Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–113–AD]

RIN 2120–AA64

Airworthiness Directives; British Aerospace BAe Model ATP 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 British Aerospace BAe Model ATP airplanes. This proposal would require repetitive inspections for discrepancies of the spring strut assembly of the forward door of the main landing gear (MLG), and replacement of the existing spring strut assembly with a new or serviceable part, if necessary. This proposal also would require eventual replacement of the existing spring strut assembly with an improved part, which, when accomplished, would terminate the repetitive inspections. 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 failure of the spring strut assembly of the forward door of the MLG, which, if not corrected, could result in inability to extend the MLG.

DATES: Comments must be received by June 1, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–113–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 AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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–113–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–113–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, notified the FAA that an unsafe condition may exist on certain British Aerospace BAe Model ATP airplanes. The CAA advises that a BAe Model ATP airplane made an emergency landing because the left main landing gear (MLG) failed to extend. Investigation of the incident revealed a number of possible causes, including corrosion, wear, or damage to the operating mechanism. On March 31, 1998, the FAA issued a notice of proposed rulemaking (NPRM) to address these possible causes (reference Docket No. 97–NM–312–AD; 63 FR 16713, April 6, 1998).

Further investigation of the incident revealed that the spring strut assembly of the forward door of the MLG on the airplane was loose. (The spring strut assembly is part of the mechanism which opens the MLG door and allows extension and retraction of the MLG.) Similar loose attachment also was observed on one other in-service airplane, and has been attributed to damage of the rivets that connect the fork end of the spring strut assembly to the tube of the assembly. Failure of these rivets, if not corrected, could cause failure of the spring strut assembly of the forward door of the MLG, which could result in inability to extend the MLG.

Explanation of Relevant Service Information

The manufacturer has issued British Aerospace Alert Service Bulletin ATP–32–85, Revision 1, dated March 20, 1998, which describes procedures for repetitive visual inspections for discrepancies of the fork end of the spring strut assembly of the forward door of the left and right MLG on the airplane. The actions involve inspecting for looseness or damage of the rivets that connect the fork end fitting to the tube of the spring strut assembly, and inspecting for movement between the fork end fitting and the tube of the spring strut assembly. This alert service bulletin also describes procedures for replacing the spring strut assembly with a new or serviceable part, if any rivet is found to be damaged, if any rivet hole is found to be elongated, or if the

attachment of the fork end fitting to the tube is found to be loose. The CAA classified this alert service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

The manufacturer also has issued British Aerospace Service Bulletin ATP–32–87, dated January 29, 1998, which describes procedures for replacing the existing spring strut assembly of the forward door of the MLG with an improved spring strut assembly. Such replacement eliminates the need for the repetitive inspections described previously.

Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of Section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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 actions specified in the service bulletins described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletin

Operators should note that this AD proposes to mandate the replacement of the existing spring strut assembly of the forward door of the MLG with an improved spring strut assembly, as described in British Aerospace Service Bulletin ATP–32–87, dated January 29, 1998, as terminating action for the repetitive inspections specified in British Aerospace Alert Service Bulletin ATP–32–85, Revision 1, dated March 20, 1998. Accomplishment of the modification specified in this service bulletin has not been classified as mandatory by the CAA.

The FAA has determined that, in certain cases, long-term continued operational safety will be better assured by design changes to remove the source of the problem, rather than by repetitive inspections. Long-term inspections may not be providing the degree of safety assurance necessary for the transport airplane fleet. This, coupled with a better understanding of the human factors associated with numerous continual inspections, has led the FAA to consider placing less emphasis on inspections and more emphasis on design improvements. The proposed requirement to replace the existing spring strut assembly with an improved spring strut assembly is in consonance with these conditions.

Cost Impact

The FAA estimates that 10 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 4 work hours (2 work hours per MLG) to accomplish the proposed inspection, at an average labor rate of $60 per work hour. Based on this figure, the cost impact of the inspection proposed by this AD on U.S. operators is estimated to be $2,400, or $240 per airplane, per inspection cycle.

It would take approximately 12 work hours (6 work hours per MLG) to accomplish the proposed modification, at an average labor rate of $60 per work hour. Required parts would cost approximately $2,200 per airplane ($1,100 per MLG). Based on this figure, the cost impact of the modification proposed by this AD on U.S. operators is estimated to be $29,200, or $2,920 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:

British Aerospace Regional Aircraft (Formerly Jetstream Aircraft Limited; British Aerospace (Commercial Aircraft) Limited): Docket 98–NM–113–AD.

Applicability: BAe Model ATP airplanes, as listed in British Aerospace Alert Service Bulletin ATP–32–85, Revision 1, dated March 20, 1998, 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 prevent failure of the spring strut assembly of the forward door of the main landing gear (MLG), which, if not corrected, could result in the inability to extend the MLG, accomplish the following:

(a) Within 600 flight hours after the effective date of this AD, perform a visual

inspection for discrepancies of the fork end of the spring strut assembly of the forward door of the MLG, on the left and right side of the airplane; in accordance with British Aerospace Alert Service Bulletin ATP–32–85, Revision 1, dated March 20, 1998.

(1) If no discrepancy is detected, repeat the visual inspection thereafter at intervals not to exceed 1,500 flight hours until the actions specified by paragraph (b) of this AD are accomplished.

(2) If any discrepancy is detected, prior to further flight, replace the existing spring strut assembly with a new or serviceable part, in accordance with the alert service bulletin. Repeat the visual inspection thereafter at intervals not to exceed 1,500 flight hours until the actions specified by paragraph (b) of this AD are accomplished.

(b) Within 18 months after the effective date of this AD, replace the spring strut assembly of the forward door of the MLG with an improved spring strut assembly, on the left and right side of the airplane; in accordance with British Aerospace Service Bulletin ATP–32–87, dated January 29, 1998. This replacement constitutes terminating action for the requirements of this AD.

(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, FAA, Transport Airplane Directorate. Operators shall submit their request 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.

Issued in Renton, Washington, on April 24, 1998.

Gary L. Killion,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–11561 Filed 4–30–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–ANE–59–AD]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to certain Pratt & Whitney (PW) JT8D series turbofan engines, that currently requires initial and repetitive inspections of the No. 7 fuel nozzle and support assembly, replacement of the No. 7 fuel nozzle and support assembly with a more leak-resistant configuration, and replacement of aluminum oil pressure and scavenge tube fittings with steel fittings. In addition, the current AD requires replacing an additional aluminum oil scavenge line bolt with a steel bolt. This action would require initial and repetitive borescope inspections for loss of fuel nozzle nut torque and nozzle support wear, and replacement or modification of the fuel nozzles at the next accessibility of the diffuser build group as terminating action to the inspections. This proposal is prompted by reports of loss of fuel nozzle nut torque and nozzle support wear. The actions specified by the proposed AD are intended to prevent loss of fuel nozzle nut torque and nozzle support wear, which could result in a fuel leak and possible engine fire.

DATES: Comments must be received by June 30, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 97–ANE–59–AD, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may also be sent via the Internet using the following address: ''9-ad-engineprop@faa.dot.gov''. Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–6600, fax (860) 565–4503. This information may be examined at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, telephone (781) 238–7175, fax (781) 238–7199.

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 should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 97–ANE–59–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, New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 97–ANE–59–AD, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

On January 24, 1995, the Federal Aviation Administration (FAA) issued airworthiness directive AD 95–02–16, Amendment 39–9135 (60 FR 6654, February 3, 1995), applicable to Pratt & Whitney (PW) JT8D series turbofan engines, to require inspection of the No. 7 fuel nozzle and support assembly for evidence of fuel leakage and burning until replacement of the No. 7 fuel nozzle and support assembly with an improved sealing configuration. That AD also requires replacement of the aluminum oil tube fittings with steel fittings. In addition, that AD requires replacing an additional aluminum oil scavenge line bolt with a steel bolt. That action was prompted by reports of two uncontained engine fires due to fuel leakage from the No. 7 fuel nozzle and