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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-CE-05-AD; Amendment 39-12145; AD 2001-05-08]

RIN 2120-AA64

#### Airworthiness Directives; VALENTIN GmbH Model 17E Sailplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all VALENTIN GmbH (Valentin) Model 17E sailplanes. This AD requires you to inspect for, and correct, cracked or improperly installed central wing bolts; install a stronger central bolt if not already installed; and inspect for, and replace, problem telescopic rods. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to correct improperly installed or cracked central bolts and damaged, deformed, or loose telescopic rods. This condition, if not corrected, could cause the wing to separate from the sailplane, which could cause result in control of the sailplane.

**DATES:** This AD becomes effective on April 13, 2001.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation as of April 13, 2001.

The Federal Aviation Administration (FAA) must receive any comments on this rule by April 13, 2001.

**ADDRESSES:** Send three copies of comments to FAA, Central Region, Office of the Regional Counsel,

Attention: Rules Docket No. 2001-CE-05-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

You may get service information referenced in this AD from Korff + Co. KG, Luftfahrttechnischer Betrieb, LBA II-A 189, Dieselstrasse 5, D-63128, Dietzenbach, Germany; telephone: (49) 6074/4006; facsimile: (49) 6074/4033. You may read this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-05-AD, 901 Locust, Room 506, 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:

Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; facsimile: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

*What events have caused this AD?* The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified FAA that an unsafe condition might exist on certain Valentin Model 17E sailplanes. The LBA reports:

- Occurrences of the manufacturer installing central bolts in the wrong direction;
- Cracks found in nine central bolts during inspections; and
- A fatal accident that could possibly be attributed to a weak central bolt breaking.

*What are the consequences if the condition is not corrected?* This condition, if not corrected, could result in the wing separating from the sailplane, which could cause loss of control of the sailplane.

*Is there service information that applies to this subject?* Valentin has issued Service Bulletin KOCO 05/818, issue 2, and Korff Work Instructions AW-KOCO-05/818, issue 2, both dated 16 January 2001. The service bulletin and work instructions include procedures for:

- Inspecting the central bolt for correct installation;
- Inspecting the central bolt for cracks;
- Installing a stronger central bolt; and
- Inspecting the telescopic rods and locking mechanisms for damage, removing any damaged parts, and

repairing or replacing any damaged parts.

*What action did LBA take?* The LBA classified this service bulletin as mandatory and issued German AD 2000-392, dated December 15, 2000, to ensure the continued airworthiness of these sailplanes in Germany.

*Was this in accordance with the bilateral airworthiness agreement?* These sailplane models are manufactured in Germany 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.

In carrying out this bilateral airworthiness agreement, the LBA has kept FAA informed of the situation described above.

#### The FAA's Determination and an Explanation of the Provisions of the AD

*What has FAA decided?* The FAA has examined the findings of the LBA; reviewed all available information, including the service information referenced above; and determined that:

- The unsafe condition referenced in this document exists or could develop on other Valentin Model 17E sailplanes of the same type design;
- The actions specified in the previously-referenced service information (as specified in this AD) should be accomplished on the affected sailplanes; and
- AD action should be taken in order to correct this unsafe condition.

*What does this AD require?* This AD requires you to do the actions previously specified in accordance with Korff + Co. KG Service Bulletin KOCO 05/818, issue 2, and Korff Work Instructions AW-KOCO-05/818, issue 2, both dated 16 January 2001.

*Will I have the opportunity to comment prior to the issuance of the rule?* Because the unsafe condition described in this document could result in structural failure with possible loss of control of the sailplane, FAA finds that notice and opportunity for public comment before issuance are impractical. Therefore, good cause exists for making this amendment effective in less than 30 days.

**Comments Invited**

*How do I comment on this AD?*

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, we invite your comments on the rule. You may send whatever written data, views, or arguments you choose. You need to include the rule's docket number and send three copies of your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received by the closing date specified above. We may change this rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether we need to take additional rulemaking action.

*Are there any specific portions of the AD I should pay attention to?* The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might require a change to the rule. You may look at all comments we receive. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of this rule.

We are reviewing the writing style we currently use in regulatory documents, in response to the Presidential memorandum of June 1, 1998. That memorandum requires federal agencies to communicate more clearly with the public. We are interested in your comments on whether the style of this document is clear, and any other suggestions you might have to improve the clarity of FAA communications that affect you. You can get more

information about the Presidential memorandum and the plain language initiative at <http://www.plainlanguage.gov>.

*How can I be sure FAA receives my comment?* If you want us to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2001-CE-05-AD." We will date stamp and mail the postcard back to you.

**Regulatory Impact**

*Does this AD impact various entities?*

These regulations will not have a substantial direct effect 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, FAA has determined that this final rule does not have federalism implications under Executive Order 13132.

*Does this AD involve a significant rule or regulatory action?* The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and 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 (otherwise, an evaluation is not

required). A copy of it, if filed, may be obtained from the Rules Docket.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by Reference, Safety.

**Adoption of the Amendment**

Accordingly, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**2001-05-08 Valentin GMBH:** Amendment 39-12145; Docket No. 2001-CE-05-AD.

(a) *What sailplanes are affected by this AD?* This AD affects Model 17E, all serial numbers, that are certificated in any category.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above sailplanes must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to correct improperly installed or cracked central bolts, and damaged, deformed, or loose telescopic rods. This condition, if not corrected, could result in the wing separating from the sailplane, which could cause loss of control of the sailplane.

(d) *What must I do to address this problem?* To address this problem, unless already done, you must do the following actions:

Action	Compliance time	Procedures
(1) Inspect the central bolt for cracks .....	Within the next 5 hours time-in-service (TIS) after April 13, 2001.	Do this action following the ACTION paragraph in Korff + Co. KG Service Bulletin SB-KOCO 05/818, issue 2, an Korff Work Instructions AW-KOCO-05/818, issue 2, both dated January 16, 2001, and the sailplane flight manual.
(2) If the central bolt has any cracks, replace the central bolt with new bolt with new bolt F1-1373, Modification "a" or "b" (or FAA-approved equivalent part number) with the wide side of the cone on top.	Before further flight after the inspection required in paragraph (d)(1).	Do this action following the ACTION paragraph in Korff + Co. KG Service Bulletin SB-KOCO 05/818, issue 2, and Korff Work Instructions AW-KOCO-05/818, issue 2, both dated January 16, 2001, and the sailplane flight manual.
(3) If the central bolt (F1-1373) does not have any cracks, install a new bolt F1-1373, Modification "a" or "b" (or FAA-approved equivalent part number) with the wide side of the cone on top.	Within 25 hours TIS after April 13, 2001 ..	Do this action following the ACTION paragraph in Korff + Co. KG Service Bulletin SB-KOCO 05/818, issue 2, an Korff Work Instructions AW-KOCO-05/818, issue 2, both dated January 16, 2001, and the sailplane flight manual.
(4) Do not install any bolt that is not an F1-1373, Modification "a" or "b" (or FAA-approved equivalent part number).	As of the effective date of this AD .....	Not applicable.

Action	Compliance time	Procedures
(5) Inspect telescopic rods and locking mechanisms for any damage, smooth operation over full travel range, and mechanical tightness.	Within the next 5 hours TIS after April 13, 2001.	Do this action following the ACTION paragraph in Korff + Co. KG Service Bulletin SB-KOCO 05/818, issue 2, and Korff Work Instructions AW-KOCO-05/818, issue 2, both dated January 16, 2001, and the sailplane flight manual.
(6) Remove any problem telescopic rods and locking mechanisms from the sailplane.	Before further flight after the inspection required in paragraph (d)(5) above.	Do this action following the ACTION paragraph in Korff + Co. KG service Bulletin SB-KOCO 05/818, issue 2 and Korff Work Instructions AW-KOCO05/818, issue 2, both dated January 16, 2001, and the sailplane flight manual. Ship any problem telescopic rods and locking mechanisms to Korff + Co. KG, or any appropriately rated certified repair station, for repair.
(7) Install the airworthy or new telescopic rods and locking mechanisms in the sailplane.	Before further flight after removing the telescopic rods and locking mechanisms, and after repair of the telescopic rods and locking mechanisms.	Do this action following the ACTION paragraph in Korff + Co. KG Service Bulletin SB-KOCO and 05/818, issue 2, and Korff Work Instructions AW-KOCO-05/818, issue 2, both dated January 16, 2001, and the sailplane flight manual.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Small Airplane Directorate, approves your alternative. Send your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 1:** This AD applies to each sailplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For sailplanes 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; facsimile: (816) 329-4090.

(g) *What if I need to fly the sailplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your sailplane to a location where you can accomplish the requirements of this AD.

(h) *Are any service bulletins incorporated into this AD by reference?* Actions required by this AD must be done following Korff + Co. KG Service Bulletin-KOCO 05/818, issue 2, and Korff Work Instructions AW-KOCO 05/818, issue 2, both dated January 16, 2001. The Director of the Federal Register approved this incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from Korff + Co. KG, Luftfahrttechnischer Betrieb, LBA II-A 189, Dieselstrasse 5, D-63128, Dietzenbach,

Germany; telephone: (49) 6074/4006; facsimile: (49) 6074/4033. You can look at copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(i) *When does this amendment become effective?* This amendment becomes effective on April 13, 2001.

**Note 2:** The subject of this AD is addressed in German AD 2000-392, dated December 15, 2000.

Issued in Kansas City, Missouri, on March 6, 2001.

**Michael Gallagher,**

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

[FR Doc. 01-6283 Filed 3-22-01; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-254-AD; Amendment 39-12151; AD 2001-06-04]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model DC-8-33, -42, -55, and -61 Series Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to McDonnell Douglas Model DC-8-33, -42, -55, and -61 series airplanes. This action requires detailed visual and eddy current inspections of the lower wing skin at the 3 outboard fasteners of stringer 64 end fitting to detect cracks; and corrective actions, if

necessary. This action is necessary to prevent fatigue cracking of the lower wing skin, which could reduce structural integrity and loss of fail-safe capability of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective April 9, 2001.

The incorporation by reference of McDonnell Douglas Service Bulletin DC8-57-100, Revision 02, dated June 21, 2000, as listed in the regulations, is approved by the Director of the Federal Register as of April 9, 2001.

The incorporation by reference of McDonnell Douglas Service Bulletin DC8-57-100, Revision 01, dated August 26, 1998, as listed in the regulations, was approved previously by the Director of the Federal Register as of February 29, 2000 (65 FR 3794, January 25, 2000).

Comments for inclusion in the Rules Docket must be received on or before May 22, 2001.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-254-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. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-iarcomment@faa.gov. Comments sent via fax or the Internet must contain "Docket No. 2000-NM-254-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach