

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–243–AD]

Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series 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 certain Saab Model SAAB SF340A and SAAB 340B series airplanes. This proposal would require installation of an automatic flight idle stop on the control quadrant in the flight compartment. This proposal is prompted by several reports of one or both power levers being moved aft of the flight idle stop on approach. The actions specified by the proposed AD are intended to prevent such movement of the power lever(s) during flight, which could result in the loss of power to one or both engines, as well as severe engine damage.

DATES: Comments must be received by April 19, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–243–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 SAAB Aircraft AB, SAAB Aircraft Product Support, S–581.88, Linköping, Sweden. This information may be examined at the FAA, Transport

Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Ruth E. Harder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–1721; fax (206) 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 95–NM–243–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. 95–NM–243–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Luftfartsverket (LFV), which is the airworthiness authority for Sweden, recently notified the FAA that an unsafe condition may exist on certain Saab Model SAAB SF340A and SAAB 340B

series airplanes. The LFV advises that it received a report indicating that the flight crew on a Model SAAB 340B series airplane moved both power levers aft of the flight idle stop when the airplane was on approach. This movement of the power levers resulted in loss of power to both engines. Both engines sustained extensive mechanical damage due to propeller overspeed, which resulted in a forced landing. Additionally, there have been several other incidents where the flight crew on a Model SAAB 340B series airplane moved one or both power levers aft of the flight idle stop during flight.

When the power levers are moved aft of the flight idle stop into the beta range during flight, it is possible for air loads to back-drive the propeller, which could result in overspeed of the propeller and power turbine of the engine. (“Beta” is the range of propeller operation intended for use during taxi, ground idle, or reverse operations, as controlled by the power lever settings aft of the flight idle stop.) Within the beta range, the propeller blade angle is proportional to the power lever position, and the propeller power control unit (PCU) is not controlling blade pitch or providing propeller overspeed protection.

Saab has issued Service Bulletin 340–76–032, Revision 01, dated September 25, 1995, which describes procedures for installation of an automatic flight idle stop on the control quadrant in the flight compartment. The installation involves removing the mechanical beta stop (if installed), removing the old control quadrant, installing a new/modified control quadrant, and accomplishing a functional test of the flight idle stop system. Accomplishment of this installation will prevent the power levers from being moved aft of the flight idle position during flight.

The service bulletin specifies that certain additional actions are necessary as part of installing an automatic flight idle stop. These additional actions may be accomplished prior to, or in conjunction with, the accomplishment of Saab Service Bulletin 340–76–032. The actions are described in the following Saab service bulletins:

- Service Bulletin 340–76–031, Revision 02, dated September 25, 1995, which describes procedures for modification of the electrical system of the flight idle stop. The modification entails installing new relays and a

console in certain electrical centers, installing indicator lamps in the center instrument panel, and routing of all necessary wiring for these functions.

- Service Bulletin 340-32-100, Revision 01, dated September 25, 1995, which describes procedures for installing a control unit with a wheel spin-up signal. The installation involves removing the currently installed anti-skid control unit and installing new/modified anti-skid control unit having a new part number.

The LfV classified these service bulletins as mandatory and issued Swedish airworthiness directive 1-070, dated April 10, 1995, in order to assure the continued airworthiness of these airplanes in Sweden.

These airplane models are manufactured in Sweden and are 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 LfV has kept the FAA informed of the situation described above. The FAA has examined the findings of the LfV, 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.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, the proposed AD would require installation of an automatic flight idle stop on the control quadrant in the flight compartment. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Operators should note that, although the Swedish AD requires accomplishing the installation within 20 months (after the effective date of the Swedish AD), this proposed AD would require accomplishing the installation within 12 months. In developing an appropriate compliance time for this proposed AD, the FAA considered not only the LfV's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, parts availability, and the time necessary to perform the installation. In light of all of these factors, the FAA finds 12 months to be an appropriate compliance time for initiating the proposed action in that it represents the maximum interval of time allowable for affected airplanes to continue to operate without compromising safety.

The FAA estimates that 224 airplanes of U.S. registry would be affected by this

proposed AD, that it would take between 122 and 142 work hours per airplane to accomplish the proposed actions, depending upon the configuration of the airplane. The average labor rate is \$60 per work hour. Required parts would cost approximately \$9,300 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be between \$3,722,880 and \$3,991,680 (between \$16,620 and \$17,820 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.

The FAA recognizes that the obligation to maintain aircraft in an airworthy condition is vital, but sometimes expensive. Because AD's require specific actions to address specific unsafe conditions, they appear to impose costs that would not otherwise be borne by operators. However, because of the general obligation of operators to maintain aircraft in an airworthy condition, this appearance is deceptive. Attributing those costs solely to the issuance of this AD is unrealistic because, in the interest of maintaining safe aircraft, prudent operators would accomplish the required actions even if they were not required to do so by the AD.

A full cost-benefit analysis has not been accomplished for this proposed AD. As a matter of law, in order to be airworthy, an aircraft must conform to its type design and be in a condition for safe operation. The type design is approved only after the FAA makes a determination that it complies with all applicable airworthiness requirements. In adopting and maintaining those requirements, the FAA has already made the determination that they establish a level of safety that is cost-beneficial. When the FAA, as in this proposed AD, makes a finding of an unsafe condition, this means that the original cost-beneficial level of safety is no longer being achieved and that the proposed actions are necessary to restore that level of safety. Because this level of safety has already been determined to be cost-beneficial, a full cost-benefit analysis for this proposed AD would be redundant and unnecessary.

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:

Saab Aircraft AB: Docket 95-NM-243-AD.

Applicability: Model SAAB SF340A series airplanes, serial numbers -004 through -159 inclusive; and Model SAAB 340B series airplanes, serial numbers -160 through -379 inclusive; 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 (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 prevent the movement of both power levers aft of the flight idle stop during flight, which could result in loss of power to both engines, as well as severe engine damage, accomplish the following:

(a) Within 12 months after the effective date of this AD, accomplish the requirements of paragraphs (a)(1), (a)(2), and (a)(3) of this AD.

(1) Modify the electrical system of the flight idle stop in accordance with Saab Service Bulletin 340-76-031, Revision 02, dated September 25, 1995; and

(2) Install a control unit with a wheel spin-up signal in accordance with Saab Service Bulletin 340-32-100, Revision 01, dated September 25, 1995; and

(3) Install an automatic flight idle stop on the control quadrant in the flight compartment in accordance with Saab Service Bulletin 340-76-032, Revision 01, dated September 25, 1995.

Note 2: The actions specified in paragraphs (a)(1) and (a)(2) of this AD may be accomplished prior to, or in conjunction with, the accomplishment of the requirement of paragraph (a)(3) of this AD.

Note 3: Paragraph 2.A. of the Accomplishment Instructions of Saab Service Bulletin 340-76-032, Revision 01, dated September 25, 1995, specifies procedures for removal of a mechanical beta stop mechanism from the airplane. Since installation of a mechanical beta stop mechanism was not required previously by AD, that mechanism may not have been installed on certain airplanes affected by this AD. In such cases, procedures for removal of the mechanical beta stop would not apply.

(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, 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, Standardization Branch, ANM-113.

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.

(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 March 15, 1996.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-6809 Filed 3-20-96; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 95-NM-203-AD]

Airworthiness Directives; Boeing Model 767 Series 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 Boeing Model 767 series airplanes. This proposal would require repetitive operational tests to verify proper deployment of the ram air turbine (RAT), and replacement of the rotary actuator motor with a new or serviceable rotary actuator motor, if necessary. This proposal is prompted by reports of corroded rotary actuator motors of the RAT found on in-service airplanes. The actions specified by the proposed AD are intended to prevent such corrosion, which could result in failure of the RAT to deploy and subsequent loss of emergency hydraulic power to the flight controls in the event that power is lost in both engines.

DATES: Comments must be received by May 14, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-203-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Sheila Kirkwood, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2675; fax (206) 227-1181.

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 95-NM-203-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. 95-NM-203-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received several reports of corroded rotary actuator motors of the ram air turbine (RAT) found on in-service Boeing Model 767 series airplanes during ground testing. In these incidents, the effects of such corrosion prevented deployment of the RAT. Investigation has revealed that the rotary actuator motor of the RAT is not hermetically sealed. The motor is located in the right aft fairing of the airplane where it is susceptible to moisture accumulation when exposed to high cycling or humid conditions; such moisture accumulation can produce or accelerate the identified corrosion conditions. Corrosion of the rotary actuator motors, if not detected and corrected in a timely manner, could result in failure of the RAT to deploy and subsequent loss of emergency hydraulic power to the flight controls in the event that power is lost in both engines.

The FAA has reviewed and approved Boeing Alert Service Bulletin 767-29A0080, dated October 12, 1995, which describes procedures for repetitive operational tests to verify