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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-99-AD; Amendment 39-11170; AD 99-09-52]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) and CL-600-2B16 (CL-601-3R and CL-604) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting airworthiness directive (AD) 99-09-52 that was sent previously to all known U.S. owners and operators of Bombardier Model CL-600-2B19 (Regional Jet Series 100) and CL-600-2B16 (CL-601-3R and CL-604) series airplanes by individual notices. This AD requires a one-time inspection of the cable harness of the integrated drive generator (IDG) in the right engine nacelle and the adjacent structure to verify clearances and detect chafing; a one-time inspection of both the left and right engine nacelles to detect chafing and verify clearances of the adjacent 10th stage bleed air check valve and fuel manifold pigtailed; and repair or replacement of discrepant parts, if necessary. This action is prompted by reports of chafing of the insulation covering on the IDG cable harness and the main engine right fuel manifold. The actions specified by this AD are intended to detect and correct concurrent chafing of both the fuel manifold and the IDG wire and subsequent leakage of fuel, which could come in contact with live wiring and result in fire or explosion.

DATES: Effective May 24, 1999, to all persons except those persons to whom it was made immediately effective by emergency AD T99-09-52, issued April 20, 1999, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 24, 1999.

Comments for inclusion in the Rules Docket must be received on or before June 16, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-99-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The applicable service information may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station A, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: James Delisio, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7521; fax (516) 568-2716.

SUPPLEMENTARY INFORMATION: On April 20, 1999, the FAA issued emergency AD T99-09-52, which is applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) and CL-600-2B16 (CL-601-3R and CL-604) series airplanes.

That action was prompted by reports of chafing of the insulation covering on the integrated drive generator (IDG) cable harness and the main engine right fuel manifold. Concurrent chafing of both the fuel manifold and the IDG wire, if not corrected, could result in leakage of fuel, which could come in contact with live wiring and result in fire or explosion.

Explanation of Relevant Service Information

Bombardier has issued Alert Service Bulletin A601R-24-095, Revision 'A,' dated March 25, 1999 (for Regional Jet series airplanes). That alert service bulletin describes procedures for a one-time inspection of the IDG cables in the right engine nacelle to verify clearances and detect damage. The alert service bulletin also describes procedures for repair or replacement of the IDG cables, depending on the results of the inspection.

Bombardier has issued Alert Service Bulletin A601R-73-008, Revision 'A,' dated April 10, 1999 (for Regional Jet series airplanes). That alert service bulletin describes procedures for a one-time inspection of both the left and right engine nacelles to detect damage of the area surrounding the 10th stage bleed air check valve and the top and bottom pigtailed of the fuel manifold; a one-time inspection to verify clearances between the right fuel manifold pigtailed and the adjacent 10th stage bleed air check valve; and repair or replacement of the manifold, depending on the results of the inspection.

Bombardier has issued Alert Service Bulletin A601-0524, dated April 19, 1999 [for Model CL-600-2B16 (CL-601-3R) series airplanes], and Alert Service Bulletin A604-73-001, dated April 19, 1999 [for Model CL-600-2B16 (CL-604) series airplanes]. These alert service bulletins describe procedures for a one-time inspection of the IDG cable harness in the right engine nacelle and the adjacent structure to verify clearances and detect chafing; a one-time inspection of both the left and right engine nacelles to detect chafing and verify clearances of the adjacent 10th stage bleed air check valve and fuel manifold pigtailed; and repair or replacement, depending on the results of the inspection.

Transport Canada Aviation (TCA), which is the airworthiness authority for Canada, classified the alert service bulletins as mandatory and issued Canadian airworthiness directive CF-99-09, dated April 6, 1999, in order to assure the continued airworthiness of these airplanes in Canada.

FAA's Conclusions

These airplane 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, TCA has kept the FAA informed of the situation described above. The FAA has examined the findings of TCA, 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 the Requirements of the Rule

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA issued emergency AD 99-09-52 to detect and correct concurrent chafing of both the fuel manifold and the IDG wire and subsequent leakage of fuel, which could come in contact with live wiring and result in fire or explosion. The AD requires accomplishment of the actions specified in the alert service bulletins described previously, except as discussed below. This AD also requires that operators report results of all inspection findings and any repairs performed to Bombardier.

Differences Between This AD and the Relevant Service Information

While the Canadian airworthiness directive and the alert service bulletins recommend a compliance time of 50 flight hours, this AD specifies a compliance time of 50 flight hours or 7 days, whichever occurs first. The Challenger and certain Regional Jet series airplanes are operated as business jets, which generally fly fewer hours per day than commercial airplanes. The FAA has determined that it is necessary to impose a time limit on these airplanes to ensure the safe operation of the fleet.

Operators should further note that, although certain alert service bulletins referenced in this AD specify that the manufacturer may be contacted for disposition of certain repair conditions, this AD requires the repair of those conditions to be accomplished in accordance with a method approved by either the FAA or TCA (or its delegated agent). In light of the type of repair that would be required to address the identified unsafe condition, and in consonance with existing bilateral airworthiness agreements, the FAA has determined that, for this AD, a repair approved by either the FAA or TCA will be acceptable for compliance with this AD.

Publication of the Rule

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual notices issued on April 20, 1999, to all known U.S. owners and operators of Bombardier Model CL-600-2B19 (Regional Jet Series 100) and CL-600-2B16 (CL-601-3R and CL-604) series airplanes. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 99-NM-99-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

99-09-52 Bombardier, Inc. (Formerly Canadair): Amendment 39-11170. Docket 99-NM-99-AD.

Applicability: Model CL-600-2B19 (Regional Jet Series 100) series airplanes, serial numbers 7003 through 7067 inclusive, and 7069 through 7303 inclusive; and Model CL-600-2B16 (CL-601-3R and CL-604) series airplanes, serial numbers 5135 through 5194 inclusive, and 5301 through 5408 inclusive; 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 (g) 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 detect and correct concurrent chafing of both the fuel manifold and the integrated drive generator (IDG) wire and subsequent leakage of fuel, which could come in contact with live wiring and result in fire or explosion, accomplish the following:

(a) For Model CL-600-2B19 (Regional Jet Series 100) series airplanes: Within 50 flight hours or 7 days after the effective date of this AD, whichever occurs first, perform a one-time visual inspection of the IDG cables in the right engine nacelle to verify clearances and detect damage, in accordance with Canadair Alert Service Bulletin A601R-24-095, Revision 'A,' dated March 25, 1999.

(1) If no damage is detected and all clearances are within the limits specified by the alert service bulletin, submit a report in accordance with the requirements of paragraph (f) of this AD.

(2) If any damage is detected and the inner core is not visible, accomplish either paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Prior to further flight, repair the cable jacket in accordance with the alert service bulletin; and, within 4,000 flight hours after accomplishing the repair, replace the cable with a new cable; in accordance with the alert service bulletin. Or

(ii) Prior to further flight, replace the cable with a new cable, in accordance with the alert service bulletin.

(3) If any damage is detected and the inner core is visible, prior to further flight, replace the cable with a new cable in accordance with the alert service bulletin.

(b) For Model CL-600-2B19 (Regional Jet Series 100) series airplanes: Within 50 flight hours or 7 days after the effective date of this AD, whichever occurs first, perform a one-time visual inspection of both the left and right engine nacelles to detect chafing of the area surrounding the 10th stage bleed air check valve and the top and bottom pigtails of the fuel manifold, in accordance with Canadair Alert Service Bulletin A601R-73-008, Revision "A," dated April 10, 1999.

(1) If no damage is detected, prior to further flight, measure the clearance between the right fuel manifold pigtails and the adjacent 10th stage bleed air check valve.

(i) If the clearance is within the limits specified by the alert service bulletin, submit a report in accordance with the requirements of paragraph (f) of this AD.

(ii) If the clearance is outside the limits specified by the alert service bulletin, prior

to further flight, reposition the fuel manifold or install shims, as applicable, in accordance with "Part B—Repositioning of the fuel manifold to set the gap" of the Accomplishment Instructions of the alert service bulletin.

(2) If any damage is detected, prior to further flight, repair the fuel manifold or replace the manifold with a new manifold, as applicable, in accordance with "Part C—Repair or replacement" of the Accomplishment Instructions of the alert service bulletin.

Note 2: Accomplishment of the actions specified by Canadair Alert Service Bulletin A601R-73-008, dated April 1, 1999, is considered acceptable for compliance with the requirements of paragraph (b) of this AD.

(c) For Model CL-600-2B16 (CL-601-3R and CL-604) series airplanes: Within 50 flight hours or 7 days after the effective date of this AD, perform a one-time visual inspection of the IDG cable harness in the right engine nacelle to verify clearances and detect damage, in accordance with Bombardier Alert Service Bulletin A601-0524 or A604-73-001, both dated April 19, 1999, as applicable.

(1) If no damage is detected, submit a report in accordance with the requirements of paragraph (f) of this AD.

(2) If any clearance is outside the limits specified in the applicable alert service bulletin, prior to further flight, adjust the clearance in accordance with the applicable alert service bulletin.

(3) If any damage is detected and the inner core is not visible, prior to further flight, repair the cable in accordance with the applicable alert service bulletin.

(4) If any damage is detected to the cable jacket and the inner core is visible, prior to further flight, accomplish either paragraph (c)(4)(i) or (c)(4)(ii) of this AD.

(i) Repair the cable jacket in accordance with the alert service bulletin; and, within 300 flight hours after accomplishing the repair, replace the cable with a new cable; in accordance with the applicable alert service bulletin. Or

(ii) Replace the cable with a new cable, in accordance with the applicable alert service bulletin.

(d) For Model CL-600-2B16 (CL-601-3R and CL-604) series airplanes: Within 50 flight hours or 7 days after the effective date of this AD, perform a one-time visual inspection of both the left and right engine nacelles of the area surrounding the 10th stage bleed air check valve and the top and bottom pigtails of the fuel manifold to verify clearances and detect chafing, in accordance with Bombardier Alert Service Bulletin A601-0524 or A604-73-001, both dated April 19, 1999, as applicable.

(1) If the clearances are within the limits specified in the alert service bulletin, submit a report in accordance with the requirements of paragraph (f) of this AD.

(2) If any clearance is outside the limits specified in the alert wire, prior to further flight, adjust the clearance or add spacers, as applicable, in accordance with the applicable alert service bulletin.

(3) If any chafing is detected, prior to further flight, repair the manifold or replace

the manifold with a new manifold, as applicable, in accordance with the applicable alert service bulletin.

Note 3: Accomplishment of the actions specified by Bombardier Alert Wire TA601-055, dated March 31, 1999, is considered acceptable for compliance with the requirements of paragraphs (c) and (d) of this AD.

(e) If any alert service bulletin referenced in this AD specifies that the manufacturer may be contacted for accomplishment of certain repair conditions, those repairs must be accomplished in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate; or Transport Canada Aviation (or its designee).

(f) Submit a report of all inspection findings and any repairs performed to the local Bombardier field representative; or to either Mr. Denis Methot (fax 514-855-8501) or Mr. Richard Moore (fax 514-855-7708), Bombardier Aerospace Regional Aircraft, 123 Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5; at the applicable time specified in paragraph (f)(1) or (f)(2) of this AD. The report must include the inspection results, a description of any discrepancies found, the airplane serial number, and the number of landings and flight hours on the airplane. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(1) For airplanes on which the inspections are accomplished after the effective date of this AD: Submit the report within 10 days after performing the inspections required by this AD.

(2) For airplanes on which the inspections have been accomplished prior to the effective date of this AD: Submit the report within 10 days after the effective date of this AD.

Alternative Methods of Compliance

(g) 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, New York ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

Special Flight Permits

(h) 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.

Incorporation by Reference

(i) Except as provided by paragraphs (e) and (f) of this AD, the actions shall be done in accordance with Canadair Alert Service Bulletin A601R-24-095, Revision 'A,' dated

March 25, 1999; Canadair Alert Service Bulletin A601R-73-008, Revision 'A,' dated April 10, 1999; Bombardier Alert Service Bulletin A601-0524, dated April 19, 1999; and Bombardier Alert Service Bulletin A604-73-001, dated April 19, 1999; as applicable. 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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station A, Montreal, Quebec H3C 3G9, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 5: The subject of this AD is addressed in Canadian airworthiness directive CF-99-09, dated April 6, 1999.

(j) This amendment becomes effective on May 24, 1999, to all persons except those persons to whom it was made immediately effective by emergency AD 99-09-52, issued April 20, 1999, which contained the requirements of this amendment.

Issued in Renton, Washington, on May 7, 1999.

D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-12099 Filed 5-14-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-ASO-4]

Amendment of Class E Airspace; Thomson, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies Class E airspace at Thomson, GA. The Cedar Nondirectional Radio Beacon (NDB) has been established 4.49 miles west of Runway (RWY) 10 at the Thomson-McDuffie County Airport, from which a NDB RWY 10 Standard Instrument Approach Procedure (SIAP) has been developed. As a result, additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate

the SIAP and for Instrument Flight Rules (IFR) operations at Thomson-McDuffie County Airport. An extension via the 276 degree bearing from the Cedar NDB for the NDB RWY 10 SIAP is necessary. The length of the Class E airspace extension west of the NDB is 7 miles, and the width of the airspace extension is 7 miles.

EFFECTIVE DATE: 0901 UTC, July 15, 1999.

FOR FURTHER INFORMATION CONTACT: Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

SUPPLEMENTARY INFORMATION:

History

On March 23, 1999, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by amending Class E airspace at Thomson, GA (64 FR 13938). This action provides adequate Class E airspace for IFR operations at Thomson-McDuffie County Airport. Designations for Class E airspace extending upward from 700 feet or more above the surface are published in paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR part 71.1. The Class E designation listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends Class E airspace at Thomson, GA, for the Thomson-McDuffie County Airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a Regulatory Evaluation, as the

anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More above the Surface of the Earth.

* * * * *

ASO GA E5 Thomson, GA [Revised]

Thomson-McDuffie County Airport
(Lat. 33°31'47" N, long. 82°31'100" W)
Cedar NDB

(Lat. 33°31'59" N, long. 82°36'51" W)

That airspace extending upward from 700 feet or more above the surface of the earth within a 7.5-mile radius of Thomson-McDuffie County Airport and within 3.5 miles each side of the 276 degree bearing from the Cedar NDB, extending 7 miles west of the Cedar NDB.

* * * * *

Issued in College Park, Georgia, on May 5, 1999.

Wade T. Carpenter,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 99-12277 Filed 5-14-99; 8:45 am]

BILLING CODE 4910-13-M