DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–257–AD; Amendment 39–10526; AD 98–10–14]

RIN 2120–AA64

Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to all Lockheed Model L–1011–385 series airplanes, that currently requires various types of inspections to detect fatigue cracking of certain areas of the rear spar caps, web, skin, and certain fastener holes; and repair or modification, if necessary. This amendment reduces the repetitive inspection interval for all of the currently required inspections, except for the X-ray inspections. It also revises the terminating modification provision for some airplanes. This amendment is prompted by reports of cracks found during the currently required inspections, which had progressed to lengths greater than predicted. The actions specified by this AD are intended to ensure that fatigue cracking is detected and corrected in a timely manner before it can lead to rupture of the rear spar, extensive damage to the wing, and spillage of fuel.

DATES: Effective June 19, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 19, 1998.

The incorporation by reference of certain other publications, as listed in the regulations, was approved previously by the Director of the Federal Register as of May 15, 1996 (61 FR 16379, April 15, 1996).

ADDRESSES: The service information referenced in this AD may be obtained from Lockheed Aeronautical Systems Support Company (LASSC), Field Support Department, Dept. 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, ACE–116A, Atlanta Aircraft Certification Office, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Thomas Peters, Aerospace Engineer, Systems and Flight Test Branch, ACE–116A, FAA, Small Airplane Directorate, Atlanta Aircraft Certification Office, One Atlanta Aircraft Certification Office, Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30337–2748; telephone (770) 703–6067; fax (770) 703–6097.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 96–07–13, amendment 39–9563 (61 FR 16379, April 15, 1996), which is applicable to all Lockheed Model L–1011–385 series airplanes, was published in the **Federal Register** on April 1, 1997 (62 FR 15429). That action proposed to supersede AD 96–07–13 to continue to require various types of inspections to detect fatigue cracking of certain areas of the rear spar caps, web, skin, and certain fastener holes; and repair or modification, if necessary. That action also proposed to reduce the repetitive inspection interval for all of the currently required inspections, except for the X-ray inspections. Additionally, it proposed to revise the terminating modification provision for some airplanes.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Support for the Proposal

Three commenters support the proposed rule.

Require Compliance With New Service Information

One commenter, the manufacturer, requests that the proposal require compliance with Revision 6 of Lockheed L–1011 Service Bulletin 093–57–203, rather than Revision 5, as cited in the proposal. The manufacturer advises that Revision 6 of the service bulletin contains significant clarification and simplifies the proposed inspections, which will enable operators to perform the proposed inspections in a correct and efficient manner. Further, the manufacturer notes that Revision 6 of the service bulletin contains no additional procedures to be accomplished, and therefore would pose no additional burden on any operator.

The FAA concurs. Since the issuance of the proposed rule, the FAA has reviewed and approved Lockheed L–1011 Service Bulletin 093–57–203, Revision 6, dated August 18, 1997. The FAA finds that accomplishment of certain requirements of this AD in accordance with Revision 5 of the subject service bulletin adequately addresses the unsafe condition. Therefore, the FAA has revised the final rule to require compliance in accordance with Revision 6 of the service bulletin.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 236 Model L–1011–385 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 118 airplanes of U.S. registry will be affected by this AD.

The actions that are currently required by AD 96–07–13 will take approximately 64 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. [This work hour estimate assumes that X-ray inspections are done of both upper and lower caps, and that the ultrasonic inspection indicates cracking in each of five bolt holes (per wing), thus requiring subsequent bolt hole eddy current inspections to confirm crack findings. The estimate includes inspections of both wings.] Based on these figures, the cost impact on U.S. operators of the proposed inspection requirements of this AD is estimated to be $453,120, or $3,840 per airplane, per inspection cycle. This new AD action adds no new costs to affected operators.

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 adopted herein will 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 final rule does not have sufficient federalism

implications to warrant the preparation of a Federalism Assessment.

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 removing amendment 39–9563 (61 FR 16379, April 15, 1996), and by adding a new airworthiness directive (AD), amendment 39–10526, to read as follows:

98–10–14 Lockheed: Amendment 39–10526. Docket 96–NM–257–AD. Supersedes AD 96–07–13, Amendment 39–9563.

Applicability: All Model L–1011–385–1, L–1011–385–3, L–1011–385–1–14, and L–1011–385–1–15 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 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 (c) 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 rupture of the rear spar due to the problems associated with fatigue cracking, which could result in extensive damage to the wing and fuel spillage, accomplish the following:

Note 2: The inspections and follow-on actions described in Lockheed L–1011 Service Bulletin 093–57–203 include:

—repetitive X-ray (radiographic) inspections;
—repetitive eddy current surface scan inspections;
—bolt hole eddy current inspections at various locations;
—repetitive ultrasonic inspections in conjunction with eddy current surface scan inspections (for certain airplanes); and
—repetitive low frequency eddy current ring probe inspections.

(a) *For airplanes on which the inspections and follow-on actions required by AD 96–07–13, amendment 39–9563, have been initiated prior to the effective date of this AD:* At the times specified in Table I of Lockheed L–1011 Service Bulletin 093–57–203, Revision 4, dated March 27, 1995; or within 6 months after May 15, 1996 (the effective date of AD 96–07–13, amendment 39–9563), whichever occurs later: Perform initial inspections and various follow-on actions to detect cracking in the areas specified in, at the times indicated in, and in accordance with Lockheed L–1011 Service Bulletin 093–57–203, Revision 4, dated March 27, 1995, or Revision 6, dated August 18, 1997.

(1) If no cracking is found, repeat the repetitive inspections and follow-on actions in accordance with Table I of the Lockheed service bulletin. As of the effective date of this AD, these actions shall be repeated at the times specified only in accordance with Table 1 of Revision 6 of the Lockheed service bulletin. To avoid unnecessary grounding of airplanes that are currently being inspected in accordance with the schedule specified in Revision 4 of the Lockheed service bulletin, the next repeated action that is to be accomplished after the effective date of this AD shall be performed at the time specified in Table I of Revision 6 of the Lockheed service bulletin, or within 30 days after the effective date of this AD, whichever occurs later.

(2) If any finding of cracking is confirmed, prior to further flight, accomplish paragraph (a)(2)(i), (a)(2)(ii), or (a)(2)(iii) of this AD.

(i) Repair the cracked area in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Thereafter, perform the repetitive inspections and follow-on actions as specified in paragraph (a)(1) of this AD.

(ii) Repair the rear spar upper and lower caps between IWS 228 and 346 in accordance with the Lockheed Model L–1011 Structural Repair Manual. Thereafter, perform the repetitive inspections and follow-on actions required by paragraph (a)(1) of this AD. Or

(iii) Modify the rear spar upper and lower caps and web in accordance with the applicable Lockheed service bulletin listed in this paragraph, below. Accomplishment of the modification constitutes terminating action for the requirements of this AD.

—Lockheed L–1011 Service Bulletin 093–57–184, Revision 7, dated December 6, 1994, as amended by Change Notification 093–57–184, R7–CN1, dated August 22, 1995; or
—Lockheed L–1011 Service Bulletin 093–57–196, Revision 6, dated December 6, 1994, as amended by Change Notification 093–57–196, R6–CN1, dated August 22, 1995; or
—Lockheed L–1011 Service Bulletin 093–57–215, dated April 11, 1996. Modification of Model L–1011–385–3 airplanes must be accomplished in accordance with this service bulletin.

Note 3: Accomplishment of the modification specified in paragraph (a)(2)(iii) of this AD prior to the effective date of this AD in accordance with the following Lockheed service bulletins, as applicable, is considered to be in compliance with this paragraph:

- Lockheed L–1011 Service Bulletin 093–57–184, Revision 6, dated October 28, 1991;
- Lockheed L–1011 Service Bulletin 093–57–184, Revision 7, dated December 6, 1994;
- Lockheed L–1011 Service Bulletin 093–57–196, Revision 5, dated October 28, 1991; or
- Lockheed L–1011 Service Bulletin 093–57–196, Revision 6, dated December 6, 1994.

(b) *For airplanes on which the inspections and follow-on actions required by AD 96–07–13, amendment 39–9563, have not been initiated prior to the effective date of this AD:* At the times specified in Table I of Lockheed L–1011 Service Bulletin 093–57–203, Revision 6, dated August 18, 1997; or within 30 days after the effective date of this AD; whichever occurs later: Perform initial inspections and various follow-on actions to detect cracking in the areas specified in, at the times indicated in, and in accordance with Lockheed L–1011 Service Bulletin 093–57–203, Revision 6, dated August 18, 1997.

(1) If no cracking is found: Repeat the inspections and follow-on actions in accordance with the times specified in Table I of Revision 6 of the Lockheed service bulletin.

(2) If any finding of cracking is confirmed: Prior to further flight, accomplish either paragraph (b)(2)(i), (b)(2)(ii), or (b)(2)(iii) of this AD.

(i) Repair the cracked area in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Thereafter, perform the repetitive inspections and follow-on actions at the times specified in Table 1 of Revision 6 of the Lockheed service bulletin. Or

(ii) Repair the rear spar upper and lower caps between IWS 228 and 346 in accordance with the Lockheed Model L–1011 Structural Repair Manual. Thereafter, perform the repetitive inspections and follow-on actions at the times specified in Table 1 of Revision 6 of the Lockheed service bulletin. Or

(iii) Modify the rear spar upper and lower caps and web in accordance with paragraph (a)(2)(iii) of this AD.

(c) 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, Atlanta ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add

comments and then send it to the Manager, Atlanta ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(d) 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.

(e) Except as provided by paragraph (a)(2)(i), (a)(2)(ii), (b)(2)(i), and (b)(2)(ii) of this AD, the actions shall be done in accordance with Lockheed L–1011 Service Bulletin 093–57–203, Revision 4, dated March 27, 1995; Lockheed L–1011 Service Bulletin 093–57–203, Revision 6, dated August 18, 1997; Lockheed L–1011 Service Bulletin 093–57–184, Revision 7, dated December 6, 1994, as amended by Change Notification 093–57–184, R7-CN1, dated August 22, 1995; Lockheed L–1011 Service Bulletin 093–57–196, Revision 6, dated December 6, 1994, as amended by Change Notification 093–57–196, R6–CN1, dated August 22, 1995; and Lockheed L–1011 Service Bulletin 093–57–215, dated April 11, 1996.

(1) The incorporation by reference of Lockheed L–1011 Service Bulletin 093–57–203, Revision 6, dated August 18, 1997; and Lockheed L–1011 Service Bulletin 093–57–215, dated April 11, 1996; is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Lockheed L–1011 Service Bulletin 093–57–184, Revision 7, dated December 6, 1994, as amended by Change Notification 093–57–184, R7–CN1, dated August 22, 1995; Lockheed L–1011 Service Bulletin 093–57–196, Revision 6, dated December 6, 1994, as amended by Change Notification 093–57–196, R6–CN1, dated August 22, 1995; and Lockheed L–1011 Service Bulletin 093–57–203, Revision 4, dated March 27, 1995, was approved previously by the Director of the Federal Register as of May 15, 1996 (61 FR 16379, April 15, 1996).

(3) Copies may be obtained from Lockheed Aeronautical Systems Support Company (LASSC), Field Support Department, Dept. 693, Zone 0755, 2251 Lake Park Drive, Smyrna, Georgia 30080. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Systems and Flight Test Branch, ACE–116A, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on June 19, 1998.

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

John J. Hickey,

Acting Manager, Transport Airplane Directorate Aircraft Certification Service.

[FR Doc. 98–12808 Filed 5–14–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–54–AD; Amendment 39–10525; AD 98–10–13]

RIN 2120–AA64

Airworthiness Directives; Dornier Model 328–100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328–100 series airplanes, that requires modification of the aft avionic fan. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent failure of the aft avionic fan due to inadequate cooling airflow through the fan housing, which could result in failure of the avionics equipment.

DATES: Effective June 19, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 19, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from FAIRCHILD DORNIER, DORNIER Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

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: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Dornier Model 328–100 series airplanes was published in the **Federal Register** on March 12, 1998 (63 FR 12042). That action proposed to require modification of the aft avionic fan.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 50 airplanes of U.S. registry will be affected by this AD, that it will take approximately 9 work hours per airplane to accomplish the required modification, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the modification required by this AD on U.S. operators is estimated to be $27,000, or $540 per airplane.

The cost impact figure discussed above is 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 adopted herein will 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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.