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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-CE-53-AD; Amendment 39-10308; AD 98-03-16]

RIN 2120-AA64

#### Airworthiness Directives; The New Piper Aircraft Corporation Model PA-38-112 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to The New Piper Aircraft Corporation (Piper) Model PA-38-112 airplanes. This action requires repetitively replacing the upper rudder hinge bracket. Reports of fatigue cracks occurring on the upper rudder hinge bracket, and the manufacture of a new upper rudder hinge bracket with a life limited improved design prompted this action. The actions specified by this AD are intended to prevent cracks in the upper rudder hinge bracket, which could result in separation of the rudder from the airplane and loss of control of the airplane.

**DATES:** Effective March 16, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 16, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from The New Piper Aircraft Corporation, Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket 96-CE-53-AD, Room 1558, 601

E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bill Herderich, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., suite 450, Atlanta, Georgia 30349; telephone (770) 703-6084; facsimile (770) 703-6097.

#### SUPPLEMENTARY INFORMATION:

#### Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper Model PA-38-112 airplanes having serial numbers 38-80A0166 through 38-82A0122, was published in the **Federal Register** on May 7, 1997 (62 FR 24851). The action proposed to require repetitively replacing the upper rudder hinge bracket, part number (P/N) 77610-02 or an FAA-approved equivalent part number, with a new upper rudder hinge bracket, P/N 77610-03. The upper rudder hinge bracket must be replaced regularly because it is life-limited. Accomplishment of the proposed action would be in accordance with Piper Service Bulletin No. 686, dated May 23, 1980.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

#### The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

#### Cost Impact

The FAA estimates that 153 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 2 workhours per airplane to accomplish this action, and that the average labor

rate is approximately \$60 an hour. Parts cost approximately \$60 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$27,540 for the U.S. fleet or \$180 per airplane. The manufacturer has informed the FAA that none of the owners/operators of the affected airplanes have accomplished this action.

#### 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 copy of the final 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, 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 USC 106(g), 40113, 44701.

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

**98-03-16 The New Piper Aircraft**

**Corporation:** Amendment 39-10308; Docket No. 96-CE-53-AD.

**Applicability:** Model PA-38-112 airplanes (serial numbers 38-80A0166 through 38-82A0122), certificated in any category.

**Note 1:** The serial numbers listed in the applicability section of this AD do not match the serial numbers in Piper Aircraft Corporation (Piper) Service Bulletin (SB) No. 686, dated May 23, 1980. This AD takes precedence over the applicability section in the Piper SB 686, dated May 23, 1980.

**Note 2:** This AD applies to each airplane 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 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 in the body of this AD, unless already accomplished.

To prevent cracks in the upper rudder hinge bracket, which could result in separation of the rudder from the airplane and loss of control of the airplane, accomplish the following:

(a) Upon the accumulation of 5,000 hours total time-in-service (TIS) or within the next 100 hours TIS after the effective date of this AD, whichever occurs later, remove and replace the upper rudder hinge bracket, part number (P/N) 77610-02 or an FAA-approved equivalent part number, with a new upper rudder hinge bracket, P/N 77610-03. Thereafter, at intervals not to exceed 5,000 hours TIS, replace the upper rudder hinge bracket, P/N 77610-03, with a new upper rudder hinge bracket, P/N 77610-03 in accordance with the Instructions section of Piper SB No. 686, dated May 23, 1980.

(b) 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.

(c) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., suite 450, Atlanta, Georgia 30349. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from Atlanta Aircraft Certification Office.

(d) The removal and replacements required by this AD shall be done in accordance with the Instructions section of Piper Aircraft Corporation Service Bulletin No. 686, dated May 23, 1980. 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 The New Piper Aircraft Corporation, Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida 32960. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment (39-10308) becomes effective on March 16, 1998.

Issued in Kansas City, Missouri, on January 29, 1998.

**Terry L. Chasteen,**

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

[FR Doc. 98-2776 Filed 2-10-98; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 96-NM-222-AD; Amendment 39-10312; AD 98-03-20]

**RIN 2120-AA64**

**Airworthiness Directives; Boeing Model 757 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 757 series airplanes, that requires one-time inspections to verify proper installation and to detect chafing and/or damage of certain rerouted wire bundles; to verify if certain protective grommets are installed properly and to detect missing grommets; and various follow-on actions. This amendment is prompted by a report of smoke and fire in the lower left-hand side of the E1-1 rack of the electrical equipment bay due to chafing of wire bundles as a result of missing protective grommets. The actions specified by this AD are intended to prevent chafing of wire bundles, which could result in smoke and fire at the E1-1 rack of the electrical equipment bay.

**DATES:** Effective March 18, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 18, 1998.

**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:**

Forrest Keller, Senior Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2790; fax (425) 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 757 series airplanes was published in the **Federal Register** on April 17, 1997 (62 FR 18726). That action proposed to require one-time inspections to verify proper installation and to detect chafing and/or damage of certain rerouted wire bundles; to verify if certain protective grommets are installed properly and to detect missing grommets; and various follow-on actions.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Several commenters support the proposed rule.

**Request for Clarification**

One commenter suggests that the FAA provide clear and objective criteria in the proposed AD for determining if the wire bundle is too tight or too slack. The commenter states that sufficient clearance is very important when determining the length of a wire bundle. The FAA finds that clarification of this point is necessary. The FAA's intent was that operators refer to Boeing Standard Wiring Practices Manual 20-10-11 (undated) for these procedures. Therefore, the FAA has revised paragraph (a)(1)(iii) of the final rule to include a reference to this manual as the appropriate source of service information for correction of discrepancies.