

# 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. 97-ANE-33-AD]

RIN 2120-AA64

#### Airworthiness Directives; Pratt & Whitney Canada PW100 Series Turboprop Engines

**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 Pratt & Whitney Canada (PWC) PW100 series turboprop engines. This proposal would require removal of the existing fuel manifold tubes, lock plates, and preformed packing; installation of improved fuel manifold transfer tubes, improved lock plates, and improved preformed packing; and, after installation, the performance of a leak check. This proposal is prompted by reports of engine fuel leaks which resulted in either inflight engine shutdowns or fire warnings. The actions specified by the proposed AD are intended to prevent engine fuel leaks, which can result in inflight engine shutdowns or fire warnings.

**DATES:** Comments must be received by December 23, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97-ANE-33-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.dot.gov".

Comments sent via the Internet must contain the docket number in the subject line. Comments may be inspected at this location between 8:00

a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Pratt & Whitney Canada, 1000 Marie-Victorin, Longueuil, Quebec, Canada J4G 1A1; telephone (514) 677-9411, fax (514) 647-3620. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Diane Cook, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7133, fax (617) 238-7199.

#### 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, 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 97-ANE-33-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, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97-ANE-33-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

#### Discussion

Transport Canada, which is the airworthiness authority for Canada, recently notified the Federal Aviation Administration (FAA) that an unsafe condition may exist on Pratt & Whitney Canada (PWC) PW118, PW118A, PW118B, PW119B, PW119C, PW120, PW120A, PW121, PW121A, PW123, PW123B, PW123C, PW123D, PW123E, PW124B, PW125B, PW126A, PW127, PW127E, PW127F series turboprop engines. Transport Canada advises that they have received reports of several incidents of PW100 series engine fuel leaks which resulted in either inflight shutdowns or fire warnings. The investigation showed that most of these fuel leaks occurred shortly after fuel manifold maintenance actions, and that they were caused by an incorrect installation and the quality of o-ring seals installed. The manufacturer has determined that the current transfer tube lock plates installed in accordance with PWC Service Bulletin (SB) No. 21077, Revision 7, dated October 10, 1996, are sensitive to installation errors and can be bent out of position. This condition, if not corrected, can result in engine fuel leaks, which can result in inflight engine shutdowns or fire warnings.

Pratt & Whitney Canada has issued SB No. 21516, dated August 14, 1997, and SB No. 21549, dated September 18, 1997, which introduces new fuel manifold transfer tubes and new fuel manifold drain transfer tubes. Pratt & Whitney Canada has also issued SB No. 21373, Revision 3, dated October 11, 1996, which introduces a new lock plate to accommodate the fuel manifold transfer tubes to prevent the incorrect installation and hold the transfer tubes in position. In addition, PWC has issued SB No. 21364, Revision 1, dated April 28, 1995, that address the o-ring quality control problem by introducing a preformed packing with a better quality control during manufacturing process. Transport Canada classified these SBs as mandatory and issued AD CF-96-22, dated November 19, 1996, in order to assure the airworthiness of these engines in Canada.

These engine models are manufactured in Canada and are 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, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of the same type design registered in the United States, the proposed AD would require removal of the existing fuel manifold tubes, lock plates, and performed packing and installation of improved fuel manifold transfer tubes, lock plates, and performed packing, at the earliest of the following: (1) the next time, after the effective date of this AD, that the engine or module is at a maintenance base that can do the modifications specified, regardless of the scheduled maintenance action or reason for engine removal; (2) or at the next fuel nozzle change; or (3) prior to November 30, 1998. This calendar end-date was determined based upon risk assessment. After installation, but prior to further flight, this AD requires performing a leak check. The actions would be required to be accomplished in accordance with the SBs described previously.

The FAA estimates that 1,216 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would not take any additional work hours per engine to accomplish the proposed actions, as the actions may be performed during regularly scheduled maintenance or overhaul. Required parts would cost approximately \$370 per engine. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$449,920.

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:

Pratt & Whitney Canada: Docket No. 97-ANE-33-AD.

**Applicability:** Pratt & Whitney Canada (PWC) PW118, W118A, PW118B, PW119B, PW119C, PW120, PW120A, PW121, W121A, PW123, PW123B, PW123C, PW123D, PW123E, PW124B, PW125B, PW126A, PW127, PW127E, PW127F series engines installed on but not limited to Dornier 328, Fokker 50, Jetstream ATP, ATR42, ATR42-500, ATR72, Embraer EMB-120, Canadair CL215T, CL415, and DeHavilland Dash-8-100/-200/-300/-315.

**Note 1:** This airworthiness directive (AD) applies to each engine 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 engines 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 engine fuel leaks, which can result in inflight engine shutdowns or fire warnings, accomplish the following:

(a) Remove the existing fuel manifold tubes, lock plates, and performed packing and replace with the improved fuel manifold transfer tubes and fuel manifold drain transfer tubes in accordance with the applicable PWC Service Bulletins (SB) No. 21516, dated August 14, 1997, and SB No. 21549, dated September 18, 1997, and SB No. 21077, Revision 7, dated October 10, 1996; and the improved lock plates in accordance with PWC SB No. 21373, Revision 3, dated October 11, 1996, using the improved preformed packing in accordance with PWC SB No. 21364, Revision 1, dated April 28, 1995, as follows, whichever occurs first following the effective date of this AD:

(1) At the next engine removal, regardless of cause; or

(2) At the next fuel nozzle change; or

(3) Prior to November 30, 1998.

(b) After the installation of the improved fuel manifold tubes and lockplates, but prior to further flight, perform a leak check in accordance with the applicable maintenance manual.

(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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on October 17, 1997.

**Mark C. Fulmer,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 97-28217 Filed 10-23-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 707 and 874

RIN 1029-AB89

#### Enhancing Abandoned Mine Lands AML, Reclamation

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.