

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. 99-NM-237-AD]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Model BAe 146-100A, -200A, and -300A Series 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 Model BAe 146-100A, -200A, and -300A series airplanes, that currently requires either a one-time non-destructive test (NDT) inspection or a detailed visual inspection for cracking of the fuselage skin in the vicinity of frame 29 between stringers 12 and 13, and repair, if necessary. This action would require that the current thresholds for these inspections be reduced and that repetitive inspections be performed. 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 detect and correct fatigue cracking of the fuselage skin in the specified area, which could result in reduced structural integrity of the airplane.

DATES: Comments must be received by November 15, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-237-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 British Aerospace Regional Aircraft American Support, 13850 McLearn 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 99-NM-237-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.

99-NM-237-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On September 28, 1998, the FAA issued AD 98-21-06, amendment 39-10814 (63 FR 53550, October 6, 1998), applicable to certain British Aerospace Model BAe 146-100A, -200A, and -300A series airplanes, to require either a one-time non-destructive test (NDT) inspection or a visual inspection for cracking of the fuselage skin in the vicinity of frame 29 between stringers 12 and 13, and repair, if necessary. That action was prompted by issuance of mandatory continuing airworthiness information issued by a foreign civil airworthiness authority, which reported that, during routine inspections, fatigue cracking was found in the specified area. The requirements of that AD are intended to detect and correct fatigue cracking of the fuselage skin in the specified area, which could result in reduced structural integrity of the airplane.

Information Received Since Issuance of Previous AD

Since issuance of that AD, the FAA has been advised of new metallurgical analysis which necessitates changes to the current inspection thresholds and the addition of repetitive inspections.

Explanation of Relevant Service Information

Since the issuance of AD 98-21-06, British Aerospace has issued Service Bulletin SB.53-144, Revision 1, dated May 21, 1999. The inspection procedures described in this revision are identical to those described in the original service bulletin (which was referenced in AD 98-21-06). However, Revision 1 reduces the initial inspection thresholds.

The new revision also adds a closing action which advises operators to refer to a new Significant Structural Item (SSI) entry 53-20-160. The service bulletin and the SSI task recommend the same inspection and initial inspection threshold, but the SSI task also includes intervals for repetitive inspections. This SSI task is identified in the Model BAe 146 Maintenance Review Board (MRB) report.

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, classified Revision 1 of the 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 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 supersede AD 98-21-06 to require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletin

Operators should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of cracking conditions, this proposal would require the repair of those conditions to be accomplished in accordance with a method approved by either the FAA or the CAA (or its delegated agent). In light of the type of repair that would be required to address the identified unsafe condition, and in consonance with existing bilateral airworthiness agreements, the FAA has determined that, for this proposed AD, a repair approved by either the FAA or the CAA would be acceptable for compliance with this proposed AD.

Revision 1 of Service Bulletin SB.53-144 refers to the repetitive inspections identified in MRB new entry SSI 53-20-160, but does not explicitly require that these inspections be performed. The proposed AD would mandate these repetitive inspections directly.

Cost Impact

The FAA estimates that 23 airplanes of U.S. registry would be affected by this proposed AD.

For operators that elect to accomplish the visual inspection rather than the NDT inspection, it would take

approximately 6 work hours per airplane to accomplish it, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the visual inspection on U.S. operators is estimated to be \$360 per airplane, per inspection cycle.

For operators that elect to accomplish the NDT inspection rather than the visual inspection, it would take approximately 8 work hours per airplane to accomplish it, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the NDT inspection on U.S. operators is estimated to be \$480 per airplane, per inspection cycle.

The cost impact figures discussed above are 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.

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 39-10814 (63 FR 53550, November 10, 1998), and by adding the following new airworthiness directive:

British Aerospace Regional Aircraft

(Formerly British Aerospace Regional Aircraft Limited, Avro International Aerospace Division; British Aerospace, PLC; British Aerospace Commercial Aircraft Limited): Docket 99-NM-237-AD. Supersedes AD 98-21-06, Amendment 39-10814.

Applicability: Model BAe 146-100, -200, and -300 series airplanes; as listed in British Aerospace Service Bulletin SB.53-144, dated April 27, 1998, or Revision 1, dated May 21, 1999; 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 of the fuselage skin in the vicinity of frame 29 between stringers 12 and 13, which could result in reduced structural integrity of the airplane, accomplish the following:

Inspections

(a) Perform either a non-destructive test (NDT) inspection or a detailed visual inspection for cracking of the fuselage skin in the vicinity of frame 29 between stringers 12 and 13, in accordance with British Aerospace Service Bulletin SB.53-144, dated April 27, 1998, or Revision 1, dated May 21, 1999, at the earlier of the applicable times specified in paragraphs (a)(1) and (a)(2).

Note 2: The actions defined in the original issue and Revision 1 of the service bulletin are identical. However, the compliance times and effectivity groupings are different. Accomplishment of either revision level, at the earlier of the applicable compliance times of paragraphs (a)(1) and (a)(2) of this AD, is acceptable for compliance with the requirements of paragraph (a) of this AD.

Note 3: 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."

(1) For airplanes identified in the specified paragraph of Service Bulletin SB.53-144, dated April 27, 1998:

(i) Paragraph 1.D.(1)(a): Inspect prior to the accumulation of 12,000 total flight cycles, or within 1,000 flight cycles after November 10, 1998 (the effective date of AD 98-21-06, amendment 39-10814), whichever occurs later.

(ii) Paragraph 1.D.(1)(b): Inspect prior to the accumulation of 16,000 total flight cycles, or within 1,200 flight cycles after November 10, 1998, whichever occurs later.

(iii) Paragraph 1.D.(1)(c): Inspect prior to the accumulation of 13,500 total flight cycles, or within 1,000 flight cycles after November 10, 1998, whichever occurs later.

(iv) Paragraph 1.D.(1)(d): Inspect prior to the accumulation of 22,000 total flight cycles, or within 1,400 flight cycles after November 10, 1998, whichever occurs later.

(2) For airplanes in the applicable configuration specified in Table 1 of Service Bulletin SB.53-144, Revision 1, dated May 21, 1999:

(i) For Model BAe 146-100 airplanes on which Modification HCM00020P has not been accomplished: Inspect prior to the accumulation of 11,600 total flight cycles, or within 1,000 flight cycles after the effective date of this AD, whichever occurs later.

(ii) For Model BAe 146-100 airplanes on which Modification HCM00020P has been accomplished: Inspect prior to the accumulation of 14,500 total flight cycles, or within 1,200 flight cycles after the effective date of this AD, whichever occurs later.

(iii) For Model BAe 146-200 airplanes on which Modification HCM00021J has not been accomplished: Inspect prior to the accumulation of 12,600 total flight cycles, or within 1,000 flight cycles after the effective date of this AD, whichever occurs later.

(iv) For Model BAe 146-200 airplanes on which Modification HCM00021J has been accomplished: Inspect prior to the accumulation of 11,600 total flight cycles, or within 1,000 flight cycles after the effective date of this AD, whichever occurs later.

(v) For Model BAe 146-300 airplanes on which Modification HCM01000B has not been accomplished: Inspect prior to the accumulation of 17,200 total flight cycles, or within 1,400 flight cycles after the effective date of this AD, whichever occurs later.

(b) Repeat the inspections required by paragraph (a) of this AD at the intervals defined in Significant Structural Item (SSI) Task No. 53-20-160 as detailed in Section 6 of the BAe 146 Maintenance Review Board Report, Revision 5, dated November 1998.

Corrective Action

(c) If any cracking is detected during any inspection required by paragraph (a) or (b) of this AD, prior to further flight, repair in

accordance with a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Civil Aviation Authority (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM-116, as required by this paragraph, the manager's approval letter must specifically reference this AD.

Alternative Methods 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, International Branch, ANM-116. 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 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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.

Note 5: The subject of this AD is addressed in British airworthiness directive 005-04-98. Issued in Renton, Washington, on October 7, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-26868 Filed 10-13-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-80-AD]

RIN 2120-AA64

Airworthiness Directives; Raytheon Model BAe.125 Series 1000A and 1000B Airplanes and Model Hawker 1000 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 all Raytheon Model BAe.125 series 1000A and 1000B airplanes and Model Hawker 1000 series airplanes. This proposal would require an inspection to determine the integrity of the duct connection on both ends of the turbine air discharge duct in the air

conditioning system, an inspection to measure the bead height on the ends of the turbine air discharge duct; and corrective actions, if necessary. This proposal is prompted by reports indicating that the turbine air discharge duct disconnected from the cold air unit (CAU) or water separator due to insufficient bead height on the ends of the turbine air discharge duct. The actions specified by the proposed AD are intended to prevent such disconnection from the CAU or water separator, which could result in cabin depressurization.

DATES: Comments must be received by November 29, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-80-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 Raytheon Aircraft Company, Manager Service Engineering, Hawker Customer Support Department, P.O. Box 85, Wichita, Kansas 67201-0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas.

FOR FURTHER INFORMATION CONTACT: Paul C. DeVore, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4142; fax (316) 946-4407.

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.