

This incorporation by reference was 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

#### Effective Date

(g) This amendment becomes effective on November 20, 2001.

Issued in Renton, Washington, on October 4, 2001.

**Vi L. Lipski,**

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

[FR Doc. 01-25617 Filed 10-15-01; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-131-AD; Amendment 39-12468; AD 2001-20-19]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model MD-90-30 Series Airplanes

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model MD-90-30 series airplanes. This action requires a visual inspection for heat damage, arcing, and loose terminal screws of the ground service electrical circuit breaker panel, and corrective actions, if necessary. This action is necessary to prevent overheating or arcing of circuit breakers in the ground service electrical circuit breaker panel, which could result in damage to the circuit breaker, wiring, or surrounding insulation blankets, and consequent smoke or fire in the flightdeck. This action is intended to address the identified unsafe condition.

**DATES:** Effective October 31, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 31, 2001.

Comments for inclusion in the Rules Docket must be received on or before December 17, 2001.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-131-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. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-iarcomment@faa.gov. Comments sent via the Internet must contain "Docket No. 2001-NM-131-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** George Mabuni, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5341; fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:** The FAA has received a report indicating that an inspection to determine the cause of a popped circuit breaker revealed burn marks and a loose terminal screw at the bus bar side of a circuit breaker in the ground service electrical circuit breaker panel on a McDonnell Douglas Model MD-90-30 series airplane. Further inspection revealed that several more circuit breakers in the same circuit breaker panel were also found to have loose terminal screws. The loose terminal screws of the circuit breaker were attributed to incorrect reinstallation of electrical components after replacement of circuit breaker panel, which had misdrilled mounting holes during production. This condition, if not corrected, could result in damage to the circuit breaker, wiring,

or surrounding insulation blankets, and consequent smoke or fire in the flightdeck.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Alert Service Bulletin MD90-24A049, dated September 18, 1997, which describes procedures for a visual inspection of the circuit breakers of the ground service electrical circuit breaker panel located in the left console, for heat damage, arcing, or loose terminal screws. The alert service bulletin also describes procedures for replacing any circuit breaker having heat damage or evidence of arcing with a new circuit breaker, and tightening any loose terminal screw on the circuit breakers. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

#### Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to prevent damage to the circuit breaker, wiring, or surrounding insulation blankets due to overheating or arcing of the circuit breakers, which could result in smoke or fire in the flightdeck. This AD requires accomplishment of the actions specified in the service bulletin described previously.

#### Cost Impact

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 1 work hour to accomplish the required actions at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$60 per airplane.

#### Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic

impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and 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.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 2001-NM-131-AD." The postcard will be date stamped and returned to the commenter.

#### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 adding the following new airworthiness directive:

##### 2001-20-19 McDonnell Douglas:

Amendment 39-12468. Docket 2001-NM-131-AD.

**Applicability:** Model MD-90-30 series airplanes, as listed in McDonnell Douglas Alert Service Bulletin MD90-24A049, dated September 18, 1997; 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 overheating or arcing of circuit breakers in the ground service electrical circuit breaker panel, which could result in damage to the circuit breaker, wiring, or surround insulation blankets, and consequent smoke or fire in the flightdeck; accomplish the following:

#### Inspection and Corrective Actions, If Necessary

(a) Within 60 days after the effective date of this AD: Perform a general visual inspection of the circuit breakers and electrical terminals in the ground service electrical circuit breaker panel for heat damage, arcing, and loose terminal screws, per McDonnell Douglas Alert Service Bulletin MD90-24A049, dated September 18, 1997.

**Note 2:** For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

(1) If no heat damage, arcing, or loose terminal screw is detected, no further action is required by this AD.

(2) If any circuit breaker or terminal has heat damage or evidence of arcing is detected, before further flight, replace the circuit breaker with a new circuit breaker, per the alert service bulletin.

(3) If any terminal screw of the circuit breaker is loose, before further flight, tighten the screw, per the alert service bulletin.

#### Alternative Methods of Compliance

(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, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

#### Special Flight Permits

(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.

#### Incorporation by Reference

(d) The actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD90-24A049, dated September 18, 1997. This incorporation by reference was

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 Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### Effective Date

(e) This amendment becomes effective on October 31, 2001.

Issued in Renton, Washington, on October 5, 2001.

**Vi L. Lipski,**

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

[FR Doc. 01-25662 Filed 10-15-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-SW-36-AD; Amendment 39-12467; AD 2001-18-51]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Model SA.315B, SA.316C, SA 3180, SA 318B, SA 318C, SA.319B, SE.3160, and SA.316B Helicopters

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

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

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 2001-18-51, which was sent previously to all known U.S. owners and operators of Eurocopter France (ECF) Model SA.315B, SA.316C, SA 3180, SA 318B, SA 318C, SA.319B, SE.3160, and SA.316B helicopters by individual letters. This AD requires, within 10 hours time-in-service (TIS), inspecting the magnetic drain plug and the main gear box (MGB) filter for a rust-colored deposit, inspecting the MGB to determine the angular displacement on the MGB output flange, and periodically examining oil samples. If a rust-colored deposit is found on the drain plug or filter, if the oil is rust-colored, or if the angular displacement is 1 millimeter (0.039 inch) or more, this AD requires replacing the MGB with an airworthy

MGB before further flight. Repairing or overhauling the gearbox, or re-identifying certain gearboxes that have already been appropriately overhauled, is terminating action for the requirements of this AD. This AD is prompted by an accident of an ECF Model SA.315B helicopter that lost power to the tail rotor. The loss of power to the tail rotor was due to wear of the splines of the output bevel drive pinion in the MGB. The actions specified by this AD are intended to prevent a loose splined coupling, spline wear, loss of power to the tail rotor, and subsequent loss of control of the helicopter.

**DATES:** Effective October 31, 2001, to all persons except those persons to whom it was made immediately effective by Emergency AD 2001-18-51, issued on August 31, 2001, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 31, 2001.

Comments for inclusion in the Rules Docket must be received on or before December 17, 2001.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2001-SW-36-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: [9-asw-adcomments@faa.gov](mailto:9-asw-adcomments@faa.gov).

The applicable service information may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Uday Garadi, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0110, telephone (817) 222-5123, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** On August 31, 2001, the FAA issued Emergency AD 2001-18-51, for ECF Model SA.315B, SA.316C, SA 3180, SA 318B, SA 318C, SA.319B, SE.3160, and SA.316B helicopters, which requires, within 10 hours TIS, inspecting the magnetic drain plug and the MGB filter for a rust-colored deposit, inspecting the MGB to

determine the angular displacement on the MGB output flange, and periodically examining oil samples. If a rust-colored deposit is found on the drain plug or filter, if the oil is rust-colored, or if the angular displacement is 1 millimeter (0.039 inch) or more, the AD requires replacing the MGB with an airworthy MGB before further flight. Repairing or overhauling the gearbox, or re-identifying certain gearboxes that have already been appropriately overhauled, is terminating action for the requirements of the AD. That action was prompted by an accident of an ECF Model SA.315B helicopter that lost power to the tail rotor. The loss of power to the tail rotor was due to wear of the splines of the output bevel drive pinion in the MGB. An overhaul and repair shop used an unauthorized sealant that led to spline wear. This condition, if not corrected, could result in a loose splined coupling, spline wear, loss of power to the tail rotor, and subsequent loss of control of the helicopter.

Eurocopter has issued Alert Service Bulletin Nos. 05.40 and 05.99, both dated August 7, 2001, which specify checking the wear rate of the lower pinion-to-MGB vertical shaft bevel gear housing coupling splines. The Direction Generale de L'Aviation Civile (DGAC), which is the airworthiness authority for France, classified these service bulletins as mandatory and issued ADs T2001-366-059(A), T2001-367-062(A), and T2001-368-045(A), all dated August 13, 2001, to ensure the continued airworthiness of these helicopters in France.

Since the unsafe condition described is likely to exist or develop on other ECF Model SA.315B, SA.316C, SA 3180, SA 318B, SA 318C, SA.319B, SE.3160, and SA.316B helicopters of the same type designs, the FAA issued Emergency AD 2001-18-51 to prevent a loose splined coupling, spline wear, loss of power to the tail rotor, and subsequent loss of control of the helicopter. The AD requires the following at specified hours TIS:

- If appropriate, re-identify the MGB. Appropriately re-identifying certain MGBs is terminating action for the requirements of this AD.
- Inspect the magnetic drain plug and the MGB filter for a rust-colored deposit. Inspect the MGB to determine the angular displacement on the MGB output flange.
- If a rust-colored deposit is found or if the angular displacement is 1 millimeter (0.039 inch) or more, replace the MGB with an airworthy MGB before further flight.