

# Rules and Regulations

Federal Register

Vol. 63, No. 85

Monday, May 4, 1998

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-NM-175-AD; Amendment 39-10509; AD 98-09-28]

RIN 2120-AA64

#### Airworthiness Directives; Short Brothers Model SD3-30 and SD3-60 Series Airplanes Equipped With Fire Fighting Enterprises (U.K.) Ltd. Fire Extinguishers

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Shorts Model SD3-30 and SD3-60 series airplanes equipped with certain fire extinguishers, that requires replacement of the covers for fire extinguisher adapter assemblies that are installed on certain bulkheads with new covers that swivel to lock the extinguishers in place; and replacement of nozzles and triggers on these fire extinguishers with better fitting nozzles and stronger triggers. It also requires the installation of new fire extinguisher point placards and a revision of the Airplane Flight Manual to instruct the flight crew in the use of the new covers for these adapter assemblies. This amendment is prompted by reports that these fire extinguishers are not discharging properly because they do not fit correctly with the adapter, and that triggers on these extinguishers are failing. The actions specified by this AD are intended to ensure that, in the event of fire in the baggage bay, extinguishing agent is properly distributed within this area, and portable extinguishers operate properly; and to prevent injury to crew and passengers when a portable extinguisher is discharged.

**DATES:** Effective June 8, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 8, 1998.

**ADDRESSES:** The service information referenced in this AD may be obtained from Short Brothers (USA), Inc., Civil Technical Operations, P.O. Box 211 (Route 76 East), Bridgeport, West Virginia 26330. 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:** Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

**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 all Shorts Model SD3-30 and SD3-60 series airplanes equipped with certain fire extinguishers was published in the **Federal Register** on January 27, 1997 (62 FR 3832). That action proposed to require replacement of the covers for fire extinguisher adapter assemblies that are installed on certain bulkheads with new covers that swivel to lock the extinguishers in place; and replacement of nozzles and triggers on these fire extinguishers with better fitting nozzles and stronger triggers. It also proposed to require the installation of new fire extinguisher point placards and a revision of the Airplane Flight Manual to instruct the flight crew in the use of the new covers for these adapter assemblies.

#### 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.

One commenter, an organization representing airline pilots, supports the proposed AD; however, it requests that the FAA implement specific training in the use of critical equipment such as fire extinguishers, including the actual equipment used in the aircraft.

The FAA acknowledges the commenter's concern. The FAA has determined that an unsafe condition exists, and that the actions required by this AD are adequate in order to ensure the continued safety of the affected fleet. While there may be merit to the commenter's suggestion, this AD is not the appropriate context in which to evaluate that suggestion. Since the suggested change would alter the actions currently required by this AD, additional rulemaking would be required. The FAA finds that to delay this action would be inappropriate in light of the identified unsafe condition. No change to this final rule is necessary.

The manufacturer of the affected airplanes notes that replacement of the discharge head assembly in accordance with Fire Fighting Enterprises (U.K.) Ltd. Service Bulletin 26-107, Revision 1, dated November 2, 1992, includes replacement of the trigger as also required by the company's Service Bulletin 26-108, dated September 1992. Both service bulletins are cited as the appropriate sources of service information in paragraph (c) of the proposed AD. The commenter requests that this information be provided in the AD so that operators would not rework the fire extinguisher head per Service Bulletin 26-107 (which would require the installation of a new trigger in accordance with Service Bulletin 26-108), only to discover that both actions could be accomplished by replacing the discharge head.

The FAA concurs that some confusion could result with regard to the current wording contained in paragraph (c)(1) of this final rule. Therefore, the FAA has changed paragraph (c)(1) to read, "Install a chamfered nozzle on the discharge head assembly of each fire extinguisher and add a new trigger by replacing \* \* \*." That change, together with the clarification contained in the service bulletin, should preclude any confusion in that regard.

The same commenter requests that an inspection procedure be provided in order to determine whether the trigger has actually been replaced in accordance with Service Bulletin 26-108. The commenter states that paragraph 3.A.(3)(h) of Service Bulletin 26-107, Revision 1, requires that the fire extinguisher trigger be marked with part number BA22988-3 after rework of the nozzle chamfer. The commenter further

asserts that, since effectivity of Service Bulletin 26-108 does not include discharge head part number BA22988-3, maintenance personnel may assume that, following accomplishment of Service Bulletin 26-107 (and re-marking of the part to BA22988-3), replacement of the trigger in accordance with Service Bulletin 26-108 is not necessary.

The FAA does not concur that an inspection should be added to this AD. Contrary to the commenter's assertion, Service Bulletin 26-107 requires that the reworked discharge head, not the trigger itself, be marked with part number BA22988-3. In any event, the AD requires replacement of the trigger with the stronger trigger, either through accomplishment of Service Bulletin 26-107, Revision 1, or 26-108, regardless of the part number marking on the fire extinguisher discharge head. However, replacement of the trigger is required only if such replacement has not been accomplished prior to the effective date of the AD. Investigation of airplane maintenance records may be necessary to confirm whether the stronger trigger has been installed. If there are no records showing that it has already been installed, the stronger trigger must be installed in accordance with this AD.

The commenter also provided corrected information concerning the address from which the referenced service bulletins may be obtained and the cost of parts needed for compliance. The correct address is shown above under the heading **ADDRESSES**, and the cost impact information presented below reflects the corrected information concerning the cost of parts. The cost impact information also reflects changes that have occurred in the number of affected U.S.-registered airplanes since the notice of proposed rulemaking was published.

### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither significantly increase the economic burden on any operator nor increase the scope of the AD.

### Cost Impact

The FAA estimates that 33 Model SD3-30 series airplanes of U.S. registry will be affected by this AD. For these airplanes, it will take approximately 9 work hours per airplane to accomplish the required actions on airplanes with only a forward baggage bay, and 14 work hours per airplane to accomplish

the required actions on airplanes with forward and aft baggage bays. The average labor rate is \$60 per work hour. Required parts will cost approximately \$735 per airplane. Based on these figures, the cost impact of the AD on U.S. operators of Model SD3-30 series airplanes is estimated to be between \$42,075 and \$51,975, or between \$1,275 and \$1,575 per airplane.

The FAA estimates that 52 Model SD3-60 series airplanes of U.S. registry will be affected by this AD. For these airplanes, it will take approximately 12 work hours per airplane to accomplish the required actions, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$776 per airplane. Based on these figures, the cost impact of the AD on U.S. operators of Model SD3-60 series airplanes is estimated to be \$77,792, or \$1,496 per airplane.

The cost impact figures discussed above are 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.

### Regulatory Impact

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. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**98-09-28 Short Brothers, PLC:** Amendment 39-10509. Docket 96-NM-175-AD.

**Applicability:** Model SD3-30 and SD3-60 series airplanes equipped with fire extinguishers manufactured by Fire Fighting Enterprises (U.K.) Ltd.; 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 request approval for an alternative method of compliance in accordance with paragraph (d) 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 ensure that, in the event of fire, extinguishing agent is properly distributed within the baggage bays and portable extinguishers operate properly; and to prevent injury to crew and passengers, accomplish the following:

(a) Within 6 months after the effective date of this AD, install a new cover on each fire extinguisher adapter assembly on bulkheads between the passenger cabin and aft and/or forward baggage bay, in accordance with Shorts Service Bulletin SD330-26-14, dated September 1994 (for Shorts Model SD3-30 series airplanes), or Shorts Service Bulletin SD360-26-11, dated July 1994 (for Shorts Model SD3-60 series airplanes), as applicable.

(b) Prior to further flight after accomplishing the actions required by paragraph (a) of this AD, accomplish both paragraphs (b)(1) and (b)(2) of this AD:

(1) Install new fire extinguisher point placards, in accordance with Shorts Service Bulletin SD330-26-14, dated September 1994 (for Shorts Model SD3-30 series airplanes), or Shorts Service Bulletin SD360-26-11, dated July 1994 (for Shorts Model SD3-60 series airplanes), as applicable. And

(2) Revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM), in accordance with Note 1 of Paragraph 1.C. of Shorts Service Bulletin SD330-26-14, dated September 1994 (for Shorts Model SD3-30 series airplanes), or Shorts Service Bulletin SD360-26-11, dated July 1994 (for Shorts Model SD3-60 series airplanes), as applicable.

(c) For airplanes equipped with fire extinguishers having part number (P/N) BA51012SR-3 or BA51012SR: Within 6 months after the effective date of this AD, accomplish either paragraph (c)(1) or (c)(2) of this AD:

(1) Install a chamfered nozzle on the discharge head assembly of each fire extinguisher and add a new trigger by replacing the discharge head assembly with a new discharge head assembly, having P/N BA22988-3, in accordance with Fire Fighting Enterprises (U.K.) Ltd. Service Bulletin 26-107, Revision 1, dated November 2, 1992. Or

(2) Replace the trigger on the discharge head assembly of each fire extinguisher with a new trigger, in accordance with Fire Fighting Enterprises (U.K.) Ltd. Service Bulletin 26-108, dated September 1992. After replacement, install a chamfered nozzle on the discharge head assembly of each fire extinguisher by reworking the discharge head assembly in accordance with Fire Fighting Enterprises (U.K.) Ltd. Service Bulletin 26-107, Revision 1, dated November 2, 1992.

(d) 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(e) 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.

(f) The actions shall be done in accordance with Short Brothers Shorts Service Bulletin SD330-26-14, dated September 1994; Short Brothers Shorts Service Bulletin SD360-26-11, dated July 1994; Fire Fighting Enterprises (U.K.) Ltd. Service Bulletin 26-107, Revision 1, dated November 2, 1992; and Fire Fighting Enterprises (U.K.) Ltd. Service Bulletin 26-108, dated September 1992; as applicable. 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 Short Brothers (USA), Inc., Civil Technical Operations, P.O. Box 211 (Route 76 East), Bridgeport, West Virginia 26330. 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.

(g) This amendment becomes effective on June 8, 1998.

Issued in Renton, Washington, on April 22, 1998.

**Gary L. Killion,**

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

[FR Doc. 98-11302 Filed 5-1-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-05-AD; Amendment 39-10458]

RIN 2120-AA64

#### **Airworthiness Directives; Bombardier Model CL-215-1A10 and CL-215-6B11 Series Airplanes; Correction**

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

**ACTION:** Direct final rule; correction.

**SUMMARY:** This document corrects an error that appeared in amendment 39-10458 that was published in the **Federal Register** on April 10, 1998 (63 FR 17672). The error resulted in the inadvertent omission of the applicability statement of the amendment. This amendment is applicable to certain Bombardier Model CL-215-1A10 and CL-215-6B11 series airplanes. This amendment requires repetitive inspections to detect cracking on certain wing to fuselage frame-angles, and repair, if necessary.

**DATES:** Effective July 9, 1998.

The incorporation by reference of certain publications listed in the regulations was previously approved by the Director of the **Federal Register** as of July 9, 1998 (63 FR 17672, April 10, 1998).

**FOR FURTHER INFORMATION CONTACT:**

Serge Napoleon, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7512; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** Amendment 39-10458, applicable to certain Bombardier Model CL-215-1A10 and CL-215-6B11 series airplanes, was published in the **Federal Register** on April 10, 1998 (63 FR 17672). That amendment requires

repetitive inspections to detect cracking on certain wing to fuselage frame-angles, and repair, if necessary.

As published, the applicability statement of the amendment was omitted inadvertently. The FAA has determined that this omission must be corrected. In all other respects, the original document is correct.

Since no other part of the regulatory information has been changed, the direct final rule is not being republished.

The effective date of this amendment remains July 9, 1998.

#### **§ 39.13 [Corrected]**

1. On page 17674, in the first column, the airworthiness directive, amendment 39-10458, is corrected by adding the applicability statement preceding Note 1 to read as follows:

\* \* \* \* \*

*Applicability:* Model CL-215-1A10 and CL-215-6B11 series airplanes, serial numbers 1001 through 1125 inclusive, certificated in any category.

\* \* \* \* \*

Issued in Renton, Washington, on April 24, 1998.

**Gary L. Killion,**

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

[FR Doc. 98-11560 Filed 5-1-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 97-ANM-24]

#### **Amendment of Class D Airspace; Twin Falls, ID**

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule published on February 25, 1998 (63 FR 9409) which changed the name of the airport in the Twin Fall, ID, Class D airspace legal description. During a review of Idaho airspace, it was discovered that the airport name needed updating because it was changed from Twin Falls-Sun Valley Regional, Joslin Field to Joslin Field-Magic Valley Regional. This rule also updated the coordinates for the airport.

**EFFECTIVE DATE:** The direct final rule published at 63 FR 9409 is effective 0910 UTC, May 26, 1998.

**FOR FURTHER INFORMATION CONTACT:**