

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39****[Docket No. 97-NM-308-AD]****RIN 2120-AA64****Airworthiness Directives; Boeing Model 747 Series Airplanes****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise an existing airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that currently requires repetitive inspections to detect cracks, corrosion, or damage of the lower spar fitting body and lug, and corrective actions, if necessary. That AD also provides for optional terminating action for the repetitive inspection requirements. The existing AD was prompted by reports that fatigue cracking was found in the lower spar fitting lug on the number 3 pylon and in the lower spar fitting body. The actions specified by that AD are intended to detect and correct such fatigue cracking, which could result in failure of the strut and separation of the engine from the airplane. This new action references additional service bulletins for accomplishment of the optional replacement, and clarifies that accomplishment of certain AD's terminates the repetitive inspections.

DATES: Comments must be received by May 18, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-308-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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tamara L. Dow, Aerospace Engineer, Airframe Branch, ANM-120S, FAA,

Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2771; fax (425) 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 97-NM-308-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-114, Attention: Rules Docket No. 97-NM-308-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On September 15, 1997, the FAA issued AD 97-20-01, amendment 39-10139 (62 FR 49431, September 22, 1997), applicable to certain Boeing Model 747 series airplanes. That AD requires repetitive detailed visual and ultrasonic inspections to detect cracks, corrosion, or damage of the lower spar fitting body and lug, as applicable, and replacement, if necessary. That AD also provides for an optional replacement of the lower spar fitting with a new steel lower spar fitting, which constitutes terminating action for the repetitive inspection requirements. In lieu of accomplishing this replacement or the

repetitive inspections, that AD also provides for an optional terminating modification of the nacelle strut and wing structure. That action was prompted by reports that fatigue cracking was found in the lower spar fitting lug on the number 3 pylon and in the lower spar fitting body. The requirements of that AD are intended to detect and correct such fatigue cracking, which could result in failure of the strut and separation of the engine from the airplane.

Actions Since Issuance of Previous Rule

Since issuance of AD 97-20-01, the FAA finds that it inadvertently omitted from paragraph (b) of that AD, the following service bulletins:

- Boeing Service Bulletin 747-54-2062, Revision 1, dated November 13, 1980;
- Boeing Service Bulletin 747-54-2062, Revision 2, dated March 19, 1981;
- Boeing Service Bulletin 747-54-2062, Revision 3, dated August 28, 1981;
- Boeing Service Bulletin 747-54-2062, Revision 4, dated June 30, 1982;
- Boeing Service Bulletin 747-54-2062, Revision 5, dated June 1, 1984;
- Boeing Service Bulletin 747-54-2062, Revision 6, dated October 2, 1986; and
- Boeing Service Bulletin 747-54-2062, Revision 7, dated December 21, 1994.

The FAA has reviewed and approved these service bulletins as additional sources of service information for accomplishment of the optional replacement specified in paragraph (b) of AD 97-20-01. The replacement procedures are similar to those specified in Boeing Service Bulletin 747-54-2062, Revision 8, dated August 21, 1997, which was referenced in AD 97-20-01 as the appropriate source of service information for accomplishing the optional replacement. Therefore, the FAA has included these new service bulletins in paragraph (b) of this proposed AD.

The FAA also finds that referencing Boeing Alert Service Bulletins 747-54A2159, dated November 3, 1994, and 747-54A2158, dated November 30, 1994, for accomplishment of the modification of the nacelle strut and wing structure, rather than referencing the AD's associated with those service bulletins, could be misleading to operators. Therefore, the applicability, paragraph (a)(2)(ii), and paragraph (b) of the proposed AD specify that accomplishment of the subject modification required by AD 95-10-16, amendment 39-9233 (60 FR 27008, May 22, 1995), or AD 95-13-07, amendment

39-9287 (60 FR 33336, June 28, 1995) constitutes terminating action for the repetitive inspection requirements of this proposed AD.

Explanation of the Requirements of the 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 action would revise AD 97-20-01 to continue to require repetitive detailed visual and ultrasonic inspections to detect cracks, corrosion, or damage of the lower spar fitting body and lug, as applicable; and replacement, if necessary. It also would continue to provide for an optional replacement of the lower spar fitting with a new steel lower spar fitting, which would constitute terminating action for the repetitive inspection requirements. In lieu of accomplishing the repetitive inspections or replacement of the lower spar fitting, this proposed AD would also continue to provide for an optional terminating modification of the nacelle strut and wing structure. In addition, the proposed AD references additional service bulletins for accomplishment of the optional replacement, and clarifies that accomplishment of certain AD's terminates the repetitive inspections.

Cost Impact

There are approximately 367 airplanes of the affected design in the worldwide fleet. The FAA estimates that 152 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 19 work hours per airplane to accomplish the proposed inspections, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the inspections proposed by this AD on U.S. operators is estimated to be \$173,280, or \$1,140 per airplane, per inspection cycle.

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:

Boeing: Docket 97-NM-308-AD. Revises AD 97-20-01, amendment 39-10139.

Applicability: Model 747 series airplanes, having line numbers 1 through 500 inclusive, equipped with Pratt & Whitney Model JT9D-3, -7, or -7Q engines, or having line numbers 202, 204, 232, or 257, equipped with General Electric Model CF6 series engines; certificated in any category; and on which the strut/wing modification has not been accomplished in accordance with either of the following AD's:

- AD 95-10-16, amendment 39-9233 (60 FR 27008, May 22, 1995), or
- AD 95-13-07, amendment 39-9287 (60 FR 33336, June 28, 1995).

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 (c) 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 lower spar fitting lug or the lower spar fitting body, which could result in failure of the strut and separation of the engine from the airplane, accomplish the following:

(a) Within 90 days after October 7, 1997 (the effective date of AD 97-20-01, amendment 39-10139), perform a detailed visual inspection and an ultrasonic inspection to detect cracks, corrosion, or damage of the lower spar fitting body and lug, as applicable, in accordance with Figures 9 and 10 of Boeing Service Bulletin 747-54-2062, Revision 8, dated August 21, 1997.

Note 2: This AD does not require an inspection of the inboard strut-to-diagonal brace attach fitting as described in Figure 1 of Boeing Service Bulletin 747-54-2062, Revision 8, dated August 21, 1997. However, this inspection is required to be accomplished as part of AD 95-20-05, amendment 39-9383 (60 FR 51705, October 10, 1995).

(1) If no crack, corrosion, or damage is detected, repeat the detailed visual and ultrasonic inspections thereafter at intervals not to exceed 400 landings.

(2) If any crack, corrosion, or damage is detected, prior to further flight, accomplish either paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Replace the lower spar fitting with a new steel lower spar fitting, in accordance with Part II of the Accomplishment Instructions of the service bulletin. Or

(ii) Modify the nacelle strut and wing structure in accordance with AD 95-10-16, amendment 39-9233 (60 FR 27008, May 22, 1995), or AD 95-13-07, amendment 39-9287 (60 FR 33336, June 28, 1995).

(b) Replacement of the lower spar fitting with a new steel lower spar fitting, in accordance with Part II of the Accomplishment Instructions of any of the following service bulletins listed below, or accomplishment of modification of the nacelle strut and wing structure required by AD 95-10-16, amendment 39-9233 (60 FR 27008, May 22, 1995), or AD 95-13-07, amendment 39-9287 (60 FR 33336, June 28, 1995); constitutes terminating action for the repetitive inspection requirements of this AD.

- Boeing Service Bulletin 747-54-2062, Revision 1, dated November 13, 1980;
- Boeing Service Bulletin 747-54-2062, Revision 2, dated March 19, 1981;
- Boeing Service Bulletin 747-54-2062, Revision 3, dated August 28, 1981;
- Boeing Service Bulletin 747-54-2062, Revision 4, dated June 30, 1982;
- Boeing Service Bulletin 747-54-2062, Revision 5, dated June 1, 1984;
- Boeing Service Bulletin 747-54-2062, Revision 6, dated October 2, 1986;
- Boeing Service Bulletin 747-54-2062, Revision 7, dated December 21, 1994;

- Boeing Service Bulletin 747-54-2062, Revision 8, dated August 21, 1997;
- (c) 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(d) 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 27, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-8710 Filed 4-2-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AEA-04]

Proposed Revocation of Class E Airspace; Downingtown, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to remove the Class E airspace area at Bob Shannon Memorial Field Airport, Downingtown, PA. The airport has been closed, and the need for Class E airspace no longer exists. Adoption of this proposal would result in the affected area reverting to Class G airspace.

DATES: Comments must be received on or before May 4, 1998.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace Branch, AEA-520, Docket No. 98-AEA-04, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy Int'l Airport, Jamaica, NY 11430.

The official docket may be examined in the Office of the Regional Counsel, AEA-7, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430.

An informal docket may also be examined during normal business hours in the Airspace Branch, AEA-520, F.A.A. Eastern Region, Federal Building

#111, John F. Kennedy International Airport, Jamaica, NY 11430.

FOR FURTHER INFORMATION CONTACT: Mr. Francis T. Jordan, Jr., Airspace Specialist, Airspace Branch, AEA-520 F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 553-4521.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the Address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 98-AEA-04." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with the FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed rulemaking (NPRM) by submitting a request to the Office of the Regional Counsel, AEA-7, F.A.A. Eastern Region, Federal Building #111 John F. Kennedy International Airport, Jamaica, NY 11430. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

The Proposal

The FAA proposes to amend Part 71 of the Federal Aviation Regulations (14

CFR Part 71) to remove the Class E airspace extending upward from 700 feet above the surface at Bob Shannon Memorial Field Airport, Downingtown, PA. The airport has been closed negating the need for airspace to accommodate IFR operations. The area will be removed from appropriate aeronautical charts. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be removed subsequently from the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that would only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, is proposed to be amended as follows: