

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. 98-NM-253-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 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 Boeing Model 737-100, -200, -300, -400, and -500 series airplanes. This proposal would require repetitive inspections to detect damage of certain taxi light assemblies, and replacement with a new or serviceable part, if necessary. This proposal also would require eventual replacement of certain taxi light assemblies with improved parts, which would constitute terminating action for the repetitive inspections. This proposal is prompted by a report that a damaged taxi light detached from an airplane and was ingested into the airplane engines. The actions specified by the proposed AD are intended to prevent damage to the taxi light assembly, which could result in detachment of the taxi light assembly from the airplane, ingestion of taxi light debris into an engine, and consequent loss of thrust from one or both engines.

DATES: Comments must be received by June 24, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-253-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: David Herron, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2672; fax (425) 227-1181.

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 98-NM-253-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. 98-NM-253-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports indicating that certain taxi light assemblies mounted on the nose landing gear assemblies of certain Boeing Model

737-100, -200, -300, -400, and -500 series airplanes have been found to be damaged. That damage has been attributed to contact between the light assembly and the tow bar during towing operations. Such contact occurs due to the proximity of the taxi lights to the fitting for towing operations. In one incident, a damaged taxi light assembly detached from the airplane, and debris from the taxi light assembly was ingested into both engines of a Boeing Model 737 series airplane during takeoff. That ingestion resulted in a loss of thrust, which forced the flightcrew to make an emergency landing. A damaged taxi light assembly, if not corrected, could result in detachment of the taxi light from the airplane, ingestion of taxi light debris into an engine, and consequent loss of thrust from one or both engines. Such loss of thrust could result in reduced controllability of the airplane.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require repetitive detailed visual inspections to detect damage (including cracking, corrosion, deformation, or evidence of impact) of certain taxi light assemblies, and replacement with a new or serviceable part, if necessary. The proposed AD also would require eventual replacement of certain taxi light assemblies with improved parts, which would constitute terminating action for the repetitive inspections. The actions are required to be accomplished in accordance with the applicable maintenance manual.

Cost Impact

There are approximately 2,857 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,159 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 1 work hour per airplane to accomplish the proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed inspection on U.S. operators is estimated to be \$69,540, or \$60 per airplane, per inspection cycle.

It would take approximately 2 work hours per airplane to accomplish the proposed replacement, at an average

labor rate of \$60 per work hour. Required parts would cost approximately \$549 per airplane. Based on these figures, the cost impact of the proposed replacement on U.S. operators is estimated to be \$775,371, or \$669 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:

Boeing: Docket 98–NM–253–AD.

Applicability: Model 737–100, –200, –300, –400, and –500 series airplanes; that are not equipped with a Grimes Aerospace taxi light assembly having part number (P/N) 50–0199–9, 50–0199–11, 50–0128–1A, 50–0128–1MA, 50–0128–3A, or 50–0128–3MA; certificated in any category.

Note 1: 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 (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 damage to the taxi light assembly, which could result in detachment of the taxi light from the airplane, ingestion of taxi light debris into an engine, and consequent loss of thrust from one or both engines; accomplish the following:

Initial and Repetitive Inspections

(a) Within 60 days after the effective date of this AD, perform a detailed visual inspection to detect damage (including cracking, corrosion, deformation, or evidence of impact) of the taxi light assembly mounted on the nose landing gear of the airplane. Repeat the inspection thereafter at intervals not to exceed 1 day, until the requirements of paragraph (c) have been accomplished.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as an intensive visual inspection of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of lighting at an intensity deemed appropriate by the inspector. Inspection aids such as mirrors, magnifying glasses, etc., may be used. Surface cleaning and elaborate access procedures may be necessary.

Replacement

(b) If any damage of the taxi light assembly is detected during any inspection performed in accordance with paragraph (a) of this AD, prior to further flight, replace the existing taxi light assembly with a new or serviceable taxi light assembly in accordance with the applicable maintenance manual. If the existing taxi light assembly is replaced with a Grimes Aerospace taxi light assembly having P/N 50–0199–9, 50–0199–11, 50–0128–1A, 50–0128–1MA, 50–0128–3A, or 50–0128–3MA: no further action is required by this AD.

Terminating Action

(c) Within 2 years after the effective date of this AD: Replace the existing taxi light assembly with a Grimes Aerospace taxi light assembly having P/N 50–0199–9, 50–0199–11, 50–0128–1A, 50–0128–1MA, 50–0128–3A, or 50–0128–3MA; in accordance with the applicable maintenance manual. Such replacement constitutes terminating action for the repetitive inspection requirement of paragraph (a) of this AD.

Alternative Methods of Compliance

(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, 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(e) Special flight permits may be issued in accordance with §§ 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 May 3, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 99–11617 Filed 5–7–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–18–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Models 737–100, –200, –300, –400, and –500 Series Airplanes; and Model 727–100 and –200 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 Boeing Models 737–100, –200, –300, –400, and –500 series airplanes, and all Models 727–100 and –200 series airplanes. This proposal would require a one-time inspection to determine the presence and condition of the breather plug in each fuel tank boost pump; and