

Proposed Rules

Federal Register

Vol. 63, No. 134

Tuesday, July 14, 1998

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-152-AD]

RIN 2120-AA64

Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain British Aerospace (Jetstream) Model 4101 airplanes, that currently requires an inspection to determine the data on the label of certain hose assemblies, and replacement of all hose assemblies from any discrepant batch with certain new hose assemblies. That AD was prompted by a report of the failure of a hose assembly in the fire extinguisher system of the engine nacelle due to cracks, caused during manufacture of the hose assemblies, in the swaged ferrule that attaches the hose to the end fitting. The actions specified by that AD are intended to ensure that such discrepant hose assemblies are replaced. Discrepant hose assemblies could fail and consequently prevent the proper distribution of fire extinguishing agent within the engine nacelle in the event of a fire. This action would require a one-time inspection for different data on the label of certain hose assemblies, and replacement of all hose assemblies from any discrepant batch with certain new hose assemblies. This action also would add airplanes to the applicability of the existing AD.

DATES: Comments must be received by August 13, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114,

Attention: Rules Docket No. 98-NM-152-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-152-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-152-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On July 9, 1997, the FAA issued AD 97-15-05, amendment 39-10078 (62 FR 38015, July 16, 1997), applicable to certain British Aerospace (Jetstream) Model 4101 airplanes, to require an inspection to determine the data on the label of certain hose assemblies, and replacement of all hose assemblies from any discrepant batch with certain new hose assemblies. That action was prompted by a report of the failure of a hose assembly in the fire extinguisher system of the engine nacelle on several in-service airplanes. Investigation revealed that the cause of such a failure was attributed to cracks in the swaged ferrule that attaches the hose to the end fitting. These cracks were apparently caused during the manufacture of two batches of hose assemblies. The labels of the failed hoses specified the following information: British Aerospace Regional Aircraft (BARA) part number 14191001-56 Issue F, the hose manufacturer (ICORE) part number YA006769 Issue 2, and batch number 9308-W038912 or batch number 9311-W040935. The requirements of that AD are intended to ensure that all hoses from the two discrepant batches are replaced. Discrepant hose assemblies could fail and consequently prevent the proper distribution of fire extinguishing agent within the engine nacelle in the event of a fire.

Actions Since Issuance of Previous Rule

Since issuance of that AD, the FAA has received another report of failure of a hose assembly in the fire extinguisher system of the engine nacelle on an in-service airplane. Although the label of that discrepant hose specified an ICORE part number and batch number identical to those of the previously described discrepant hoses, the BARA part number was specified as 14191001-56 Issue 3. Further investigation has revealed that BARA part number 14191001-56 may have any alpha or numeric Issue identifier.

Therefore, the inspection required by AD 97-15-05 may have failed to

identify all hose assemblies manufactured in the discrepant batches. In light of this, the FAA has determined that it is necessary to repeat the inspection required by AD 97-15-05 and look for different data on the labels of the hose assemblies.

Explanation of Relevant Service Information

The manufacturer has issued Jetstream Alert Service Bulletin J41-A26-007, Revision 1, dated May 21, 1997. The inspection and replacement procedures described in this alert service bulletin are essentially identical to those described in the original issue of the alert service bulletin, dated December 13, 1996 (which was referenced in AD 97-15-05 as the appropriate source of service information). However, Revision 1 of the alert service bulletin clarifies the data on the label of the discrepant batches of hose assemblies to enable operators to correctly identify the discrepant parts. In addition, this revision to the alert service bulletin adds four airplanes that also are subject to the addressed unsafe condition. Accomplishment of the actions specified in the alert service bulletin is intended to adequately address the identified unsafe condition. The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, classified this alert service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

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 Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, 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

supersede AD 97-15-05 to require a one-time inspection to determine the data on the label of certain hose assemblies, and replacement of all hose assemblies from any discrepant batch with certain new hose assemblies. The proposed AD also would add airplanes to the applicability of the existing AD. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Cost Impact

There are approximately 57 airplanes of U.S. registry that would be affected by this proposed AD.

The new inspection that is proposed in this AD would take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection proposed by this AD on U.S. operators is estimated to be \$3,420, or \$60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the current or 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 removing amendment 39-10078 (62 FR 38015, July 16, 1997), and by adding a new airworthiness directive (AD), to read as follows:

British Aerospace Regional Aircraft

[Formerly Jetstream Aircraft Limited; British Aerospace (Commercial Aircraft) Limited]; Docket 98-NM-152-AD. Supersedes AD 97-15-05, Amendment 39-10078.

Applicability: Model Jetstream 4101 airplanes, constructors numbers 41004 through 41100 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of hose assemblies, which could prevent the proper distribution of fire extinguishing agent within the engine nacelle in the event of a fire, accomplish the following:

(a) Within 30 days after the effective date of this AD, perform a one-time detailed visual inspection to determine the data on the label of the two hose assemblies having part number 14191001-56, in accordance with Jetstream Alert Service Bulletin J41-A26-007, Revision 1, dated May 21, 1997.

(1) If the data on any hose assembly are not identical to the data shown on either Label 1 or Label 2 of Figure 2 of the Accomplishment Instructions of the alert service bulletin, no further action is required by this AD.

(2) If the data on any hose assembly are identical to the data shown on either Label 1 or Label 2 of Figure 2 of the Accomplishment Instructions of the alert service bulletin, prior to the accumulation of

60 flight hours following accomplishment of the inspection required by paragraph (a) of this AD, replace the hose assembly with a new hose assembly that has different data on the identification label, in accordance with the alert service bulletin.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

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

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on July 7, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-18646 Filed 7-13-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-144-AD]

RIN 2120-AA64

Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Saab Model SAAB 2000 series airplanes. This proposal would require replacing the radio tuning units (RTU's) and associated components with new, improved parts. 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 NAV/COM radios from simultaneously changing tuned frequencies and transponder codes due to a black screen failure or "blanking" of an RTU, which could

result in loss of communications capability and air traffic control data.

DATES: Comments must be received by August 13, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 97-NM-144-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 Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. 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 97-NM-144-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. 97-NM-144-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Luftfartsverket (LFV), which is the airworthiness authority for Sweden, notified the FAA that an unsafe condition may exist on certain Saab Model SAAB 2000 series airplanes. The LFV advises that, in the event of a "blanking" (black screen) failure of a single radio tuning unit (RTU), the NAV/COM radios may change tuned radio frequencies and transponder codes. Such frequency and transponder code changes may occur on both left and right NAV/COM radios simultaneously. This condition, if not corrected, could result in loss of communications capability and air traffic control data.

The manufacturer of the RTU's reported that this "blanking" failure of an RTU is a design problem that was discovered during an investigation of a service difficulty on another airplane model. The RTU's installed on certain Saab Model SAAB 2000 series airplanes are the same type as those on the other airplane model. Therefore, Saab Model SAAB 2000 series airplanes may be subject to the same unsafe condition.

Explanation of Relevant Service Information

The manufacturer has issued Saab Service Bulletin 2000-23-017, dated March 10, 1997, which describes procedures for replacing existing RTU's and associated components with new, improved parts. The improved RTU's are not susceptible to frequency or transponder code changes due to a "blanking" failure. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The LFV classified this service bulletin as mandatory and issued Swedish airworthiness directive SAD 1-109, dated March 12, 1997, in order to assure the continued airworthiness of these airplanes in Sweden.

FAA's Conclusions

This airplane model is manufactured in Sweden 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 LFV has kept the FAA informed of