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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-81-AD; Amendment 39-11040; AD 99-01-09]

RIN 2120-AA64

Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76C Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 99-01-09 which was sent previously to all known U.S. owners and operators of Sikorsky Aircraft Corporation (Sikorsky) Model S-76C helicopters by individual letters. This AD requires, before further flight, installing a placard in the cockpit adjacent to the fuel quantity gauge that states "No flight operations to be conducted with less than 250 lbs. fuel in each tank." This AD must be placed in the Operating Limitations section of the Rotorcraft Flight Manual. This AD also requires, within 50 hours time-in-service (TIS) or 30 calendar days, whichever occurs first, defueling, engine starting, and if necessary, inspecting fuel supply lines. This amendment is prompted by an in-flight engine flame-out that occurred on October 27, 1998. The actions specified by this AD are intended to prevent air from getting into a fuel supply line when there is less than 250 lbs. of fuel in either fuel tank, engine flame-out, and a subsequent forced landing.

DATES: Effective March 3, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99-01-09, issued on

December 22, 1998, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before April 19, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-81-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Wayne Gaulzetti, Aerospace Engineer, Boston Aircraft Certification Office, ANE-150, 12 New England Executive Park, Burlington, MA 01803, telephone (781) 238-7156, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: On December 22, 1998, the FAA issued Priority Letter AD 99-01-09, applicable to Sikorsky Model S-76C helicopters, which requires, before further flight, installing a placard in the cockpit adjacent to the fuel quantity gauge that states "No flight operations to be conducted with less than 250 lbs. fuel in each tank." The AD must be placed in the Operating Limitations section of the Rotorcraft Flight Manual. The AD also requires, within 50 hours TIS or 30 calendar days, whichever occurs first, defueling, engine starting, and if necessary, inspecting fuel supply lines. Flight with less than 250 lbs. in each fuel tank could result in air getting into a fuel supply line, engine flame-out, and a subsequent forced landing.

The FAA has reviewed Sikorsky Aircraft Corporation Alert Service Bulletin No. 76-28-4, dated December 11, 1998, which describes procedures for a fuel line integrity test and an adjustment/replacement, if necessary, of the fuel supply lines.

Since the unsafe condition described is likely to exist or develop on other Sikorsky Model S-76C helicopters of the same type design, the FAA issued Priority Letter AD 99-01-09 to prevent air from getting into a fuel supply line when there is less than 250 lbs. of fuel in either fuel tank, engine flame-out, and a subsequent forced landing. The AD requires, before further flight, installing a placard in the cockpit adjacent to the fuel quantity gauge that states "No flight operations to be conducted with less than 250 lbs. fuel in each tank." The AD must be placed in the Operating Limitations section of the Rotorcraft Flight Manual. The AD

also requires, within 50 hours TIS or 30 calendar days, whichever occurs first, defueling, engine starting, and if necessary, inspecting fuel supply lines. The short compliance time involved is required because the previously described critical unsafe condition can result in a forced landing. Therefore, defueling, engine starting, and if necessary, inspecting fuel supply lines are required within 50 hours TIS or 30 calendar days, whichever occurs first. Also, installing a placard and placing this AD in the Rotorcraft Flight Manual are required prior to further flight and this AD must be issued immediately.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on December 22, 1998 to all known U.S. owners and operators of Sikorsky Model S-76C helicopters. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

The FAA estimates that 7 helicopters of U.S. registry will be affected by this AD, that it will take approximately 3 work hours per helicopter to placard and inspect the fuel supply lines, and the average labor rate is \$60 per work hour. No parts are required. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$1,260 for all 7 helicopters.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that

supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-SW-81-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it 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. A copy of it, if filed, 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, 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 a new airworthiness directive to read as follows:

AD 99-01-09 Sikorsky Aircraft

Corporation: Amendment 39-11040.
Docket No. 98-SW-81-AD.

Applicability: Model S-76C helicopters, serial numbers 760477, 760479, 760481 through 760487, 760490, 760491 and 760493, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters 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 (d) 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 helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent air from getting into a fuel supply line when there is less than 250 lbs. of fuel in either fuel tank, engine flame-out, and a subsequent forced landing, accomplish the following:

(a) Before further flight:

(1) Revise the Rotorcraft Flight Manual (RFM) by inserting this AD in the Operating Limitations section of the RFM.

(2) Install a placard, made with block letters on a contrasting background, adjacent to the fuel quantity gauge that states:

"No flight operations to be conducted with less than 250 lbs. fuel in each fuel tank."

(b) Within 50 hours time-in-service or 30 calendar days, whichever occurs first, perform the following:

(1) Defuel both fuel tanks until the #1 FUEL LOW and #2 FUEL LOW warning lights illuminate.

(2) Start the No. 1 engine with the fuel lever in direct feed position.

(3) Monitor the engine start for the following:

(i) Slow start (N1 speed does not reach 59-65% within 20-40 seconds).

(ii) Loss of fuel prime.

(iii) Sputtering or surging.

(iv) Flameout.

(4) If engine start is normal, shut down the engine and allow it to cool down.

(5) If any of the conditions specified in paragraph (3) is encountered, shut down the engine and allow it to cool down. Inspect all portions of the fuel suction lines for unseated fittings or pitting or corrosion. If corrosion or pitting is present, replace any affected component with an airworthy component. If any fitting is unseated, reinstall it.

(6) Repeat steps (2) through (5) with the fuel lever in the crossfeed position.

(7) Repeat steps (2) through (6) for the No. 2 engine.

(c) After accomplishing paragraph (b), remove this AD from the RFM and remove the cockpit placard. Accomplishment of these actions constitutes a terminating action for the requirements of this AD.

Note 2: Maintenance Manual SA 4047-76C-2, Chapter 28, Paragraph 28-20-02, Step 2, pertains to this AD.

(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, Boston Aircraft Certification Office, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Boston Aircraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Boston Aircraft Certification Office.

Note 4: Sikorsky Aircraft Company Alert Service Bulletin 76-28-4, dated December 11, 1998, pertains to this AD.

(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 helicopter to a location where the requirements of this AD can be accomplished provided there is a minimum of 250 lbs. of fuel in each fuel tank.

(f) This amendment becomes effective on March 3, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99-01-09, issued December 22, 1998, which contained the requirements of this amendment.

Issued in Fort Worth, Texas, on February 5, 1999.

Eric Bries,

*Acting Manager, Rotorcraft Directorate,
Aircraft Certification Service.*

[FR Doc. 99-3587 Filed 2-12-99; 8:45 am]

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