

# 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. 2002-CE-26-AD]

RIN 2120-AA64

#### Airworthiness Directives; Raytheon Aircraft Company Model 1900D Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Raytheon Model 1900D airplanes. This proposed AD would require you to accomplish a one-time inspection for missing rivets on certain areas of the airplane and, if necessary, install rivets. This proposed AD is the result of Raytheon identifying several instances of missing rivets on these airplanes. The actions specified by this proposed AD are intended to detect and correct an understrength condition in the fuselage, which could result in the failure of the fuselage. Such failure could lead to loss of control of the airplane in flight.

**DATES:** The Federal Aviation Administration (FAA) must receive any comments on this proposed rule on or before March 3, 2003.

**ADDRESSES:** Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002-CE-26-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also send comments electronically to the following address: 9-ACE-7-Docket@faa.gov. Comments sent electronically must contain "Docket No. 2002-CE-26-AD" in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in

Microsoft Word 97 for Windows or ASCII text.

You may get service information that applies to this proposed AD from Raytheon Aircraft Company, 9709 E. Central, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140. You may also view this information at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steven E. Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4124; facsimile: (316) 946-4407.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

*How do I comment on this proposed AD?* The FAA invites comments on this proposed rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date. We may amend this proposed rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of this proposed AD action and determining whether we need to take additional rulemaking action.

*Are there any specific portions of this proposed AD I should pay attention to?* The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this proposed rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each contact we have with the public that concerns the substantive parts of this proposed AD.

*How can I be sure FAA receives my comment?* If you want FAA to acknowledge the receipt of your mailed comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2002-CE-26-AD." We will date stamp and mail the postcard back to you.

#### Discussion

*What events have caused this proposed AD?* The FAA has received reports from Raytheon that during manufacturing rivets were not installed in the following locations:

- Lower frame forward of the airstair door below the pilot's floor;
- Forward of the upper forward corner of the airstair door;
- The bulkhead forward of the cargo door below floor level; and
- The lower fuselage panel aft of the wing.

These rivets must be installed for the fuselage to carry the ultimate design load. Without the rivets, these areas are understrength.

*What are the consequences if the condition is not corrected?* The understrength condition in the fuselage could result in the failure of the fuselage. Such failure could lead to loss of control of the airplane in flight.

*Is there service information that applies to this subject?* Raytheon has issued Service Bulletin No. SB 53-3046, Issued: February 2002.

*What are the provisions of this service information?* The service bulletin includes procedures for:

- Inspecting for missing rivets; and
- Installing rivets.

#### The FAA's Determination and an Explanation of the Provisions of This Proposed AD

*What has FAA decided?* After examining the circumstances and reviewing all available information related to the incidents described above, we have determined that:

- The unsafe condition referenced in this document exists or could develop on other Raytheon Model 1900D airplanes of the same type design;
- The actions specified in the previously-referenced service information should be accomplished on the affected airplanes; and
- AD action should be taken in order to correct this unsafe condition.

*What would this proposed AD require?* This proposed AD would require you to incorporate the actions in the previously-referenced service bulletin.

#### Cost Impact

*How many airplanes would this proposed AD impact?* We estimate that this proposed AD affects 370 airplanes in the U.S. registry.

What would be the cost impact of this proposed AD on owners/operators of the affected airplanes? We estimate the following costs to accomplish the proposed inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
8 workhours x \$60 per hour = \$480 .....	No parts required .....	\$480	\$480 x 370 = \$177,600

We estimate the following costs to accomplish any necessary rivet installation that would be required

based on the results of the proposed inspection. We have no way of

determining the number of airplanes that may need such installation:

Labor cost	Parts cost	Total cost per airplane
15 workhours x \$60 per hour = \$900 .....	\$25	\$925

**Compliance Time of This Proposed AD**

What would be the compliance time of this proposed AD? The compliance time of this proposed AD is within the next 1,200 hours time-in-service (TIS) or 1 year after the effective date of this AD, whichever occurs first.

Why is the compliance time of this proposed AD presented in both hours TIS and calendar time? The usage of these airplanes varies widely because operators or lessors are cycling these airplanes between airplane storage and flight operations. However, the unsafe condition on these airplanes is not a result of the number of times the airplane is operated. Airplane operation varies among operators. For example, one operator may utilize the airplane 50 hours TIS in 3 months, while it may take another operator 12 months or more to accumulate 50 hours TIS. For this reason, FAA has determined that the compliance time of the proposed AD should be specified in both hours TIS and calendar time in order to ensure this condition is not allowed to go uncorrected over time.

**Regulatory Impact**

Would this proposed AD impact various entities? The regulations proposed herein would 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 proposed rule would not have federalism implications under Executive Order 13132.

Would this proposed AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this proposed 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) 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 has been placed 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, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**Raytheon Aircraft Company:** Docket No. 2002-CE-26-AD'

(a) *What airplanes are affected by this AD?* This AD affects Model 1900D airplanes, that are certificated in any category, with the following serial numbers: UE-1 through UE-50, UE-52 through UE-350, UE-352 through UE-358, UE-360, UE-361, UE-363 through UE-369, UE-371 through UE-379, UE-381, UE-382, UE-385, UE-386, and UE-394.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to detect and correct an understrength condition in the fuselage, which could result in the failure of the fuselage. Such failure could lead to loss of control of the airplane in flight.

(d) *What actions must I accomplish to address this problem?* To address this problem, you must accomplish the following:

Actions	Compliance	Procedures
(1) Inspect for missing rivets in the following locations:  (i) Lower frame forward of the airstair door below the pilot's floor; (ii) Forward of the upper forward corner of the airstair door; (iii) The bulkhead forward of the cargo door below floor level; and (iv) The lower fuselage panel aft of the wing.	Within the next 1,200 hours time-in-service (TIS) or 1 year after the effective date of this AD, whichever occurs first.	In accordance with the Accomplishment Instructions of Raytheon Aircraft Mandatory Service Bulletin No.: SB 53-3046, Issued: February 2002.

Actions	Compliance	Procedures
(2) Install rivets where rivets are found missing	Prior to further flight after the inspection required in paragraph (d)(1) of this AD.	In accordance with the Accomplishment Instructions of Raytheon Aircraft Mandatory Service Bulletin No.: SB 53-3046, Issued: February 2002.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

- (1) Your alternative method of compliance provides an equivalent level of safety; and
- (2) The Manager, Wichita Aircraft Certification Office (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

**Note:** This AD applies to each airplane identified in paragraph (a) of this AD, 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Mr. Steven E. Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4124; facsimile: (316) 946-4407.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may get copies of the documents referenced in this AD from Raytheon Aircraft Company, 9709 E. Central, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140.

You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on December 23, 2002.

**James E. Jackson,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 02-32890 Filed 12-30-02; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-SW-45-AD]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Model AS332C, C1, L, and L1 Helicopters

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes adopting a new airworthiness directive (AD) for Eurocopter France (Eurocopter) Model AS332C, C1, L, and L1 helicopters. This proposal would require inspecting the main gearbox bevel gear (bevel gear) for a crack using a borescope. This proposal is prompted by a crack that was detected on a bevel gear during a main gearbox teardown inspection. The actions specified by this proposed AD are intended to detect a bevel gear crack and prevent failure of the bevel gear, loss of torque to the main rotor system, and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before March 3, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2002-SW-45-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). Comments may be inspected at the Office of the Regional Counsel between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

#### 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:

##### 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 will be considered before taking action on the proposed rule. The proposals contained in this document 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 mailed comments submitted in response to this proposal must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 2002-SW-45-AD." The postcard will be date stamped and returned to the commenter.

##### Discussion

The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Eurocopter Model AS332C, C1, L, and L1 helicopters, equipped with main gearbox main reduction gear modules, part numbers (P/N) 332A32-2027-00 or 332A32-2026-00, containing bevel gears, P/N 332A-2181-00, -02, -03, or -04, or 331A32-3110-07, -09, or -19. The DGAC advises that borescope inspections of the bevel gear are necessary to detect cracks.

Eurocopter has issued Alert Telex No. 05.00.58, dated August 6, 2002, which indicates that as a result of metal particles found on the chip detector of the main gearbox sump on a helicopter,