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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-NM-151-AD; Amendment 39-9333; AD 95-17-04]

#### Airworthiness Directives; Jetstream Model ATP Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to all Jetstream Model ATP airplanes, that currently requires revising the Airplane Flight Manual (AFM) to prohibit flight in freezing precipitation conditions. This amendment adds a requirement to install modifications of the engine air intake system. This amendment is prompted by the development of modifications of the engine air intake system intended to permit operation of these airplanes in freezing precipitation conditions. The actions specified by this AD are intended to prevent engine power rollback in flight during freezing precipitation conditions.

**DATES:** Effective September 13, 1995.

The incorporation by reference of certain publications, as listed in the regulations, is approved by the Director of the **Federal Register** as of September 13, 1995.

The incorporation by reference of certain other publications listed in the regulations was approved previously by the Director of the **Federal Register** as of June 15, 1994 (59 FR 25290, May 16, 1994).

**ADDRESSES:** The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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 Office of the **Federal Register**, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 94-08-01, amendment 39-8872 (59 FR 25290, May 16, 1994), which is applicable to all Jetstream Model ATP airplanes, was published in the **Federal Register** on December 29, 1994 (59 FR 67243). The action proposed to require certain actions that were previously optional terminating actions. The action also proposed to provide several new optional terminating actions. Additionally, the action proposed to revise the applicability of the rule.

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.

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.

The FAA estimates that 10 airplanes of U.S. registry will be affected by this AD, that it will take approximately 150 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operator. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$90,000, or \$9,000 per airplane.

The total 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 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.

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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

#### § 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-8872 (59 FR 25290, May 16, 1994), and by adding a new airworthiness directive (AD), amendment 39-9333, to read as follows:

#### 95-17-04 Jetstream Aircraft Limited

(Formerly British Aerospace Commercial Aircraft Limited): Amendment 39-9333. Docket 94-NM-151-AD. Supersedes AD 94-08-01, Amendment 39-8872.

**Applicability:** Model ATP airplanes, as listed in Jetstream Service Bulletin ATP 54-

13-35274B, Revision 2, dated August 18, 1994, 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 use the authority provided in paragraph (e) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

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

To prevent loss of multiple engine power during flight in freezing precipitation, accomplish the following:

(a) Within 30 days after June 15, 1994 (the effective date of AD 94-08-01, amendment 39-8872), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

"Flight is prohibited into forecast or reported freezing precipitation conditions where the outside air temperature is between +5°C and -5°C."

(b) Within 72 days after the effective date of this AD, accomplish the actions specified in paragraphs (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), and (b)(6), which will constitute terminating action for the AFM revision required by paragraph (a) of this AD. Once these actions are completed, the AFM revision required by paragraph (a) may be removed.

(1) Revise the Limitations Section and the Normal Procedures Section of the FAA-approved AFM, to include the information specified in Temporary Revision T/33, Issue 1, dated November 1, 1993, and Temporary Revision T/38, Issue 1, dated February 16, 1994, which introduce procedures for operation in icing conditions, as specified in the temporary revision; and operate the airplane in accordance with those limitations and procedures.

**Note 2:** This may be accomplished by inserting copies of Temporary Revision T/33 and T/38 in the AFM. When these temporary revisions have been incorporated into general revisions of the AFM, the general revisions may be inserted in the AFM, provided the information contained in the general revision

is identical to that specified in Temporary Revision T/33 and T/38.

(2) Incorporate a revision into the FAA-approved maintenance program that provides for replacement of engine igniter plugs at the intervals specified in Jetstream Service Bulletin ATP-80-06, Revision 1, dated October 22, 1993, or Revision 2, dated October 16, 1994. Initial replacement of an engine igniter plug with a new plug shall be accomplished prior to the accumulation of 200 total hours time-in-service on the engine igniter plug, or within 50 hours time-in-service after incorporating the maintenance program revision, whichever occurs later.

(3) Install an eductor plate over the exhaust port of the engine air intake system in accordance with Jetstream Service Bulletin ATP-54-12-35274A, dated September 28, 1993, or Revision 1, dated December 15, 1993. Any eductor plate installed in accordance with the original issue of the service bulletin must be inspected for any aperture profile mismatch, in accordance with paragraph 2., Part B., of the Accomplishment Instructions of Revision 1 of the service bulletin. If any mismatch is found that exceeds the limit specified in that service bulletin, prior to further flight, correct the discrepancy in accordance with paragraph 2., Part C., of Revision 1 of the service bulletin.

(4) For airplanes having constructor's numbers 2007, 2010 through 2016 inclusive, 2020 through 2022 inclusive, 2028, 2029, 2032, 2034 through 2037 inclusive, 2041 through 2044 inclusive, 2051, 2053, and 2056: Install engine air inlet ducts that incorporate electrical de-ice heaters with increased power and area, and perform associated electrical system changes, in accordance with the Accomplishment Instructions, in Jetstream Service Bulletin ATP-54-13-35274B, dated October 9, 1993, or Parts A through F of Revision 1, dated July 8, 1994, or Revision 2, dated August 18, 1994.

(5) For airplanes having constructor's numbers 2002 through 2006 inclusive, 2008, 2009, 2017 through 2019 inclusive, 2023 through 2027 inclusive, 2030, 2031, 2033, 2038 through 2040 inclusive, 2045 through 2050 inclusive, 2052, 2054 through 2055 inclusive, and 2057 through 2063 inclusive: Install engine air inlet ducts that incorporate electrical de-ice heaters with increased power, in accordance with the Accomplishment Instructions, Part G, of Jetstream Service Bulletin ATP-54-13-35274B, Revision 2, dated August 18, 1994.

**Note 3:** Installation of engine air inlet ducts in accordance with Jetstream Service Bulletin ATP-54-15-35274E, dated July 27, 1994, is considered acceptable for compliance with either paragraph (b)(4) or (b)(5) of this AD.

(6) Revise the FAA-approved maintenance program to include repetitive visual

inspections for damage of the heater mats at intervals not to exceed 50 hours time-in-service, in accordance with Jetstream Service Bulletin ATP-54-14, dated October 14, 1993; and, if any damage is found, prior to further flight, replace the engine air intake in accordance with the service bulletin.

(c) The following installations on both engines constitute terminating action for the repetitive replacement of the engine igniter plugs required by paragraph (b)(2) of this AD:

(1) Installation of new de-ice timers in accordance with Jetstream Service Bulletin ATP-30-39-30146A, dated July 29, 1994,

(2) Wiring changes to incorporate automatic duct heat when engine air intake lip heat is selected "on," in accordance with Jetstream Service Bulletin ATP-30-37-30143A, dated August 1, 1994, or Revision 1, dated September 5, 1994, and

(3) Installation of an engine automatic ignition system in accordance with Jetstream Service Bulletin ATP-80-7-30141A, Revision 2, dated November 4, 1994; and an associated revision of the FAA-approved Airplane Flight Manual (AFM) by incorporating the information contained in Temporary Revision T/42, Issue 1, dated August 12, 1994.

(d) For airplanes on which the engine air intake (Modification 35274E) has been installed in accordance with Jetstream Service Bulletin ATP-54-15-35274D, dated July 27, 1994: The installation of engine duct de-ice overheat protection (Modification 35274D) in accordance with Jetstream Service Bulletin ATP-30-44-35274D, dated August 12, 1994, constitutes terminating action for the repetitive inspections required by paragraph (b)(6) of this AD.

(e) 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, Standardization Branch, FAA, Transport Airplane Directorate, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(f) 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.

(g) The actions shall be done in accordance with the following documents, as applicable, which contain the specified effective pages:

Service bulletin referenced and date	Page No.	Revision level shown on page	Date shown on page
Temporary Revision T/42	1-18	1	August 12, 1994.
Issue 1, August 12, 1994	3-7	Original	March 2, 1993.
ATP 30-37-30143A, August 1, 1994	1-15	Original	August 1, 1994.

Service bulletin referenced and date	Page No.	Revision level shown on page	Date shown on page
ATP 30-37-30143A, Revision 1, September 5, 1994.	1-3, 5-10, 14-17 .....	1 .....	September 5, 1994.
ATP-30-39-30146A, July 29, 1994 .....	4, 11-13 .....	Original .....	August 1, 1994.
ATP-30-44-35274D, August 12, 1994 .....	1-7 .....	Original .....	July 29, 1994.
ATP-54-13-35274B, Revision 1, July 8, 1994 .....	1-56 .....	Original .....	August 12, 1994.
ATP-54-13-35274B, Revision 2, August 18, 1994 .....	1-45 .....	1 .....	July 8, 1994.
	1-4, 9, 10 .....	2 .....	August 18, 1994.
	5-8, 11-45 .....	1 .....	July 8, 1994.
ATP-80-06, Revision 2, October 16, 1994 .....	1-6 .....	2 .....	October 16, 1994.
ATP-80-7-30141A, Revision 2, November 4, 1994.	1, 3, 5-8, 11, 14, 17, 18, 20-28, 36, 38, 45, 46, 51-55.	2 .....	November 4, 1994.
	2, 4, 9, 10, 12, 13, 15, 16, 19, 29-35, 37, 39-44, 47-50.	Original .....	August 1, 1994.

This incorporation by reference of certain publications listed in the regulations was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The incorporation by reference of certain other publications listed in the regulations was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of June 15, 1994 (59 FR 29290, May 16, 1994). Copies may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on September 13, 1995.

Issued in Renton, Washington, on July 31, 1995.

**Darrell M. Pederson,**  
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.  
[FR Doc. 95-19231 Filed 8-11-95; 8:45 am]  
BILLING CODE 4910-13-U

**14 CFR Part 39**

[Docket No. 94-NM-14-AD; Amendment 39-9330; AD 95-17-01]

**Airworthiness Directives; Boeing Model 707 and 720 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.  
**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 707 and 720 series airplanes, that currently requires repetitive visual and dye penetrant inspections to detect cracks in areas of the upper forward skin panels

of the wing center section, and repair, if necessary. It also provides an optional terminating modification for the repetitive inspections. This amendment requires repetitive visual and eddy current inspections to detect cracks in areas of the upper forward skin panels of the wing center section, and repair, if necessary. This amendment is prompted by reports indicating that the inspections required by the existing AD are not effective in detecting fatigue cracks in a timely manner. The actions specified by this AD are intended to prevent fatigue cracking and subsequent failure of the upper forward skin panels of the wing center section.

**DATES:** Effective on September 13, 1995. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 13, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Phil Forde, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington, 98055-4056; telephone (206) 227-2771; fax (206) 227-1181.

**SUPPLEMENTARY INFORMATION:** 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 707 and 720 series airplanes, was published

as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on February 7, 1995 (60 FR 7143). That supplemental NPRM proposed to supersede AD 68-18-03, amendment 39-2056. That AD currently requires repetitive visual and dye penetrant inspections to detect cracks on the upper forward skin panels of the wing center section, and repair, if necessary. It also provides an optional terminating modification for the repetitive inspections. The supplemental NPRM proposed to require repetitive visual and eddy current inspections to detect cracks on the upper forward skin panels of the wing center section, and repair, if necessary.

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 requests that paragraph (e) of the proposal be revised to allow that the terminating action specified in that paragraph be accomplished in accordance with procedures contained in revisions prior to Revision 6 of Boeing Service Bulletin 2590, provided that, in addition to the installation of reinforcing stiffeners, the forward skin panel is replaced. The commenter indicates that the modifications described in these earlier revisions of the service bulletin are identical to those specified in Revisions 6 and subsequent. The commenter adds that the "aging fleet document" (Boeing Document D6-54496), which addresses the affected airplanes, specifies that modifications accomplished in accordance with the original issue through Revision 8 of Boeing Service Bulletin 2590 are considered to be terminating action, provided that new forward skin panels are installed. The commenter states that the inconsistency