

# 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. 97-SW-41-AD]

#### Airworthiness Directives; Eurocopter France Model AS332C, L, and L1 Helicopters

**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 Eurocopter France (Eurocopter) Model AS332C, L, and L1 helicopters. This proposal would require the replacement of certain main rotor hub spindles (spindles) and flapping hinge pins (pins). This proposal is prompted by testing of aged frequency adapters, which shows that premature failure of the spindles and pins can occur due to increased loading from increased stiffness of the aged frequency adapters. The actions specified by the proposed AD are intended to prevent the loss of a main rotor blade and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before November 27, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-41-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. 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 Eurocopter France, Direction Technique Support, 13725 Marignane Cedex France. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region,

2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Mathias, Aerospace Engineer, FAA, Rotorcraft Directorate, 2601 Meacham Blvd, Fort Worth, Texas 76137, telephone 817-222-5123, fax 817-222-5961.

#### 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 No. 97-SW-41-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, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-41-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

##### Discussion

The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, recently notified the FAA that an unsafe condition may

exist on Eurocopter Model AS332C, L, and L1 helicopters. The DGAC advises that tests revealed that aging of the frequency adapters creates significantly higher than normal loads on the spindles and pins.

Eurocopter France has issued Eurocopter France Service Bulletin No. 01.00.44, dated March 26, 1996 (SB), which specifies the removal from service of certain unreinforced spindles and pins that have been in service with frequency adapters whose properties might have been modified by aging. The DGAC classified this SB as mandatory and issued DGAC AD 96-100-058(B), dated May 22, 1996, to ensure the continued airworthiness of these helicopters in France.

These helicopter models are manufactured in France 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter Model AS332C, L, and L1 helicopters of the same type design registered in the United States, the proposed AD would require removing and replacing spindles, P/N 332A31-1390-00 through -07 or 332A31-1398-00, and pins, P/N 332A31-1380—all dash numbers at specified time intervals. The actions would be required to be accomplished in accordance with paragraphs 2.B.1(a) through 2.B.1(d) and 2.B.2 of the SB previously described. Installation of a main rotor hub assembly that has been modified per Modification 332A07-43100 is a terminating action for the requirements of this AD.

The FAA estimates that four helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 4 work hours to accomplish the proposed actions and that the average labor rate is \$60 per work hour. Required parts would cost

approximately \$21,600. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$87,360.

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 a new airworthiness directive to read as follows:

**Eurocopter France:** Docket No. 97-SW-41-AD.

**Applicability:** Eurocopter France (Eurocopter) Model AS332C, L, and L1 helicopters with main rotor hub spindles (spindles), Part Number (P/N) 332A31-1390-00 through -07 or 332A31-1398-00 or flapping hinge pin (pin), P/N 332A31-1380—all dash numbers, installed, certificated in any category.

**Note 1:** This AD applies to each helicopter 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 helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (g) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent failure of the spindles or pins that could result in loss of a main rotor blade and subsequent loss of control of the helicopter, accomplish the following:

(a) For the spindles and pins that have never been overhauled, remove the spindles and pins and replace them with airworthy spindles and pins in accordance with paragraphs 2.B.1(a) through 2.B.1(d) and 2.B.2 of the Accomplishment Instructions of Eurocopter France Service Bulletin No. 01.00.44, dated March 26, 1996 (SB), as follows:

(i) Within 6 calendar months for spindles and pins that have been in service for 12 or more calendar years.

(ii) Within 18 calendar months for spindles and pins that have been in service for 8 or more calendar years but less than 12 calendar years.

(b) For the spindles and pins that have been overhauled at least once, remove the spindles and pins and replace them with airworthy spindles and pins in accordance with paragraphs 2.B.1(a) through 2.B.1(d) and 2.B.2 of the SB as follows:

(i) Within 3 calendar months for spindles and pins that have been in service for 6 or more calendar years since last overhaul.

(ii) Within 15 calendar months for spindles and pins that have been in service for 4 or more calendar years but less than 6 calendar years since last overhaul.

(c) Remove spindle, Serial Number (S/N) FR 25012, and pins, S/N's M 243, FR 139, FR 230, M 127, or M 112, and replace them with airworthy spindles and pins in accordance with paragraphs 2.B.1(a) through 2.B.1(d) and 2.B.2 of the SB within 6 calendar months.

(d) Remove spindle, S/N FR 25866, and replace it with an airworthy spindle in accordance with paragraphs 2.B.1(a) through 2.B.1(d) and 2.B.2 of the SB within 18 calendar months.

(e) This AD revises the Airworthiness Limitations Section of the Maintenance Manual by establishing a new retirement life of 8 calendar years for the spindles, P/N 332A31-1390-00 through -07 and 332A31-1398-00, and pins, P/N 332A31-1380—all dash numbers, except as otherwise specifically limited by this AD.

(f) Installation of a main rotor hub with modification 332A07-43100 constitutes

terminating action for the requirements of this AD.

(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, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

(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 helicopter to a location where the requirements of this AD can be accomplished.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 96-100-058-(B), dated May 22, 1996.

Issued in Fort Worth, Texas, on October 19, 1998.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 98-28661 Filed 10-26-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-290-AD]

RIN 2120-AA64

#### Airworthiness Directives; Dornier Model 328-100 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 Dornier Model 328-100 series airplanes. This proposal would require a one-time inspection to verify correct installation of the lockplates of the roll spoiler actuators, and corrective actions, if necessary. 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 fatigue cracking of the fork flanges of the roll spoiler actuators due to incorrect installation of the lockplates, which could result in reduced structural integrity of the