulletin SBF100-78-013, dated November 22, 1996. This service bulletin describes procedures for performing repetitive operational checks to detect failures of the secondary lock actuator, primary lock switch, indication and warning system, and feedback cable mechanism of the thrust reversers; and repair of the thrust reverser system, if necessary.

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, classified these service bulletins as mandatory and issued Dutch airworthiness directive BLA 1996-140 (A), dated November 25, 1996, in order to assure the continued airworthiness of these airplanes in the Netherlands.

#### FAA's Conclusions

These airplane models are manufactured in the Netherlands 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 RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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 the New 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, this AD supersedes AD 96-24-10. It continues to require the following actions:

- A revision to Limitations Section of the FAA-approved AFM that will enable the flightcrew to determine if the thrust reversers are properly stowed and locked prior to take-off by monitoring proper engagement of the autothrottle system (ATS); and
- A revision to the FAA-approved maintenance program to incorporate instructions to correct malfunctions found during the operational tests of the secondary lock relay 1 of the thrust reversers; to perform a daily check to detect latent failure of the secondary lock actuator switch 1; and to take corrective actions, if necessary.

In addition, this AD requires performing the following new requirements:

1. Modification of the wiring of the electrical control, and indication and warning systems of the thrust reversers, which terminates the currently required AFM revision and the maintenance program revision;
2. Modification of the wiring of the priority switching of the emergency inverter power supply, for certain airplanes;
3. Repetitive operational checks to detect failures of the secondary lock actuator, primary lock switch, indication and warning system, and feedback cable mechanism of the thrust reversers; and repair of the thrust reverser system, if necessary; and
4. Submission of a report of any finding to Fokker following accomplishment of the operational checks.

These actions are required to be accomplished in accordance with the service bulletins described previously.

Operators should note that the FAA has deleted the previous allowance to dispatch with both thrust reversers inoperative, which was specified in paragraph (b) of AD 96-24-10. The FAA finds that such an allowance is unnecessary, since adequate spare parts are now available to accomplish any required part replacements as a result of the daily maintenance check.

#### Difference Between the AD and the Related Dutch AD

This AD differs from the Dutch airworthiness directive BLA 1996-140 (A) in that it does not address changes to the FAA Master Minimum Equipment List (MMEL), whereas the Dutch airworthiness directive changes the requirements of the Dutch MMEL for the autothrottle and the thrust reverser indication and alerting system. The Dutch BLA allows dispatch with both autothrottle channels inoperative and both thrust reverser indication and alerting systems inoperative provided both thrust reversers are deactivated and secured in the stowed position, and no operations or procedures are predicated on their use. The FAA MMEL only allows dispatch with one autothrottle channel inoperative and does not allow dispatch with either thrust reverser indication or alerting system inoperative. The FAA finds no safety-related reason to relax these requirements.

#### Interim Action

This is considered to be interim action. The exact cause of the addressed unsafe condition is still unknown at this

time. The reports of operational check results that are required by this AD will enable the manufacturer to obtain better insight into the nature, cause, and extent of the inadvertent thrust reverser deployment, and eventually to develop final action to address the unsafe condition. Once final action has been identified, the FAA may consider further rulemaking.

#### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 96-NM-273-AD." The postcard will be date stamped and returned to the commenter.

## 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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it 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. A copy of it, if filed, 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 39-9850 (61 FR 66890, December 19, 1996), and by adding a new airworthiness directive (AD), amendment 39-9866, to read as follows:

96-26-03 Fokker: Amendment 39-9866.  
Docket 96-NM-273-AD. Supersedes AD 96-24-10, amendment 39-9850.

**Applicability:** All Model F28 Mark 0070 and 0100 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 (g) 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 ensure protection against inadvertent deployment of the thrust reversers during flight, accomplish the following:

(a) Within 48 hours after November 25, 1996 (the effective date of AD 96-23-16, amendment 39-9825), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

"Before take-off, arm the autothrottle system (ATS).

When cleared for take-off, activate the take-off/go-around (TOGA) trigger(s), and positively verify ATS engagement [throttle movement and white steady AT1, AT2, or AT in the flight mode annunciator (FMA) engage window].

If the ATS does NOT engage correctly, abort the take-off, return, and report to maintenance.

If the ATS does engage correctly, you may continue take-off with either ATS engaged or disengaged, as necessary.

(b) Within 48 hours after December 24, 1996 (the effective date AD 96-24-10, amendment 39-9850), revise the FAA-approved maintenance program to include the procedures specified in Appendix 2 of Fokker All Operator Message TS96.67591, dated November 14, 1996. These procedures must be accomplished daily, and prior to further flight following failure of the operational check required by paragraph (a) of this AD. If any failure is detected during these procedures, prior to further flight, accomplish the corrective actions in accordance with the procedures. The FAA-approved maintenance program procedures required by paragraph (a)(3) of AD 96-23-16, amendment 39-9825, may be removed following accomplishment of the requirements of this paragraph.

(c) Within 60 days after the effective date of this AD, modify the wiring of the electrical control, and indication and warning systems of the thrust reversers, in accordance with Fokker Service Bulletin SBF100-78-012, dated November 22, 1996. The AFM revision required by paragraph (a) of this AD and the FAA-approved maintenance program revision required by paragraph (b) of this AD may be removed following accomplishment of this paragraph.

(d) For Model F28 Mark 0070 series airplanes: Prior to or in conjunction with the accomplishment of paragraph (c) of this AD, modify the wiring of the priority switching of the emergency inverter power supply in accordance with Fokker Service Bulletin SBF100-24-034, Revision 1, dated September 12, 1996.

(e) Within 500 flight cycles following accomplishment of paragraph (c) of this AD, perform operational checks to detect failures of the secondary lock actuator, primary lock switch, indication and warning system, and feedback cable mechanism of the thrust reversers in accordance with Fokker Service Bulletin SBF100-78-013, dated November 22, 1996. If any failure is detected, prior to further flight, repair the thrust reverser system in accordance with Chapter 78-30-00 of the Fokker Airplane Maintenance Manual. Repeat the operational checks thereafter at intervals not to exceed 500 flight cycles.

(f) Within 10 days after accomplishing the operational checks required by paragraphs (b) and (e) of this AD, submit a report of all findings to Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(g) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(h) 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.

(i) The actions shall be done in accordance with Fokker All Operator Message TS96.67591, dated November 14, 1996; Fokker Service Bulletin SBF100-78-012, dated November 22, 1996; Fokker Service Bulletin SBF100-24-034, Revision 1, dated September 12, 1996; and Fokker Service Bulletin SBF100-78-013, dated November 22, 1996. Fokker Service Bulletin SBF100-24-034 contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1-3 .....	1 .....	September 12, 1996.
4-7 .....	Original .....	October 17, 1995.

The incorporation by reference of Fokker All Operator Message TS96.67591, dated November 14, 1996, was approved previously by the Director of the Federal Register in

accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The incorporation by reference of the remainder of the service documents listed above is 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 Fokker Service B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. 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.

(j) This amendment becomes effective on January 21, 1997.

Issued in Renton, Washington, on December 20, 1996.

S.R. Miller,

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

[FR Doc. 97-161 Filed 1-3-97; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 71

[Docket No. 96-ACE-23]

#### Amendment to Class E Airspace, York, NE

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends the Class E airspace area at York Municipal Airport, York, Nebraska. The Federal Aviation Administration has developed a Standard Instrument Approach Procedure (SIAP) based on the Global Positioning System (GPS) which has made this change necessary. The effect of this rule is to provide additional controlled airspace for aircraft executing the new SIAP at York Municipal Airport.

**DATES:** Effective date: March 27, 1997.

**Comment date:** Comments must be received on or before January 24, 1997.

**ADDRESSES:** Send comments regarding the rule in triplicate to: Manager, Operations Branch, Air Traffic Division, ACE-530, Federal Aviation Administration, Docket Number 96-ACE-23, 601 East 12th St., Kansas City, MO 64106.

The official docket may be examined in the Office of the assistant Chief Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Randolph, Air Traffic Division, Operations Branch, ACE-530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** The FAA has developed Standard Instrument Approach Procedures (SIAP) utilizing the Global Positioning System (GPS) at York Municipal Airport, York Nebraska. The amendment to Class E airspace at York, NE, will provide additional controlled airspace to segregate aircraft operating under Visual Flight Rules (VFR) from aircraft operating under Instrument Flight Rules (IFR) procedures while arriving or departing the airport. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to either circumnavigate the area, continue to operate under VFR to and from the airport, or otherwise comply with IFR procedures. Class E airspace areas extending from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comments and therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A great degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the Federal Register indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the Federal Register, and

a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96-ACE-23." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

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.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant