

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

[Docket No. 96-NM-214-AD]

RIN 2120-AA64

**Airworthiness Directives; Jetstream Model 4101 Airplanes**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Jetstream Model 4101 airplanes. This proposal would require repetitive inspections of the structure associated with the engine nacelle fairing that is attached to the left and right flaps of the wings for damage, and repair of any damage found. This proposed AD would also require drilling a new drain hole in each engine nacelle fairing and applying a sealant to the gap between the wing flap and engine nacelle fairing. This proposal is prompted by reports indicating that fatigue cracks were found in the structure that attaches the engine nacelle fairing to the wing flaps on the affected airplanes. The actions specified by the proposed AD are intended to detect and correct such fatigue cracking, which could result in the engine nacelle fairing partially or completely separating from the wing flap, and consequent additional structural damage to the airframe and/or reduced controllability of the airplane.

**DATES:** Comments must be received by June 23, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-214-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 Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**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 (425) 227-2148; fax (425) 227-1149.

**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 96-NM-214-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-103, Attention: Rules Docket No. 96-NM-214-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, notified the FAA that an unsafe condition may exist on all Jetstream Model 4101 airplanes. The CAA advises it has received reports of cracks in the fairing attachment angles of the engine nacelle and in the wing flap skins associated with the engine nacelle fairing attached to the left and right flap of the wings. In one of these incidents, a loose fairing caused vibration of the wing and fuselage. Investigation revealed that the cause of such cracks was attributed to structural fatigue induced by repetitive loads from

the wake of the propeller. Such fatigue cracking, if not detected and corrected in a timely manner, could result in the engine nacelle fairing partially or completely separating from the wing flap, and consequent additional structural failure of the airframe and/or reduced controllability of the airplane.

**Explanation of Relevant Service Information**

Jetstream has issued Alert Service Bulletin J41-A57-015, dated May 27, 1996, which describes the following procedures:

- Performing repetitive visual inspections of the structure associated with the engine nacelle fairing that is attached to the left and right flaps of the wings for damage;
- Drilling a new drain hole in each engine nacelle fairing;
- Applying a new sealant to the gap between the wing flap and engine nacelle fairing; and
- Repairing any damaged fairing.

The CAA classified this alert service bulletin as mandatory and issued British airworthiness directive 006-05-96 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

**FAA's Conclusions**

This airplane model is manufactured in the United Kingdom and is 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, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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 Requirements of Proposed Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require repetitive visual inspections of the structure associated with the engine nacelle fairing that is attached to the left and right flaps of the wings for damage, and repair of any damage found. The proposed AD also would require drilling a new drain hole in each fairing and applying a sealant to the gap between the wing flap and engine nacelle fairing. The actions would be required to be

accomplished in accordance with the alert service bulletin described previously.

#### Cost Impact

The FAA estimates that 51 Jetstream Model 4101 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours per airplane to accomplish the proposed initial inspection, and that the average labor rate is \$60 per work hour. (The FAA has no way of determining how many repetitive inspections the owners/operators would incur over the life of the affected airplanes.) Required parts (sealant) would be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$9,180, or \$180 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

#### Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

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

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the

Administrator, the Federal Aviation Administration proposes to amend 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:

**Jetstream Aircraft Limited:** Docket 96-NM-214-AD.

**Applicability:** All Model 4101 airplanes, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (b) 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 fatigue cracking in the structure associated with the engine nacelle fairings attached to the left and right flaps of the wings, which could result in the engine nacelle fairing partially or completely separating from the wing flap, and consequent additional structural damage to the airframe and/or reduced controllability of the airplane, accomplish the following:

(a) Prior to the accumulation of 1,500 hours time-in-service (TIS), or within 60 days after the effective date of this AD, whichever occurs later, visually inspect the structure associated with the engine nacelle fairing that is attached to the left and right flaps of the wings for damage; drill a new drain hole in each engine nacelle fairing; and apply a sealant to the gap between the wing flap and engine nacelle fairing; in accordance with Jetstream Alert Service Bulletin J41-A57-015, dated May 27, 1996. Repeat the visual inspection thereafter at intervals not to exceed 1,500 hours TIS.

(1) If any damage is found and the damage is within the limits specified in the alert service bulletin, prior to further flight, repair it in accordance with the alert service bulletin.

(2) If any damage is found and the damage is outside the limits specified in the alert service bulletin, prior to further flight, repair it in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(b) 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, 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, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) 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.

Issued in Renton, Washington, on May 8, 1997.

**Darrell M. Pederson,**

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

[FR Doc. 97-12681 Filed 5-13-97; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 97-ASO-11]

#### Proposed Establishment of Class E Airspace; Sebastian, FL

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class E airspace at Sebastian, FL. A GPS RWY 4 Standard Instrument Approach Procedure (SIAP) has been developed for Sebastian Municipal Airport. Controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for instrument flight rules (IFR) operations at Sebastian Municipal Airport. The operating status of the airport will change for VFR to include IFR operations concurrent with publication of this SIAP.

**DATES:** Comments must be received on or before June 29, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 97-ASO-11, Manager, Operations Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Assistant Chief