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## DEPARTMENT OF AGRICULTURE

### Federal Crop Insurance Corporation

#### 7 CFR Part 457

RIN 0563-AB03

#### Common Crop Insurance Regulations; Pear Crop Insurance Provisions; Correction

**AGENCY:** Federal Crop Insurance Corporation.

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains corrections to the final regulation which was published Thursday, November 7, 1996 (61 FR 57578-57583). The regulation pertains to the insurance of Pear.

**EFFECTIVE DATE:** January 14, 1997.

**FOR FURTHER INFORMATION CONTACT:** Louise Narber, Program Analyst, Research and Development Division, Product Development Branch, Federal Crop Insurance Corporation, United States Department of Agriculture, 9435 Holmes Road, Kansas City, MO 64131, telephone (816) 926-7730.

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulation that is the subject of this correction was intended to provide policy changes to better meet the needs of the insured and to combine the Pear Endorsement with the Common Crop Insurance Policy for ease of use and consistency of terms.

##### Need for Correction

As published, the final regulations contained an error which may prove to be misleading and is need of clarification.

##### Correction of Publication

Accordingly, the publication on November 7, 1996, of the final

regulation at 61 FR 57578-57583 is corrected as follows:

#### PART 457—[CORRECTED]

##### §457.111 [Corrected]

On page 57583, in the second column, in §457.111, section 13 paragraph (b)(i)(ii) should be 1 and 2.

Signed in Washington, DC, on January 10, 1997.

Kenneth D. Ackerman,  
*Manager, Federal Crop Insurance Corporation.*

[FR Doc. 97-1017 Filed 1-14-97; 8:45 am]

BILLING CODE 3410-FA-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-NM-145-AD; Amendment 39-9881; AD 97-01-10]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 737-100 and -200 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-100 and -200 series airplanes, that requires replacing the aileron (lateral) control transfer mechanism with a new modified mechanism, or reworking the existing mechanism. This amendment is prompted by a review of the design of the flight control systems on Model 737 series airplanes. The actions specified by this AD are intended to prevent unexpected, significant control wheel forces and reduced travel of a control wheel due to mechanical interference within the lateral control system transfer mechanism during a jam override condition.

**DATES:** Effective February 19, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 19, 1997.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane

Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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:** Don Kurle, Senior Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2798; fax (206) 227-1181.

**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 Boeing Model 737-100 and -200 series airplanes was published in the Federal Register on August 28, 1996 (61 FR 44230). That action proposed to require replacing the aileron (lateral) control transfer mechanism with a new modified mechanism, or reworking the existing mechanism.

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

Two commenters support the proposed rule.

#### Request for Risk Benefit Analysis

One commenter believes that the FAA should perform a risk benefit analysis before proceeding with the proposed AD. This commenter does not disagree with the requirements of the proposal; however, the commenter suggests that the proposed compliance time of 18 months could overburden competent machine facilities and lead to undesirable workmanship, which would subject the airlines and the flying public to unnecessary risk.

The FAA does not concur with the commenter's request. The commenter did not submit analyses or data to substantiate its claim that competent machine facilities would be overburdened by the requirements of this AD. The FAA has considered the costs of complying with this AD, and does not consider those costs to be

excessive to correct the unsafe condition.

#### Request To Revise Statement of Findings of Critical Design Review Team

One commenter requests the second paragraph of the Discussion section that appeared in the preamble to the proposed rule be revised to accurately reflect the findings of the Critical Design Review (CDR) team. The commenter asks that the FAA delete the one sentence in that paragraph, which read: "The recommendations of the team include various changes to the design of the flight control systems of these airplanes, as well as correction of certain design deficiencies." The commenter suggests that the following sentences should be added: "The team did not find any design issues that could lead to a definite cause of the accidents that gave rise to this effort. The recommendations of the team include various changes to the design of the flight control systems of these airplanes, as well as incorporation of certain design improvements in order to enhance its already acceptable level of safety."

The FAA does not find that a revision to this final rule in the manner suggested by the commenter is necessary, since the Discussion section of a proposed rule does not reappear in a final rule. The FAA acknowledges that the CDR team did not find any design issue that could lead to a definite cause of the accidents that gave rise to this effort. However, as a result of having conducted the CDR of the flight control systems on Boeing Model 737 series airplanes, the team indicated that there are a number of recommendations that should be addressed by the FAA as may be appropriate to any particular (or all) model(s) of the Model 737.

#### Request To Revise Service Bulletin Citation

One commenter requests that the FAA change the service bulletin citation from "Boeing Service Bulletin 27-1033" to "Boeing Service Bulletin 737-27-1033." The commenter considers this to be clearer.

The FAA acknowledges that some clarification is necessary. The title that actually appears on the service bulletin document itself is "Boeing Service Bulletin 27-1033;" therefore, the FAA disagrees with the commenter's specific suggestion. However, to avoid any confusion on the part of operators, the FAA has revised the final rule to refer to the service bulletin as "Boeing 737 Service Bulletin 27-1033."

#### 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 changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Cost Impact

There are approximately 236 Model 737-100 and -200 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 157 airplanes of U.S. registry will be affected by this AD.

For operators that elect to accomplish the replacement, it will take approximately 20 work hours per airplane to accomplish it, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$15,343 per airplane. Based on these figures, the cost impact of the replacement on U.S. operators is estimated to be \$16,543 per airplane.

For operators that elect to accomplish the rework by using new components, it will take approximately 40 work hours to accomplish it, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$6,500. Based on these figures, the cost impact of the rework (by using new components) on U.S. operators is estimated to be \$8,900 per airplane.

For operators that elect to accomplish the rework by machine shop rework of the components, it will take approximately 70 work hours to accomplish it, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$1,450. Based on these figures, the cost impact of the rework (by machine shop rework of the components) on U.S. operators is estimated to be \$5,650 per airplane.

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 adding the following new airworthiness directive:

97-01-10 Boeing: Amendment 39-9881. Docket 96-NM-145-AD.

*Applicability:* Model 737-100 and -200 series airplanes; as listed in Boeing 737 Service Bulletin 27-1033, dated February 13, 1970; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 an unexpected, significant control upset due to mechanical interference

within the lateral control system transfer mechanism, which could result in reduced travel of a control wheel and above normal control wheel forces during a jam override, accomplish the following:

(a) Within 18 months after the effective date of this AD: Accomplish the requirements of either paragraph (a)(1) or (a)(2) of this AD, in accordance with Boeing 737 Service Bulletin 27-1033, dated February 13, 1970.

(1) Replace the aileron control transfer mechanism, part number (P/N)

65-54200-4 or -5, with a new modified mechanism in accordance with Procedure II of the Accomplishment Instructions of the service bulletin.

(b) As of the effective date of this AD, no person shall install an aileron control transfer mechanism having P/N 65-54200-4 or -5 unless it has been reworked in accordance with the requirements of paragraph (a)(2) 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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle 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) The replacement and rework shall be done in accordance with Boeing 737 Service Bulletin 27-1033, dated February 13, 1970. 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.

1(f) This amendment becomes effective on February 19, 1997.

Issued in Renton, Washington, on January 3, 1997.

S.R. Miller,

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

[FR Doc. 97-537 Filed 1-14-97; 8:45 am]

BILLING CODE 4910-13-00

#### 14 CFR Part 39

[Docket No. 96-NM-166-AD; Amendment 39-9880; AD 97-01-09]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A321 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A321 series airplanes. This action requires repetitive inspections to detect cracking and delamination of the doors that contain the left and right emergency evacuation slides located at certain emergency exits; and repair or replacement, if necessary. This action also requires the accomplishment of a modification that serves as terminating action for the repetitive inspections. This amendment is prompted by a report indicating that a slide aboard an airplane deployed during flight and consequently separated from the airplane. The actions specified in this AD are intended to prevent the loss of these slides during flight, which could make certain exits unusable in the event of an emergency, and also damage the empennage.

**DATES:** Effective January 30, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 30, 1997.

Comments for inclusion in the Rules Docket must be received on or before March 17, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No.96-NM-166-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Charles Huber, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton,

Washington 98055-4056; telephone (206) 227-2589; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A321 series airplanes. The DGAC advises that one operator of Model A321 series airplanes reported the loss of an emergency slide during flight. The airplane was climbing through flight level (FL) 200 when a loud noise was heard; it was caused by an escape slide, located at the right Number 2 emergency exit, unfolding and floating in the airstream. After approximately five minutes, the slide was torn off the airplane and lost on ground.

Visual inspection of the slide inflation system's bottle valve gauge revealed that the bottle had not discharged, thereby confirming that the slide inflation system had not been activated inadvertently. Further investigation revealed that the slide enclosure door (referred to commonly as the "blow out door") had been forced open, evidenced by the retained floating pin receptacles of the pneumatic ball locks (which are installed as a back-up device in the event that the pneumatic release fails).

A subsequent inspection of other Model A321 series airplanes in the affected operator's fleet revealed:

1. a blow out door that was damaged on the inside;
2. snap buttons on slide packs that were open; and
3. lacing cord on slide pack covers that was loosened.

These findings established that the loss of the slide during flight was the result of either excessive internal pressure on the blow out door, or excessive pressure to the outside of this door due to an incorrectly adjusted boarding ramp or gangway. (The exit had been used to board passengers.)

Deployment and separation of an emergency evacuation slides at emergency exits Number 2 or 3 during flight could make these exits unusable in the event of an emergency, and also could cause damage to the empennage.

#### Explanation of Relevant Service Information

Airbus has issued All Operator Telex (AOT) 25-11, dated January 4, 1996, and Revision 01, dated January 8, 1996. These documents describe procedures for conducting repetitive detailed visual and coin tap inspections to detect cracking and delamination of the left and right blow out doors at emergency exits Number 2 and 3. They also describe procedures for necessary repairs if