

Proposed Rules

Federal Register

Vol. 63, No. 5

Thursday, January 8, 1998

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. 95-NM-278-AD]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes

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 certain Airbus Model A300, A310, and A300-600 series airplanes. This proposal would require inspections to detect defects of the flanges of the bleed air ducts of the auxiliary power unit (APU), and to measure the material thickness of the flanges; and repair, replacement of the duct with a new or serviceable duct, or operation of the airplane with the bleed air system of the APU inoperative, if necessary. For certain airplanes, the proposal also would require an inspection to detect cracks of the flanges, and follow-on actions. This proposal is prompted by issuance of mandatory continued airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent rupturing and cracking of the flanges of the bleed air ducts, which could damage the elevator control system and consequently reduce the controllability of the airplane.

DATES: Comments must be received by February 9, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 95-NM-278-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 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.

FOR FURTHER INFORMATION CONTACT: 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:

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-278-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-114, Attention: Rules Docket No.

95-NM-278-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A300, A310, and A300-600 series airplanes. The DGAC advises that it received a report indicating that the flightcrew noticed that greater force than usual was needed to actuate the elevator control system during takeoff of the airplane. Following the flight, an inspection of the elevator control linkages was performed. Results of that inspection revealed that the aft detent bellcrank mechanism was partially jammed with a piece of material from the bleed air duct of the auxiliary power unit (APU). Subsequent investigation revealed that one of the flanges of the bleed air duct of the APU had ruptured, and the adjacent duct was cracked. This occurrence has been attributed to the fact that the flange was manufactured with a material thickness that is outside appropriate tolerances.

If the material thickness of the flanges is outside appropriate tolerances, cracking of the flanges could occur. This condition could lead to rupture of the duct, and pieces of debris from the ruptured duct could affect the elevator control system. This condition, if not corrected, could result in reduced controllability of the airplane.

Explanation of Relevant Service Information

Airbus has issued All Operator Telex (AOT) 36-02, dated August 23, 1995, which references the following Airbus service bulletins: A300-36-0033 (for Model A300 series airplanes), A300-36-6024 (for Model A300-600 series airplanes), and A310-36-2032 (for Model A310 series airplanes), all dated October 17, 1994. These service bulletins describe procedures for inspections to detect defects (recesses, sharp edges, or scratches) of the inner and outer surfaces of all flanges of the bleed air ducts of the APU between frames 83 and 93 (for Model A300 series airplanes) or frames 85 and 93 (for Model A310 and A300-600 series airplanes), and to measure the material thickness of the flanges with an appropriate gauge; and repair of defects.

For airplanes on which the material thickness of the flanges is within specified limits, the service bulletins describe procedures for an inspection using a magnifying glass to detect cracks of the inner and outer surfaces of the flanges; and, if cracks are found, replacement of the duct with a new or serviceable duct, at the time specified in the applicable service bulletin, or operation of the airplane with the bleed air system of the APU inoperative.

For airplanes on which the material thickness of the flanges is outside specified limits, the service bulletins recommend immediate replacement of the duct with a new or serviceable duct, or operation of the airplane with the bleed air system of the APU inoperative.

The DGAC classified these service bulletins and the AOT as mandatory and issued French airworthiness directive 95-182-184(B), dated September 27, 1995, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

These airplane models are manufactured in France 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, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, the proposed AD would require inspections to detect defects of the flanges of the bleed air ducts of the APU, and to measure the material thickness of the flanges; and repair, replacement of the duct with a new or serviceable duct, or operation of the airplane with the bleed air system of the APU inoperative, if necessary. For certain airplanes, the proposal also would require an inspection to detect cracks of the flanges, and follow-on actions. These actions would be required to be accomplished in accordance with the service bulletins described previously, except as described in the following paragraph.

Differences Between Proposed AD and Service Bulletins

Operators should note that, unlike the procedures described in the referenced service bulletins, this proposed AD would not permit further flight if cracking is detected in the flanges. The FAA has determined that, due to the safety implications and consequences associated with such cracking, all ducts that are found to be cracked must be replaced prior to further flight, or the airplane must be operated with the bleed air system of the APU inoperative.

Cost Impact

The FAA estimates that 84 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 9 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$45,360, or \$540 per airplane.

The cost impact figure discussed above is 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:

Airbus: Docket 95-NM-278-AD.

Applicability: Model A300, A310, and A300-600 series airplanes on which Airbus Modification 11308 has not been accomplished during manufacture; 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 otherwise 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 (b) 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 rupturing and cracking of the flanges of the bleed air ducts of the auxiliary power unit (APU), and cracking of the adjacent duct, which could damage the elevator control system and consequently reduce the controllability of the airplane; accomplish the following:

(a) Prior to the accumulation of 5,000 total flight cycles, or within 500 flight cycles after the effective date of this AD, whichever occurs later: Perform a visual inspection to detect defects (recesses, sharp edges, or scratches) of the inner and outer surfaces of all flanges of the bleed air ducts of the APU between frames 83 and 93 (for Model A300 series airplanes) or between frames 85 and 93 (for Model A310 and A300-600 series airplanes), as applicable; and measure the material thickness of the flanges; in accordance with Airbus Service Bulletin A300-36-0033 (for Model A300 series airplanes), A300-36-6024 (for Model A300-600 series airplanes), or A310-36-2032 (for Model A310 series airplanes), all dated October 17, 1994; as applicable. If any defect is found, prior to further flight, repair the defect in accordance with the applicable service bulletin.

(1) If the material thickness of the flanges is within the limits [Area 1: greater than or equal to 0.56 mm (0.022 inch); Area 2: greater than or equal to 0.48 mm (0.019 inch)] specified in Airbus Service Bulletin A300-36-0033 (for Model A300 series airplanes), A300-36-6024 (for Model A300-600 series airplanes), or A310-36-2032 (for Model A310 series airplanes), all dated October 17, 1994; as applicable: Prior to further flight, perform an inspection using a magnifying glass or appropriate gauge to detect cracks of the inner and outer surfaces of the flanges, in accordance with the applicable service bulletin.

(i) If no crack is found, and the material thickness of all flanges is within the limits [Area 1: greater than or equal to 0.9 mm (0.035 inch)] specified in the applicable service bulletin: No further action is required by this AD.

(ii) If no crack is found, and the material thickness of any flange is outside the limits [Area 1: less than 0.9 mm (0.035 inch)] specified in the applicable service bulletin:

Repeat the inspection required by paragraph (a) of this AD at the time specified in the applicable service bulletin.

(iii) If any crack is found: Prior to further flight, accomplish either paragraph (a)(1)(iii)(A) or (a)(1)(iii)(B) of this AD.

(A) Replace the duct with a new or serviceable duct in accordance with the applicable service bulletin. Or

(B) Operate the airplane with the bleed air system of the APU inoperative, in accordance with the provisions and limitations specified in the operator's FAA-approved Master Minimum Equipment List (M MEL).

(2) If the material thickness of any flange is outside the limits [Area 1: less than 0.56 mm (0.022 inch); Area 2: less than 0.48 mm (0.019 inch)] specified in Airbus Service Bulletin A300-36-0033 (for Model A300 series airplanes), A300-36-6024 (for Model A300-600 series airplanes), and A310-36-2032 (for Model A310 series airplanes), all dated October 17, 1994; as applicable: Prior to further flight, accomplish either paragraph (a)(1)(iii)(A) or (a)(1)(iii)(B) of this AD.

(b) 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, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(c) 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.

Note 3: The subject of this AD is addressed in French airworthiness directive 95-182-184(B), dated September 27, 1995.

Issued in Renton, Washington, on January 2, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-477 Filed 1-7-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-72-AD]

RIN 2120-AA64

Airworthiness Directives; Turbopropeller-Powered McDonnell Douglas Model DC-3 and DC-3C Series Airplanes

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 certain McDonnell Douglas Model DC-3 and DC-3C series airplanes. This proposal would require revising the Airplane Flight Manual (AFM) to modify the limitation that prohibits positioning the power levers below the flight idle stop during flight, and to provide a statement of the consequences of positioning the power levers below the flight idle stop during flight. This proposal is prompted by incidents and accidents involving airplanes equipped with turboprop engines in which the ground propeller beta range was used improperly during flight. The actions specified by the proposed AD are intended to prevent loss of airplane controllability, or engine overspeed and consequent loss of engine power caused by the power levers being positioned below the flight idle stop while the airplane is in flight.

DATES: Comments must be received by February 9, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-72-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.

FOR FURTHER INFORMATION CONTACT: Frank Hoerman, Aerospace Engineer, Flight Test Branch, ANM-160L, FAA,

Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 527-5371; fax (562) 625-5210.

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.

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Availability of NPRMs

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Discussion

In recent years, the FAA has received reports of 14 incidents and/or accidents involving intentional or inadvertent operation of the propellers in the ground beta range during flight on airplanes equipped with turboprop engines. (For the purposes of this proposal, beta is defined as the range of propeller operation intended for use during taxi, ground idle, or reverse operations as controlled by the power lever settings aft of the flight idle stop.)

Five of the fourteen in-flight beta occurrences were classified as accidents. In each of these five cases, operation of the propellers in the beta range occurred during flight. Operation