

## 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 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) 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 has been placed 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 USC 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

de Havilland: Docket No. 93-CE-45-AD.

**Applicability:** Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 airplanes (all serial numbers), certificated in any category, that do not have Modification No. 6/1581 incorporated.

Note 1: Modification No. 6/1581 consists of installing a preformed nylon shield around the area of each wing strut at the upper end closet to the wing.

Note 2: 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 already accomplished.

To prevent failure of the wing struts, which could result in loss of control of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, inspect the wing struts, part number (P/N) C6W1005, for cracks or damage (chafing, etc.) in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of de Havilland Service Bulletin (SB) No. 6/342, dated February 23, 1976.

(1) If damage is found on a wing strut that exceeds 0.025-inch in depth, exceeds a total length of 5 inches, or where any two places of damage are separated by less than 10 inches of undamaged surface over the length of the strut, prior to further flight, replace the wing strut with an airworthy FAA-approved part in accordance with the applicable maintenance manual.

(2) If any crack is found, prior to further flight, replace the wing strut with an airworthy FAA-approved part in accordance with the applicable maintenance manual.

(3) If damage is found on a wing strut that exceeds 0.010-inch in depth, but does not exceed 0.25-inch in depth, and where any two places of damage are separate by a minimum of 10 inches undamaged surface over the length of the strut, within 500 hours TIS after the inspection specified in paragraph (a) of this AD, replace the wing strut with an airworthy FAA-approved part in accordance with the applicable maintenance manual.

(b) Within the next 600 hours TIS after the effective date of this AD, incorporate Modification No. 6/1581 in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of de Havilland SB No. 6/342, dated February 23, 1976.

(1) Incorporating Modification No. 6/1581 eliminates the repetitive inspection requirement of this AD.

(2) Incorporating Modification No. 6/1581 may be accomplished at any time prior to 600 hours TIS after the effective date of this AD, at which time it must be incorporated.

(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.

(d) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, New York Aircraft Certification Office (ACO), FAA, 10 Fifth Street, 3rd Floor, Valley Stream, New York 11581. The request shall be forwarded through an appropriate FAA Maintenance

Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to de Havilland, Inc., 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5 Canada; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on September 26, 1996.

James E. Jackson,

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

[FR Doc. 96-25304 Filed 10-2-96; 8:45 am]

BILLING CODE 4910-13-M

## 14 CFR Part 39

[Docket No. 96-NM-78-AD]

RIN 2120-AA64

### Airworthiness Directives; Boeing Model 727 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 727 series airplanes. This proposal would require a one-time visual inspection of the manual extension gearbox assembly of the main landing gear (MLG) to detect whether certain gearbox housings have been installed; repetitive dye penetrant inspections of these housings to determine whether cracking has occurred; and ultimately, replacement of these housings with correct housings. This proposal is prompted by a report indicating that a manual gearbox assembly which contained an incorrect housing was installed on a Model 727 series airplane. The actions specified by the proposed AD are intended to prevent the installation of manual extension gearbox assemblies with incorrect housings. This condition, if not corrected, could reduce the structural integrity of the manual extension gearbox assembly, and ultimately result in an inability to lock the MLG in a down position during landing.

**DATES:** Comments must be received by November 12, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation

Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-78-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:** Elizabeth Gnehm, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-1426; 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 96-NM-78-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-78-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

The FAA received a report indicating that the manual extension gearbox assembly for the main landing gear (MLG) on a Model 727 series airplane had been replaced with a modified gearbox assembly that did not comply with Airworthiness Directive (AD) 79-04-01 R3, amendment 39-4000 (45 FR 84014, December 22, 1980). Among other things, that AD requires replacement of the left and right gearbox housing assemblies having Boeing part number (P/N) 65-27485-1 and P/N 65-27485-2 with improved assemblies having P/N 65-27485-11 and P/N 65-27485-12, respectively; the replacement must be accomplished in accordance with Boeing Service Bulletin 727-32-279, dated June 22, 1979. That AD was prompted by reports of corrosion cracking found in the vertical support attaching lugs of the MLG manual extension-gearbox housings. The requirements of the AD are intended to prevent such cracking from resulting in loss of support for the manual extension gearbox and the consequent inability to manually lock the MLG in the down position.

A subsequent inspection of the incident airplane's maintenance documents showed that the gearbox assembly installed on the airplane had been repaired in accordance with Boeing Overhaul Manual 32-35-01 ("Landing Gear Manual Extension Gearbox Assembly"). Although that manual stated that the text of Boeing Service Bulletin 727-32-279 had been incorporated into it, the manual, in fact, did not contain information from the service bulletin which would have ensured that gearbox assemblies installed on Model 727 series airplanes contained the housings required by AD 79-04-01 R3. (The manual has since been revised to incorporate that information.) Consequently, one of the housings in the modified gearbox assembly did not comply with the requirements of the AD.

Based on this incident, and the fact that the manufacturer's overhaul manual contained incomplete information for a period of time, the FAA has reason to conclude that there currently may be other Model 727 series airplanes in service that are operating with incorrect gearbox housings/housing assemblies installed. Furthermore, some of these housings may be cracked.

This condition, if not corrected, can reduce the structural integrity of the manual system for extending the MLG,

and ultimately could result in the inability of the flight crew to lock the MLG in the down position during landing.

##### **Explanation of Relevant Service Information**

The FAA previously reviewed and approved Boeing Service Bulletin 727-32-279, dated June 22, 1979, which describes procedures for inspecting the manual extension gearbox assembly of the MLG, and modifying the assembly by replacing the left and right housings with improved housings. The service bulletin also describes procedures for conducting dye penetrant inspections of the housings to detect cracks.

##### **Explanation of Requirements of Proposed Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require a one-time visual inspection of the manual extension gearbox assembly of the MLG to detect whether this assembly contains the correct left and right gearbox housings/housing assemblies. (A housing assembly is composed of a housing and a NAS75-3-007 bushing.) The incorrect housings/housing assemblies are indicated as Boeing Part Numbers (P/N):

Housing	Housing assembly
65-27485-3 .....	65-27485-1
65-27485-4 .....	65-27485-2
65-27485-9 .....	65-27485-7
65-27485-10 .....	65-27485-8

If any incorrect housing/housing assembly is detected by the visual inspection, the proposed AD would require a dye penetrant inspection of the incorrect housing to detect cracking. Any cracked housing would be required to be replaced immediately. The proposal would allow an uncracked, incorrect housing/housing assembly to be reinstalled, provided that another dye penetrant inspection of this housing is accomplished 9 months later; thereafter, the housing would be required to be replaced with a housing that meets the requirements of AD 79-04-01 R3 within 18 months after the initial dye penetrant inspection.

All proposed actions would be required to be accomplished in accordance with the service bulletin described previously.

##### **Differences Between Proposed AD and Service Information**

Boeing Service Bulletin 727-32-279 provides for a housing subjected to dye

penetrant inspection to continue to be used if cracking is found and the cracking is within certain parameters. However, the proposed AD would prohibit the continued use of a housing that contains any cracking.

The service bulletin also provides for repetitive dye penetrant inspections to be performed every 3,000 landings. However, the proposed AD would require these inspections to be performed within 9 months after the initial dye penetrant inspection. In establishing this 9-month inspection cycle, the FAA considered that:

1. The cause of cracking was stress corrosion (which is unrelated to the number of landings);
2. Aging of the housings increases the potential for cracking, and
3. The housings are part of a back-up system which is used only when the primary system fails.

Based on these considerations, the FAA determined that the proposed 9-month cycle for dye penetrant inspections is appropriate.

Further, in establishing the compliance time for the ultimate replacement of uncracked, incorrect housings, the FAA considered not only the safety implications, but also the availability of an ample number of correct housings that may be necessary for the affected fleet.

#### Cost Impact

There are approximately 1,560 Boeing Model 727 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,054 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed one-time visual inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed visual inspection on U.S. operators is estimated to be \$126,480, or \$120 per airplane.

Should a dye penetrant inspection need to be performed, the FAA estimates that each inspection would take approximately 20 work hours per airplane, and the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed dye penetrant inspection on U.S. operators is estimated to be \$1,200 per airplane, per inspection.

Should parts have to be replaced, the FAA estimates that it would take approximately 16 work hours per airplane to accomplish the replacement, and the average labor rate is \$60 per work hour. Replacement parts would cost approximately \$4,000 per housing. Based on these figures, the cost impact

of replacement of parts on U.S. operators is estimated to be \$4,960 per airplane if one housing is to be replaced, and \$8,960 if both housings are to be replaced.

The cost impact figures discussed above are 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:

Boeing: Docket 96-NM-78-AD.

*Applicability:* All Model 727 series 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 (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 prevent the installation of manual extension gearbox assemblies that do not contain required gearbox housings/housing assemblies, and ultimately could result in the inability of the flight crew to lock the main landing gear (MLG) in the down position during landing, accomplish the following:

- (a) Within 6 months after the effective date of this AD, visually inspect the manual extension gearbox assembly of the MLG, in accordance with Boeing Service Bulletin 727-32-279, dated June 22, 1979, to determine whether left and right gearbox housings/housing assemblies having Boeing part numbers listed in Table 1 of this AD are installed.

*Note 2:* If the part number is not visible, a conductivity test may be performed to determine the type of housing material. Incorrect housings are made of 7079-T6 aluminum; correct housings are made of 7075-T73 aluminum.

TABLE 1.—BOEING PART NUMBERS OF INCORRECT HOUSINGS AND HOUSING ASSEMBLIES

Housings	Housing assemblies
65-27485-3 .....	65-27485-1
65-27485-4 .....	65-27485-2
65-27485-9 .....	65-27485-7
65-27485-10 .....	65-27485-8

(b) If none of the incorrect housings/housing assemblies are installed, no further action is required by this AD.

(c) If any of the incorrect housings/housing assemblies are installed, prior to further flight, perform a dye penetrant inspection to detect cracking of the housing, in accordance with Boeing Service Bulletin 727-32-279, dated June 22, 1979.

(1) If no cracking is detected during the dye penetrant inspection, the incorrect housing/housing assembly may be reinstalled. Thereafter, the actions specified in paragraphs (c)(1)(i) and (c)(1)(ii) must be accomplished.

(i) After reinstallation, repeat the dye penetrant inspection at intervals not to exceed 9 months.

(ii) Within 18 months after the initial dye penetrant inspection required by this

paragraph is accomplished, replace the housings/housing assemblies with parts having an applicable Boeing part number listed in Table 2 of this AD, in accordance with the service bulletin. This replacement constitutes terminating action for the repetitive dye penetrant inspection required by this paragraph and, thereafter, no further action is required by this AD.

(2) If any cracking is detected during the dye penetrant inspection, prior to further flight, replace the housings/housing assemblies with parts having an applicable Boeing part number listed in Table 2 of this AD, in accordance with the service bulletin. This replacement constitutes terminating action for the repetitive dye penetrant inspection required by this AD and, thereafter, no further action is required.

Note 3: This AD prohibits the reinstallation (or installation) of any housing that is cracked, even though the service bulletin provides instructions for reinstallation of a cracked, incorrect housing in certain circumstances.

TABLE 2.—BOEING PART NUMBERS OF CORRECT REPLACEMENT HOUSINGS AND HOUSING ASSEMBLIES

Housings	Housing assemblies
65-27485-13 .....	65-27485-11
65-27485-14 .....	65-27485-12
65-27485-19 .....	65-27485-17
65-27485-20 .....	65-27485-18

Note 4: Although not listed in the service bulletin or in AD 79-04-01 R3 (amendment 39-4000), housings/housing assemblies having part numbers 65-27485-19/65-27485-17 and 65-27485-20/65-27485-18 are fully interchangeable with those having part numbers 65-27485-13/65-27485-11 and 65-27485-14/65-27485-12.

(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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

Issued in Renton, Washington, on September 26, 1996.

James V. Devany,  
Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.  
[FR Doc. 96-25306 Filed 10-02-96; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-67-AD]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 737-300, -400, and -500 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 Boeing Model 737-300, -400, and -500 series airplanes. This proposal would require replacing certain aileron/rudder trim control modules with a new module that contains an improved rudder trim switch to reduce internal friction. This proposal is prompted by reports of sticking conditions in the rudder trim switch. The actions specified by the proposed AD are intended to prevent such sticking, which could result in uncommanded movement of the rudder and consequent deviation of the airplane from its set course.

**DATES:** Comments must be received by November 12, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-67-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:** Hania Younis, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227-2764; 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 96-NM-67-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-67-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The FAA has received reports of sticking conditions in the rudder trim switch on electric aileron/rudder trim control module P8-43 on certain Model 737 series airplanes. One such report involved an airplane that was climbing, under manual control, through an altitude of 6,700 feet. The airplane began to yaw slightly to the left and the flight crew felt some force on the rudder pedals; although the rudder trim switch knob was centered, the rudder trim indicator showed that the rudder was set at an angle of 16 degrees left of where it was supposed to be.

If the trim switch sticks, it may be prevented from returning to the center position. If this happens, the rudder trim actuator may continue to move the rudder at a slow rate, up to the trim limit. This rate of movement is very slow, however, at approximately 1/2° per second, which should provide ample time for the flight crew to detect and correct the movement before it creates a situation of concern. In most cases, these types of incidents can be stopped if the pilot merely puts the switch into the center position