

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. 99-CE-15-AD]

RIN 2120-AA64

Airworthiness Directives; Fairchild Aircraft, Inc. Models SA226-T, SA226-T(B), SA226-AT, and SA226-TC Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede Airworthiness Directive (AD) 77-25-03, which currently requires repetitively inspecting the landing gear actuator rod ends that are equipped with grease fittings for cracks on Fairchild Aircraft, Inc. (Fairchild Aircraft) Models SA226-T, SA226-AT, and SA226-TC airplanes. AD 77-25-03 also requires replacing the landing gear actuator rod ends with an improved part either immediately or at a certain time period depending on the results of the inspections. Replacement of all six rod ends terminates the repetitive inspection requirements of AD 77-25-03. The AD proposed in this document is the result of failures of the landing gear rod ends on airplanes where the rod ends were replaced in accordance with AD 77-25-03. Fairchild has re-designed the landing gear rod ends as a result of these failures. The proposed AD would require replacing all landing gear rod ends with these improved design parts on all SA226 series airplanes, including those manufactured since AD 77-25-03 was issued (i.e., the Model SA226-T(B) airplanes). The actions specified by the proposed AD are intended to prevent failure of the landing gear actuator caused by cracks in the rod ends, which could result in the inability to lower the landing gear during a landing with consequent possible loss of control of the airplane.

DATES: Comments must be received on or before July 16, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-15-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279-0490; telephone: (210) 824-9421; facsimile: (210) 820-8609. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Hung Viet Nguyen, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone: (817) 222-5133; facsimile: (817) 222-5960.

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 that summarizes 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 No. 99-CE-15-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, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-15-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

AD 77-25-03, Amendment 39-3090, currently requires repetitively inspecting the landing gear actuator rod ends that are equipped with grease fittings for cracks on Fairchild Aircraft, Inc. (Fairchild Aircraft) Models SA226-T, SA226-AT, and SA226-TC airplanes. AD 77-25-03 also requires replacing the landing gear actuator rod ends with improved design parts either immediately or at a certain time period depending on the results of the inspections. Replacement of all six rod ends terminates the repetitive inspection requirement of AD 77-25-03.

Accomplishment of the actions of AD 77-25-03 is required in accordance with Swearingen Aviation Corporation Service Bulletin A32-014, dated November 17, 1977.

Actions Since Issuance of Previous Rule

The FAA has received reports of failures of the landing gear rod ends on airplanes where the rod ends were replaced in accordance with AD 77-25-03. The flight time accumulated on the landing gear actuators varies between the failures; however, the reports show that these parts are not meeting their life limits. Fairchild has re-designed the landing gear rod ends, part number (P/N) VTA00350, as a result of these failures.

Cracks in the landing gear actuator rod ends, if not detected and corrected in a timely manner, could result in failure of the landing gear actuator and the inability to lower the landing gear during a landing with consequent possible loss of control of the airplane.

Relevant Service Information

Fairchild has issued Service Bulletin SB A32-014, Revised: January 26, 1999, which specifies procedures for replacing the existing landing gear actuator rod ends with ones of improved design, P/N VTA00350.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent the above-referenced condition from occurring on all SA226 series airplanes, including those manufactured since AD 77-25-03 was issued (i.e., the Model SA226-T(B) airplanes).

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Fairchild Models SA226-T, SA226-T(B), SA226-AT, and SA226-TC airplanes of the same type design that are equipped with any landing gear actuator rod end other than P/N VTA00350 (or FAA-approved equivalent part number), the FAA is proposing AD action. The proposed AD would supersede AD 77-25-03, and would require replacing all landing gear rod ends with these improved design parts, P/N VTA00350 (or FAA-approved equivalent part number).

Accomplishment of the proposed replacements would be required in accordance with Fairchild Aircraft Service Bulletin SB A32-014, Revised: January 26, 1999.

Cost Impact

The FAA estimates that 190 airplanes in the FAA registry would be affected by the proposed AD, that it would take approximately 6 workhours per airplane to accomplish the proposed replacements, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$169 per rod (6 rods per airplane). Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$261,060, or \$1,374 per airplane.

This figure is based upon the presumption that no affected airplane owner/operator has accomplished the proposed replacement.

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 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) 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 has been placed 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 14 CFR part 39 of the Federal Aviation Regulations 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 removing Airworthiness Directive (AD) 77-25-03, Amendment 39-3090, and by adding a new AD to read as follows:

Fairchild Aircraft, Inc.: Docket No. 99-CE-15-AD; Supersedes AD 77-25-03, Amendment 39-3090.

Applicability: The following airplanes models and serial numbers, certificated in any category; that are equipped with any landing gear actuator rod end other than part number (P/N) VTA00350 (or FAA-approved equivalent part number).

Model	Serial No.
SA226-T	T201 through T275 and T277 through T291.
SA226-T(B)	T(B) 276 and T(B) 292 through T(B)417.
SA226-AT ...	AT001 through AT074.
SA226-TC ...	TC201 through TC396, TC398 through TC413, and TC418 through TC419.

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 in the body of this AD, unless already accomplished.

To prevent failure of the landing gear actuator caused by cracks in the rod ends, which could result in the inability to lower the landing gear during a landing with consequent possible loss of control of the airplane, accomplish the following:

(a) Within the next 500 hours time-in-service (TIS) after the effective date of this AD, replace any landing gear actuator rod end that is not P/N VTA00350 (or FAA-approved equivalent part number) with one that incorporates this part number.

Accomplish this replacement in accordance with Fairchild Aircraft Service Bulletin SB A32-014, Revised: January 26, 1999.

(b) As of the effective date of this AD, no person may install, on any affected airplane, any landing gear actuator rod end that is other than P/N VTA00350 (or FAA-approved equivalent part number).

(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.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, FAA, Airplane Certification Office (ACO), 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

(2) Alternative methods of compliance approved in accordance with AD 77-25-03 are not considered approved as alternative methods of compliance for this AD.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth ACO.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279-0490; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(f) This amendment supersedes AD 77-25-03, Amendment 39-3090.

Issued in Kansas City, Missouri, on May 4, 1999.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-11779 Filed 5-10-99; 8:45 am]

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