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. 95–NM–263–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes, Excluding Model A300–600 Series Airplanes

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 Airbus Model A300 B2 and B4 series airplanes, that currently requires repetitive visual inspections to detect cracks in the forward intermediate section skin at frame 30A where it joins stringer 30, and repair, if necessary. This action would add eddy current inspection(s) to detect cracks of the outer skin of the fuselage, which would terminate the repetitive detailed visual inspections. This action also would require repair of any cracked area and modification of the structure at certain frames. This proposal is prompted by in-service experience which has identified fatigue cracks in this area. The actions specified by the proposed AD are intended to prevent fatigue cracking, which could result in rapid decompression of the airplane.

DATES: Comments must be received by June 10, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–263–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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 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 95–NM–263–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–103, Attention: Rules Docket No. 95–NM–263–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On May 15, 1990, the FAA issued AD 90–11–09, amendment 39–6611 (55 FR 21185, May 23, 1990), applicable to certain Airbus Model A300 B2 and B4 series airplanes, to require repetitive visual inspections to detect cracks in the forward intermediate section skin at frame 30A where it joins stringer 30, and repair, if necessary. That action was prompted by in-service experience which identified fatigue cracks in this area. The requirements of that AD are intended to prevent rapid decompression of the airplane, as a result of the problems associated with fatigue cracking.

In the preamble to that AD, the FAA indicated that the actions required by that AD were considered ‘‘interim action’’ and that further rulemaking action was being considered. The FAA now has determined that further rulemaking action is indeed necessary, and this proposed AD follows from that determination.

Explanation of New Service Information

Since the issuance of AD 90–11–09, Airbus has issued Service Bulletin A300–53–283, Revision 2, dated March 17, 1994. The service bulletin describes procedures for eddy current inspection(s) to detect cracks of the outer skin of the fuselage at frames 28A and 30A above stringer 30, which would eliminate the need for the repetitive detailed visual inspections. The service bulletin also describes procedures for repairing the cracked area with a filler and doubler installation. In addition, the service bulletin permits further flight, under certain conditions, with outer skin that is cracked within certain limits.

Airbus has also issued Service Bulletin A300–53–285, Revision 1, dated November 22, 1993, which describes procedures for modification of the structure at frames 28A and 30A between stringers 27 and 30 (left- and right-hand). The modification involves cutting the frames and installing strips, fillers, couplings, sections, sheets, and angles at the subject area. Accomplishment of the modification will eliminate possible cracking in the outer skin of the fuselage at frames 28A and 30A, and would positively address the unsafe condition identified as rapid

decompression of the airplane due to fatigue cracking.

The DGAC has approved these service bulletin and issued French airworthiness directive 90–093–110(B)R1, dated September 30, 1990, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

This airplane model is manufactured in France 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 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.

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 90–11–09 to continue to require repetitive detailed visual inspections to detect cracks of the forward intermediate section skin of the fuselage at the junction of frame 30A and stringer 30.

However, this proposal would add a requirement to accomplish eddy current inspections to detect cracks of the outer skin of the fuselage at frames 28A and 30A above stringer 30. This inspection action would constitute terminating action for the repetitive detailed visual inspections.

The proposed AD also would require repair of any cracked area, and modification of the structure at frames 28A and 30A between stringer 27 and 30 (left- and right-hand).

The actions would be required to be accomplished in accordance with the service bulletins described previously.

Differences Between Service Information and Proposed Rule

Operators should note that, unlike the procedures described in Airbus Service Bulletin A300–53–283, this proposed AD would not permit further flight with cracking detected in the outer skin within certain limits under certain conditions. The FAA has determined that, due to the safety implications and consequences associated with such cracking, the subject outer skin that is found to be cracked must be repaired.

Operators should also note that the proposed AD would differ from Airbus Service Bulletin A300–53–283 in that it would require the initial eddy current inspection to be accomplished prior to the accumulation of 14,100 total landings or 22,000 flight hours after the effective date of this AD, whichever occurs first. (The service bulletin recommends that the limited inspection be conducted prior to the accumulation of 18,000 flight or 24,000 flight hours, whichever occurs first.) In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the susceptibility of the outer skin of the fuselage to fatigue cracking, which could result in rapid decompression of the airplane. The FAA has also received reports of fatigue cracking on affected airplanes that had accumulated as few as 14,100 total flight cycles. In consideration of these items, the FAA finds that the initial eddy current inspection conducted at the proposed compliance time stated previously will better ensure that any detrimental effect associated with fatigue cracking will be identified and corrected prior to the time that it could adversely affect the outer skin of the fuselage.

Furthermore, the FAA has determined that 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 modification requirement is in consonance with these conditions.

Cost Impact

There are approximately 24 Airbus Model A300 B2 and B4 series airplanes, excluding Model A300–600 series airplanes, of U.S. registry would be affected by this proposed AD.

The detailed visual inspections that are currently required by AD 90–11–09 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 on U.S. operators of the detailed visual inspections currently required is estimated to be $1,440, or $60 per airplane, per inspection cycle.

The eddy current inspection that is proposed in this new AD action 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 on U.S. operators of the proposed eddy current inspection requirements of this AD is estimated to be $1,440, or $60 per airplane, per inspection cycle.

The modification that is proposed in this new AD action would take approximately 270 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts would cost approximately $7,200 per airplane. Based on these figures, the cost impact on U.S. operators of the proposed modification requirements of this AD is estimated to be $561,600, or $23,400 per airplane.

The cost impact figures discussed above are 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–6611 (55 FR 21185, May 23, 1990), and by adding a new airworthiness directive (AD), to read as follows:

Airbus Industrie: Docket 95–NM–263–AD. Supersedes AD 90–11–09, Amendment 39–6611.

Applicability: Model A300 B2 and B4 series airplanes, 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 otherwise 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 (f) 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.

Note 2: Airbus Model A300–600 series airplane are not subject to this AD.

To prevent fatigue cracking, which could result in rapid decompression of the airplane, accomplish the following:

(a) For airplanes on which Airbus All Operators Telex (AOT) 53/90/01, dated April 12, 1990 has been accomplished: Prior to the accumulation of 18,000 total landings or 24,000 total hours time-in-service, whichever occurs first, or within 100 landings after June 11, 1990 (the effective date of AD 90–11–09, amendment 39–6611), whichever occurs later, perform a detailed visual inspection to detect cracks of the forward intermediate section skin of the fuselage at the junction of frame 30A and stringer 30, in accordance with Airbus All Operators Telex 53/90/01, dated April 12, 1990.

(1) If no cracks are detected, repeat the detailed visual inspection thereafter at intervals not to exceed 2,000 landings until the requirements of paragraph (b) of this AD are accomplished.

(2) If any crack is detected, prior to further flight, repair it in accordance with the AOT. After any crack is repaired, prior to the accumulation of 15,000 total landings or 20,000 total hours time-in-service, whichever occurs first, repeat the detailed visual inspection until the requirements of paragraph (b) of this AD are accomplished.

(b) For all airplanes: Perform an eddy current inspection to detect cracks of the outer skin of the fuselage at frames 28A and 30A above stringer 30, in accordance with Airbus Service Bulletin A300–53–283, Revision 2, dated March 17, 1994, at the time specified in either paragraph (b)(1) or (b)(2) of this AD, as applicable. Accomplishment of the eddy current inspection terminates the repetitive visual inspection requirements of paragraph (a) of this AD.

(1) For airplanes on which the requirements of paragraph (a) of this AD have been initiated: Perform the eddy current inspection prior to the accumulation of 2,000 landings since the last inspection performed in accordance with paragraph (a) of this AD, or within 100 landings after the effective date of this AD, whichever occurs later.

(2) For airplanes other than those identified in paragraph (b)(1) of this AD: Perform the eddy current inspection at the later of the times specified in paragraph (b)(2)(i) or (b)(2)(ii):

(i) Prior to the accumulation of 14,100 total landings or 22,000 total flight hours after the effective date of this AD, whichever occurs first; or

(ii) Within 100 landings after the effective date of this AD.

(c) If no crack is detected during the eddy current inspection required by paragraph (b) of this AD, repeat the eddy current inspection thereafter at intervals not to exceed 3,000 landings.

(d) If any crack is detected during any eddy current inspection required by this AD, prior to further flight, repair it in accordance with Airbus All Operators Telex 53/90/01, dated April 12, 1990, or Airbus Service Bulletin A300–53–283, Revision 2, dated March 17, 1994. After accomplishing the repair, within 15,000 landings or 20,000 flight hours after repair, whichever occurs first, modify the structure at frames 28A and 30A between stringers 27 and 30 (left- and right-hand), in accordance with Airbus Service Bulletin A300–53–285, Revision 1, dated November 22, 1993. Accomplishment of this reinforcement constitutes terminating action for this AD.

(e) Except for airplanes on which the repair required by paragraph (d) of this AD has been accomplished: Modify the structure at frames 28A and 30A between stringers 27 and 30 (left- and right-hand), in accordance with Airbus Service Bulletin A300–53–285, Revision 1, dated November 22, 1993, at the later of the times specified in paragraphs (e)(1) or (e)(2) of this AD. Accomplishment of this modification constitutes terminating action for the eddy current inspection requirements of paragraph (c) of this AD.

(1) Prior to the accumulation of 25,000 total landings or 40,000 total flight hours, whichever occurs first.

(2) Within 1,000 landings after the effective date of this AD.

(f) 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, Standardization Branch, ANM–113, 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, Standardization Branch, ANM–113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(g) 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, 1996.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–10625 Filed 4–29–96; 8:45 am]

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14 CFR Part 39

[Docket No. 96–NM–36–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–100 and –200 Series Airplanes, and Model 747–100, –200, –300, and –SP 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 Boeing Model 737 and 747 series airplanes. This proposal would require replacement of Waterman hydraulic fuse assemblies with modified assemblies. This proposal is prompted by reports of failure of hydraulic system A and the standby system due to corrosion on the magnesium piston of the hydraulic fuse and consequent failure of the fuse to close sufficiently to prevent the loss of hydraulic fluid from the system. The actions specified by the proposed AD are intended to prevent such failure of the fuse, which could result in the failure of one or more hydraulic systems and resultant reduced controllability of the airplane.

DATES: Comments must be received by June 10, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–