

**Optional Terminating Action for Repetitive Eddy Current Inspections**

(g) Accomplishment of paragraph (b) or (c), as applicable, of AD 2003-14-06, amendment 39-13225, ends the repetitive eddy current inspections required by paragraph (a) of this AD for that skin panel only; however the repetitive external detailed inspections required by paragraph (a) of this AD are still required for all areas.

**Credit for Actions Done Per Previous Service Bulletin**

(h) Inspections, repairs, and preventive modifications done before the effective date of this AD per Boeing Alert Service Bulletin 737-53A1210, dated December 14, 2000, are acceptable for compliance with the corresponding actions required by this AD.

**Exception to Service Bulletin Procedures**

(i) For airplanes subject to the requirements of paragraphs (a) and (b) of this AD: Inspections are not required in areas that are spanned by an FAA-approved repair that has a minimum of 3 rows of fasteners above and below the chem-milled step. If an external doubler covers the chem-milled step, but does not span it by a minimum of 3 rows of fasteners above and below, in lieu of requesting approval for an alternative method of compliance (AMOC), one method of compliance with the inspection requirement of paragraphs (a) and (b) of this AD is to inspect all chemical-milled steps covered by the repair using internal nondestructive test (NDT) methods in accordance with Boeing 737 Non-Destructive Test NDT Manual, Part 6, Subject 53-30-20.

**Alternative Methods of Compliance**

(j)(1) An alternative method of compliance (AMOC) or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle ACO. 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.

(2) AMOCs, approved previously in accordance with AD 2003-14-06, amendment 39-13225, for paragraphs (b) and (c) of AD 2003-14-06, are approved as AMOCs with paragraphs (a) and (g) of this AD for the applicable terminating action for the repetitive eddy current inspections only.

**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 Permit**

(k) 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**

(l) Unless otherwise specified in this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 737-53A1210, Revision 1, dated October 25, 2001, excluding Appendix A. 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 Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**Effective Date**

(m) This amendment becomes effective on October 13, 2004.

Issued in Renton, Washington, on August 26, 2004.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-20120 Filed 9-7-04; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2003-NM-131-AD; Amendment 39-13786; AD 2004-18-08]

**RIN 2120-AA64**

**Airworthiness Directives; Boeing Model 727, 727C, 727-100, -100C, and -200 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 727, 727C, 727-100, -100C, and -200 series airplanes. This amendment requires an inspection of the forward trunnion attach fittings of the main landing gear (MLG), inspections of the attach fitting holes of the forward trunnion attach fittings if necessary, replacement of the forward trunnion attach fittings if necessary, and corrective actions if necessary. This action is necessary to detect and correct cracks and corrosion on the attach fitting holes of the forward trunnion attach fittings of the MLG, which could result in the collapse of the MLG. This action is intended to address the identified unsafe condition.

**DATES:** Effective October 13, 2004.

The incorporation by reference of a certain publication listed in the regulations is approved by the Director of the Federal Register as of October 13, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**FOR FURTHER INFORMATION CONTACT:**

Daniel F. Kutz, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6456; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 727, 727C, 727-100, -100C, and -200 series airplanes was published in the **Federal Register** on June 16, 2004 (69 FR 33587). That action proposed to require an inspection of the forward trunnion attach fittings of the main landing gear, inspections of the attach fitting holes of the forward trunnion attach fittings if necessary, replacement of the forward trunnion attach fittings if necessary, and corrective actions if necessary.

**Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

**Conclusion**

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

**Cost Impact**

There are approximately 523 airplanes of the affected design in the worldwide fleet. The FAA estimates that 309 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required inspection, and that the average labor rate is \$65 per work hour. Based on these figures, the

cost impact of the AD on U.S. operators is estimated to be \$20,085, or \$65 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

### Regulatory Impact

The regulations adopted herein 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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:

**2004-18-08 Boeing:** Amendment 39-13786. Docket 2003-NM-131-AD.

*Applicability:* Model 727, 727C, 727-100, -100C, and -200 series airplanes, line numbers 1 through 887 inclusive; certificated in any category.

*Compliance:* Required as indicated, unless accomplished previously.

To detect and correct cracks and corrosion on the attach fitting holes of the forward trunnion attach fittings of the main landing gear (MLG), which could result in the collapse of the MLG, accomplish the following:

#### Service Bulletin References

(a) The term "service bulletin," as used in this AD, means Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003.

#### Initial Inspection

(b) Perform an inspection of the forward trunnion attach fittings of the MLG to determine the part number (P/N) of the attach fitting, in accordance with "Part 1" of the Accomplishment Instructions of the service bulletin, at the latest of the times specified in paragraphs (b)(1), (b)(2), and (b)(3) of this AD:

(1) Prior to airplanes reaching 240 months old since the date of issuance of the original Airworthiness Certificate or the date of issuance of the original Export Certificate of Airworthiness; or

(2) Within 18 months after the effective date of this AD; or

(3) Within 120 months after the last inspection/rework/repair of the attach fitting per Boeing Service Bulletin 727-57A0132, dated June 28, 1974, Revision 1, dated October 31, 1975, or Revision 2, dated April 24, 1981; or Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003.

#### Corrective Actions

(c) If, during the inspection required by paragraph (b) of this AD, both attach fittings are found to have P/N 65-19296-9, -10, -13, or -14; P/N 65-99909-1724 or -1727; P/N 65-19296U13 or P/N 65-19296U14 (attach fitting made of 7075-T73511 or 7050-T7451 aluminum); no further action is required by this paragraph.

(d) If, during the inspection required by paragraph (b) of this AD, any attach fitting is found to have P/N 65-19296-1 through -8 inclusive (attach fitting made of 7079-T6 aluminum): Before further flight, perform the actions in paragraphs (d)(1) and (d)(2) of this AD, as applicable.

(1) Do detailed and high frequency eddy current inspections of the attach fitting holes for cracks and corrosion, repair any crack or corrosion found, and rework the attach fitting holes, in accordance with Figures 4 and 5 of the service bulletin, except as provided by paragraph (d)(2) of this AD.

(2) If the attach fitting hole cannot be reworked or repaired in accordance with

Figures 4 and 5 of the service bulletin: Before further flight, replace the attach fitting with a new attach fitting that has P/N 65-19296-9, -10, -13, or -14, P/N 65-99909-1724 or -1727, P/N 65-19296U13, or P/N 65-19296U14, in accordance with paragraph 7 of "Part II" of the Accomplishment Instructions of the service bulletin. Accomplishment of this replacement is terminating action for that fitting.

#### Terminating Action

(e) Within 120 months after the effective date of this AD, replace attach fittings that have P/N 65-19296-1 through -8 (attach fittings made of 7079-T6 aluminum) with new attach fittings that have P/N 65-19296-9, -10, -13, or -14, P/N 65-99909-1724 or -1727, P/N 65-19296U13, or P/N 65-19296U14 (attach fittings made of 7075-T73511 or 7050-T7451 aluminum), in accordance with paragraph 7 of "Part II" of the Accomplishment Instructions of the service bulletin. Replacement of all attach fittings made of 7079-T6 aluminum with new attach fittings made of 7075-T73511 or 7050-T7451 aluminum terminates the requirements of paragraph (d) of this AD.

#### Parts Installation

(f) As of the effective date of this AD, no person shall install, on any airplane, an attach fitting, P/N 65-19296-1, -2, -3, -4, -5, -6, -7, or -8 (attach fitting made of 7079-T6 aluminum), unless it has been inspected/reworked/repared in accordance with paragraph (d) of this AD.

#### Alternative Methods of Compliance

(g)(1) In accordance with 14 CFR 39.19, the Manager, Seattle Aircraft Certification Office, FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

(2) An AMOC that provides an acceptable level of safety may be used for any rework/repair required by this AD, if it is approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Seattle ACO, to make such findings. For a rework/repair method to be approved, the approval must specifically reference this AD.

#### Incorporation by Reference

(h) The actions shall be done in accordance with Boeing Alert Service Bulletin 727-57A0132, Revision 3, dated March 20, 2003. 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 Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

#### Effective Date

(i) This amendment becomes effective on October 13, 2004.

Issued in Renton, Washington, on August 26, 2004.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-338-AD; Amendment 39-13788; AD 2004-18-10]

RIN 2120-AA64

#### **Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes, that requires inspection of the fitting assemblies located on the vent and scavenge lines routed immediately below the fuel tank access covers on both wings for proper installation, and corrective actions if necessary. This amendment also requires inspection of the stiffeners on the underside of fuel tank access covers on both wings for signs of chafing damage caused by incorrect orientation of the lockwire tail, and removal of damage. This action is necessary to prevent contact between the lockwire pigtail of the fitting and the stiffener located on the inside surface of the fuel access covers of the wings, which could serve as a potential ignition source within the fuel tank if a cover is struck by lightning and result in possible fuel tank explosion. This action is intended to address the identified unsafe condition.

**DATES:** Effective October 13, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 13, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket,

1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410, Westbury, New York; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

#### **FOR FURTHER INFORMATION CONTACT:**

Mazdak Hobbi, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410, Westbury, New York 11590; (516) 228-7330; fax (516) 256-5531.

#### **SUPPLEMENTARY INFORMATION:**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes was published in the **Federal Register** on December 31, 2003 (68 FR 75471). That action proposed to require inspection of the fitting assemblies located on the vent and scavenge lines routed immediately below the fuel tank access covers on both wings for proper installation, and corrective actions if necessary. That action also proposed to require inspection of the stiffeners on the underside of fuel tank access covers on both wings for signs of chafing damage caused by incorrect orientation of the lockwire tail, and removal of damage.

#### **Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

#### **Request to Reference Original Issue of Service Bulletin**

One commenter requests that the notice of proposed rulemaking (NPRM) be revised to reference Bombardier Alert Service Bulletin A8-28-33, dated June 3, 2002. The commenter notes that the NPRM refers to Bombardier Alert Service Bulletin A8-28-33, Revision "A," dated October 10, 2002, as the appropriate source of service information for the proposed actions. The commenter states that Revision "A" only removed the eddy current and fluorescent dye penetrant inspections, and that the original service bulletin accomplishes the same intent as Revision "A." The commenter

concludes that including the original service bulletin in the NPRM will eliminate the need to request alternative methods of compliance with the NPRM.

We agree with the commenter that accomplishment of the actions before the effective date of this AD in accordance with Bombardier Alert Service Bulletin A8-28-33, dated June 3, 2002, is acceptable for compliance with the corresponding requirements of this AD. In addition, Canadian airworthiness directive CF-2002-44, dated October 22, 2002, references the original service bulletin as the appropriate source of service information for accomplishing the required actions. Therefore, we have added a new paragraph (f) in the final rule to clarify this point and renumbered subsequent paragraphs.

#### **Request to Extend Compliance Time**

One commenter requests that the compliance time for the proposed inspection be extended from 12 months to 36 months. This would allow most airplanes to be inspected during scheduled maintenance. The commenter states that the proposed inspections require tank entry, and that its normal tank entry interval is 11,500 flight hours or approximately every 4 years. The commenter considers that the adoption of the proposed compliance time of 12 months would require operators to schedule special times for the accomplishment of the inspections, at additional expense.

We do not agree with the commenter's request to extend the compliance time. In developing an appropriate compliance time for this action, we considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the inspections. In addition, the 12-month compliance time coincides with Canadian airworthiness directive CF-2002-44. In consideration of these items, we have determined that 12 months represents an appropriate interval of time allowable wherein the inspections can be accomplished during scheduled maintenance intervals for the majority of affected operators, and wherein an acceptable level of safety can be maintained. However, under the provisions of paragraph (h) of the final rule, we may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety.