Restatement of Requirements of AD 94–24–02

(b) Within 7 days after December 14, 1994 (the effective date of AD 94–24–02, amendment 39–9075), accomplish the requirements of paragraph (b)(1) and (b)(2) of this AD:

(1) Until the requirements of paragraph (c)(2) of this AD are accomplished, remove the elevator dampers in accordance with Canadair Regional Jet Alert Service Bulletin S.B. A601R–27–041, dated October 28, 1994.

(2) Revise the Limitations Section of the FAA-approved AFM to include the following, which advises the flight crew of daily checks to verify proper operation of the elevator control system. Revision of the AFM may be accomplished by inserting a copy of this AD or AFM Revision 32, dated March 30, 1995, in the AFM.

Note 3: The daily check described in the AFM Temporary Revision (TR)RJ/40, dated October 28, 1994, meets the requirements of this paragraph. Therefore, inserting a copy of TR RJ/40 into the AFM in lieu of this AD is considered an acceptable means of compliance with this paragraph.

''Elevator, Before Engine Start (First Flight of Day)

(1) Elevator ..... Check ..... Travel range (to approximately 1/2 travel) using each hydraulic system in turn, with the other hydraulic systems depressurized.''

New Requirements of this AD

(c) Within 12 months after the effective date of this AD, perform the requirements of paragraphs (c)(1) and (c)(2) of this AD, as applicable, in accordance with Canadair Regional Jet Service Bulletin S.B. 601R–27–040, Revision 'B,' dated September 11, 1995.

(1) For airplanes having serial numbers 7003 through 7049, inclusive: Perform the inspections specified in paragraphs (c)(1)(i), (c)(1)(ii), and (c)(1)(iii) of this AD in accordance with Section 2.B., Part A, of the service bulletin.

(i) Remove the shear pins and shear links of the flutter dampers and perform a visual inspection to detect any deformation or discrepancy of the flutter damper hinge fitting and lug of the horizontal stabilizer. Prior to further flight, replace any deformed or discrepant part with a serviceable part in accordance with the service bulletin.

(ii) Perform a visual inspection to detect any deformation or discrepancy of the elevator hinge/damper fitting and shear pin lugs. Prior to further flight, replace any discrepant part with a serviceable part in accordance with the service bulletin.

(iii) Perform a fluorescent penetrant inspection and a dimensional inspection to detect any deformation or discrepancy of the shear pin lugs. If any deformation or discrepancy is found on the lugs, prior to further flight, replace the elevator with a new or serviceable elevator in accordance with the service bulletin.

(2) For airplanes having serial numbers 7003 through 7054, inclusive: Install new shear pins [part number (P/N) 601R24063–953] and new elevator flutter dampers (P/N 601R75142–7) in accordance with Section 2.B., Part B, of the service bulletin:

(d) 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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

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

(e) 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 January 27, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–2519 Filed 1–31–97; 8:45 am]

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14 CFR Part 39

[Docket No. 95–NM–29–AD]

RIN 2120–AA64

Airworthiness Directives; Fokker Model F28 Mark 0070 and 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

SUMMARY: This document revises an earlier proposed airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0070 and 0100 series airplanes, that would have required a one-time operational test of the pitot heating system, and repair or replacement of failed elements. That action also proposed to require the replacement of the pitot heating system with a new improved system. This new action would revise the proposal by adding a requirement to install power supply wiring with increased gauge thickness and a circuit breaker with an increased amperage rating. This action also would add additional airplanes to the applicability of the rule. The actions specified by this proposed AD are intended to prevent icing of the No. 1 pitot tube, which could result in failure of the No. 1 Air Data Computer, or output of erroneous airspeed data to all on-side subsidiary systems, including the Automatic Flight Control and Augmentation System.

DATES: Comments must be received by February 24, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–29–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 Fokker Services B.V., Technical Support Department, P. O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2141; 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–29–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–29–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 and 0070 series airplanes, was published as a supplemental notice of proposed rulemaking (NPRM) in the Federal Register on February 12, 1996 (61 FR 5329). That supplemental NPRM proposed to require a one-time operational test of the pitot heating system, and repair or replacement of failed elements. That supplemental NPRM also proposed to require the replacement of the No. 1 pitot heating system powered by direct current (DC) with a new improved pitot heating system powered by alternating current (AC). That supplemental NPRM was prompted by reports indicating that the captains airspeed indicator and the No. 1 Air Data Computer (ADC #1) failed on Model F28 Mark 0100 series airplanes due to icing of the No. 1 pitot tube, even though both DC-powered heating elements were operating normally. Icing of the No. 1 pitot heat system, if not corrected, could result in failure of the ADC #1, or lead to output of erroneous data to all on-side subsidiary systems, including the Automatic Flight Control and Augmentation System (AFCAS).

Actions Since Issuance of Previous Proposal

Since the issuance of that supplemental NPRM, the Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, and Fokker have notified the FAA that during emergency power conditions (battery power only), the new AC-powered (853BR) pitot tube described in Fokker Service Bulletin SBF100–30–017 may not de-ice sufficiently due to a low DC battery voltage input to the No. 1 pitot tube inverter. The low voltage is due to insufficient thickness of the wire gauge of the power supply wiring. Additionally, during emergency power conditions, the inverter draws more current to maintain the specified power to the pitot tube, which could trip the No. 1 pitot heating circuit breaker.

In light of this information, the actions proposed in the previous proposal would be inadequate to prevent icing of the No. 1 pitot tube, and the same unsafe condition would continue to exist.

New Service Information

In light of the above, Fokker has issued Service Bulletin SBF100–30–019, dated June 20, 1996, which supersedes Fokker Service Bulletin SBF100–30–017 (which was referenced in the previous supplemental NPRM). This new service bulletin describes procedures for:

1. Replacement of the captains pitot heating system with type 853BR pitot heating system,
2. Installation of a new power supply wiring with increased gauge thickness of AWG 12, and
3. Installation of a new No. 1 pitot tube circuit breaker with an increased amperage rating to 20 Amps.

Accomplishment of these actions will ensure that the No. 1 pitot tubes have adequate de-icing capability.

Fokker also has issued Service Bulletin SBF100–30–020, dated June 20, 1996, which describes procedures for installation of new power supply wiring with increased gauge thickness of AWG 12, and a new No. 1 pitot tube circuit breaker with an increased amperage rating of 20 Amps, for those airplanes on which type 853BR pitot heating system has previously been installed in accordance with Fokker Service Bulletin SBF100–30–017.

The RLD classified these service bulletins as mandatory and issued Netherlands airworthiness directive BLA 1994–114/4 (A), dated July 31, 1996, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

The FAA has examined the findings of the RLD and reviewed the new service information. The FAA finds that the proposed actions in the previously issued supplemental NPRM may not prevent freezing of the No. 1 pitot tube during emergency power conditions. Therefore, to ensure the safety of the fleet, the FAA finds that, in addition to the previously proposed actions, other actions are necessary.

Explanation of Requirements of Proposed AD

This new action proposes to continue to require operational tests of the No. 1 pitot heating system and replacement of the pitot heating system with a new improved system. This new action would add a requirement to install a new power supply wiring with increased gauge thickness, and a circuit breaker with an increased amperage rating. These new proposed requirements would affect airplanes on which the new improved pitot heating system has been installed previously (in accordance with Fokker Service Bulletin SBF100–30–017). In addition, this new proposal would add additional airplanes to the applicability of the rule. These actions would be required to be accomplished in accordance with the applicable service bulletins described previously.

Operators should note that the operational test of the No. 1 pitot heating system, as proposed previously, continues to be required in this supplemental NPRM. The service information describing that operational test (referenced as Fokker Service Bulletin SBF100–30–015, Revision 2, dated January 25, 1995, in the previous proposal) has been superseded by a later service bulletin (Fokker Service Bulletin SBF100–30–017, dated August 23, 1995, which was superseded by Fokker Service Bulletin SFB100–30–019); but the procedures for accomplishing the operational test were not included in the superseding service bulletins. However, the FAA has determined that accomplishment of this operational test is necessary in accordance with Fokker Service Bulletin SBF100–30–015 to determine if any pitot tube heating element is inoperative, and to ensure that any failed element is repaired or replaced.

Conclusion

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

Cost Impact

There are approximately 285 Fokker Model F28 Mark 0100 and 0070 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 129 airplanes of U.S. registry would be affected by this proposed AD.

The proposed operational check 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 for the proposed operational check on U.S. operators is estimated to be $7,740, or $60 per airplane.

The proposed replacement of the pitot heating system would take approximately 36 work hours per airplane, at an average labor rate of $60 per work hour. Required parts would cost approximately $16,000 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $18,160 per airplane.

For airplanes on which replacement of the pitot heating system has been accomplished previously, the proposed installation of the power supply electrical wiring and circuit breaker would take approximately 12 work hours per airplane at an average labor rate of $60 per work hour. Required parts would cost approximately $350 per airplane. Based on these figures, the cost impact is estimated to be $1,070 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Fokker: Docket 95–NM–29–AD.

Applicability: Model F28 Mark 0070 and 0100 series airplanes, certificated in any category, and having the following serial numbers: 11244 through 11495, inclusive; 11497 through 11507, inclusive; 11509; 11511 through 11517, inclusive; 11519 through 11523, inclusive; 11527 through 11529, inclusive; 11532; 11536 through 11541, inclusive; 11543; 11545; 11547; 11549; 11551; 11553 through 11565, inclusive; 11567; 11570; 11573; and 11574.

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 (d) 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 icing of the No. 1 pitot tube, which could result in failure of the No. 1 Air Data Computer (ADC #1) or output of erroneous airspeed data to all on-side subsidiary systems, including the Automatic Flight Control and Augmentation System (AFCAS), accomplish the following:

(a) For airplanes that have type 853JB pitot tubes installed: Within 30 days after the effective date of this AD, perform an operational test of the No. 1 pitot heating system in accordance with Part 1 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–30–015, Revision 2, dated January 25, 1995.

(1) If the pitot heating system passes the operational test, accomplish the requirements of either paragraph (b)(1) or (b)(2) of this AD, as applicable, at the times specified.

(2) If any pitot tube heating element is found to be inoperative, prior to further flight, repair or replace the failed element with a serviceable element, in accordance with the Fokker 100 Aircraft Maintenance Manual (AMM).

(b) For airplanes on which Fokker Service Bulletin SBF100–30–017, dated August 23, 1995, has *not* been accomplished: At the applicable time specified in either paragraph (b)(1) or (b)(2) of this AD, replace the type 853JB or type 853KK No. 1 pitot tube, with a type 853BR pitot tube; and install the inverter, current sensor, wiring, and circuit breaker; in accordance with Fokker Service Bulletin SBF100–30–019, dated June 20, 1996.

(1) For airplanes with the flight warning system (FWS) speed comparator not activated and with a type 853JB No. 1 pitot tube installed: Accomplish the replacement within 9 months after the effective date of this AD.

(2) For airplanes with the FWS speed comparator activated or with a type 853KK No. 1 pitot tube installed: Accomplish the replacement within 18 months after the effective date of this AD.

(c) For airplanes on which Fokker Service Bulletin SBF100–30–017, dated August 23, 1995, has been accomplished, either in service or factory-incorporated: Within 18 months after the effective date of the AD, replace the No. 1 pitot heating circuit breaker and modify the power supply electrical wiring, in accordance with Fokker Service Bulletin SBF100–30–020, dated June 20, 1996.

(d) 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, 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(e) 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 January 27, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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