

# 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 Parts 11, 91, 121, 135, and 145

[Docket No. FAA-1999-5836; Notice No. 99-09]

RIN 2120-AC38

#### Part 145 Review: Repair Stations

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** This action extends the comment period for an NPRM that was published on June 21, 1999. In that document, the FAA proposed changes to the Code of Federal Regulations to update and revise the regulations for repair stations. This extension is a result of formal requests from repair stations and industry associations to extend the comment period to the proposal. This extension is necessary to afford all interested parties an opportunity to present their views on the proposed rulemaking.

**DATES:** Comments must be received on or before December 3, 1999.

**ADDRESSES:** Comments on this document should be mailed or delivered, in duplicate, to: U.S. Department of Transportation Dockets, Docket No. FAA-1999-5836, 400 Seventh Street, SW., Room Plaza 401, Washington, DC 20590. Comments may be filed and examined in Room Plaza 401 between 10 a.m. and 5 p.m. weekdays, except Federal holidays. Comments also may be sent electronically to the Dockets Management System (DMS) at the following Internet address: <http://dms.dot.gov/> at any time. Commenters who wish to file comments electronically, should follow the instructions on the DMS web site.

**FOR FURTHER INFORMATION CONTACT:** Richard E. Nowak, Aircraft Maintenance Division, Airworthiness Systems and Air Agency Branch (AFS-330), Federal

Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7228.

#### 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. Comments relating to the environmental, energy, federalism, business or economic impacts that might result from adopting the proposals in this document are also invited. Substantive comments should be accompanied by cost estimates. Comments must identify the regulatory docket or notice number and be submitted in duplicate to the Rules Docket address specified above.

All comments received, as well as a report summarizing each substantive public contact with FAA personnel on this rulemaking, will be filed in the docket. The docket is available for public inspection before and after the comment closing date.

All comments received on or before the closing date will be considered by the Administrator before taking action on this proposed rulemaking. Late-filed comments will be considered to the extent practicable. The proposals contained in this document may be changed in light of the comments received.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this proposed rule must include a pre-addressed, stamped postcard with those comments on which the following statement is made: "Comments to Docket No. FAA-1999-5836." The postcard will be date stamped and mailed to the commenter.

##### Availability of NPRMs

An electronic copy of this document may be downloaded using a modem and suitable communications software from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703-321-3339) or the Government Printing Office (GPO)'s electronic bulletin board service (telephone: 202-512-1661).

Internet users may reach the FAA's web page at <http://www.faa.gov/avr/arm/nprm/nprm.htm> or the GPO's electronic web page at <http://www.access.gpo.gov/nara> for access to recently published rulemaking documents.

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Communications must identify the notice number or docket number of this NPRM.

Persons interested in being placed on the mailing list for future NPRM's should request from the above office a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, that describes the application procedure.

##### Background

On June 11, 1999, the Federal Aviation Administration (FAA) issued Notice No. 99-09, Part 145 Review: Repair Stations (64 FR 33142, June 21, 1999). Comments to that document were to be received on or before October 19, 1999.

By letter, twenty-one repair stations and industry associations requested that the FAA extend the comment period for Notice No. 99-09 for periods of time ranging from 60 days to 180 days. Two petitioners requested that the comment period to be extended 60 days; fourteen petitioners requested an extension to December 31, 1999; one petitioner requested an extension to January 1, 2000; one petitioner requested an extension to March 31, 2000; two petitioners requested an extension of 180 days; and one petitioner requested the maximum allowable extension. The petitioners stated that the proposal is a highly complex document that affects all repair stations. Many petitioners noted that they use non-certificated sources to perform certain functions and needed additional time to consult with those sources to assess business and economic impacts and provide comments. Industry association expressed a need for additional time to contact member companies, some of which are located outside the United States. Most petitioners stated that an extension of the comment period would provide affected entities with sufficient time to obtain a copy of this proposal, research it and fully evaluate the business and economic impacts of the

proposal before submitting comments to the FAA.

In accordance with § 11.20(c) of Title 14, Code of Federal Regulations, the FAA has reviewed the petitions for extension of the comment period to Notice No. 99-09. All petitioners have shown a substantive interest in the proposed rule and good cause for the extension. The FAA also has determined that extension of the comment period is consistent with the public interest.

#### Extension of Comment Period

The FAA has reviewed the requests for consideration of an extended comment period for Notice No. 99-09 and determined that an extension would be in the public interest, and that good cause exists for taking this action.

Accordingly, the comment period for Notice No. 99-09 is extended to December 3, 1999.

Issued in Washington, DC on October 15, 1999.

**L. Nicholas Lacey,**

*Director, Flight Standards Service.*

[FR Doc. 99-27470 Filed 10-18-99; 12:36 pm]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-186-AD]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 767 Series Airplanes

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

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, that would have required repetitive inspections to ensure the proper condition of the engine thrust link components, and follow-on corrective action, if necessary; and replacement of the end cap assembly with an improved assembly. Such replacement, when accomplished, would terminate the repetitive inspections. That proposal was prompted by a report of fatigue cracking of end cap bolts caused by improper installation. This new action revises the proposed rule by adding a repair requirement and by clarifying the type

of inspection and terminology used in describing the parts to be inspected. The actions specified by this new AD are intended to prevent failure of the end cap assembly, which could lead to separation of the engine from the airplane in the event of a primary thrust linkage failure.

**DATES:** Comments must be received by November 10, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 97-NM-186-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** James G. Rehr, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2783; 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 97-NM-186-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. 97-NM-186-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on May 20, 1998 (63 FR 27696). That NPRM would have required repetitive inspections to detect improper installation or fatigue damage of the end cap of the forward engine mount, and replacement of the end cap assembly with an improved assembly. Such replacement, when accomplished, would terminate the repetitive inspections. That NPRM was prompted by a report of fatigue cracking of end cap bolts caused by improper installation. That condition, if not corrected, could result in failure of the end cap assembly, which could lead to separation of the engine from the airplane in the event of a primary thrust linkage failure.

#### Comments

Due consideration has been given to the comments received in response to the NPRM:

One commenter states that it is not affected by the proposal because its Model 767-200ER series airplanes are powered by General Electric engines. Another commenter generally supports the proposal.

#### Request To Withdraw the Original NPRM

One commenter does not consider that issuance of the original NPRM is necessary for the following reasons:

1. The commenter states that "regulatory action mandating incorporation of Boeing Alert Service Bulletin 767-71A0087 is unwarranted for JT9D powered Model 767 aircraft" for several reasons. First, the original