

**§ 330.1204. Selection.**

If two or more individuals apply for a vacancy and the hiring agency determines the individuals to be well-qualified, the agency has the discretion to select any of these employees eligible for priority under subpart G of this part (the Interagency Career Transition Assistance Plan), under subpart K of this part (Federal Employment Priority Consideration for Displaced Employees of the District of Columbia Department of Corrections), or under subpart L of this part (Interagency Career Transition Assistance for Displaced Former Panama Canal Zone Employees).

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 97-NM-53-AD; Amendment 39-11161; AD 99-10-08]

RIN 2120-AA64

**Airworthiness Directives; Boeing Model 767 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, that requires a detailed visual inspection to detect corrosion inside the forward trunnion joint of the main landing gear (MLG); follow-on actions; and repair, if necessary. This amendment also provides for optional terminating action for the repetitive inspections. This amendment is prompted by reports of corrosion at the forward trunnion thrust face, tabs, and the internal threads of the forward trunnion of the MLG due to moisture in the forward trunnion joint. The actions specified by this AD are intended to prevent corrosion of the forward trunnion joint, which could lead to a stress corrosion fracture of the forward trunnion and possible consequent collapse of the MLG.

**DATES:** Effective June 11, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 11, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane

Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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:**

James G. Rehr, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227-2783; fax (425) 227-1181.

**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 certain Boeing Model 767 series airplanes was published in the **Federal Register** on August 5, 1998 (63 FR 41739). That action proposed to require a detailed visual inspection to detect corrosion inside the forward trunnion joint of the main landing gear (MLG); follow-on actions; and repair, if necessary. That action also proposed to provide for optional terminating action for the repetitive inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

**Support for the Proposal**

Two commenters support the proposal.

**Request to Clarify Certain Requirements**

One commenter, the manufacturer, requests that paragraph (b) of the proposal be revised to clarify that the addition of corrosion-inhibiting compound to the trunnion joint is also needed to terminate the proposed inspections.

The FAA concurs. Although the appropriate service information for this AD provides procedures to apply corrosion-inhibiting compound to the trunnion joint whenever the chrome plate is applied to the trunnion, this was not explicitly stated in the wording of the AD. Therefore, the FAA has revised paragraphs (a)(1), (a)(2), and (b) of the final rule (where discussion of terminating actions occurs) to clarify that the terminating action will consist of applying chrome plate to the trunnion tabs and applying corrosion-inhibiting compound to the trunnion joint.

**Request to Withdraw the NPRM or Require the Latest Modification**

One commenter requests that the FAA withdraw the proposal, or at least revise the requirements to mandate the latest modification as the terminating action. The commenter states that the terminating action specified in the proposed rule will not prevent corrosion. The commenter states that its own inspections of other trunnions on which the terminating modification has been accomplished indicate that the terminating modification is inadequate to prevent corrosion. The commenter further notes that the proposed modification (which consists of applying chrome plate) does not address the areas of the joint that have proved to be the most susceptible to corrosion, e.g., the threads on the internal diameter of the trunnion and the aft surface of the joint. The commenter concludes that, in light of the fact that Boeing has recently abandoned its design philosophy for this joint, the proposed terminating modification is "dated." Specifically, the commenter notes that the latest Boeing design entails removing the threads of the joint altogether. Further, the commenter states that mandating the proposal would impose costly and disruptive maintenance requirements if the proposal requires incorporating an ineffective modification when better solutions exist.

The FAA does not concur with the commenter's request to withdraw the proposal or to revise the terminating action specified in the AD. The FAA considers that, in this case, there are three factors that make stress corrosion cracking of the forward trunnion a safety concern. First, the material (i.e., 4340M high strength steel) is known to be highly susceptible to stress corrosion cracking; second, the material is in an environment that allows corrosion to form (as has been demonstrated numerous times); and third, the material is at times exposed to sustained tensile stresses. Since an unsafe condition has been identified, the FAA considers it appropriate and necessary to issue the final rule. Although the commenter's position is that the terminating modification is inadequate in preventing corrosion, the FAA has received no reports of corroded trunnions being identified after the terminating modification has been accomplished. The FAA has determined that since the release of Boeing Alert Service Bulletin 767-32A0127, dated January 29, 1996 (the appropriate service information for this final rule), an insufficient amount of time has passed that would allow corrosion to re-

initiate on a MLG forward trunnion that has been removed from an airplane, then disassembled, inspected, cleaned, chrome-plated, and re-installed with corrosion inhibiting compound. Therefore, no change is necessary to this final rule in that regard.

The FAA acknowledges that the internal diameter of the trunnion and the aft surface of the joint are susceptible to corrosion, and that the modification specified in this final rule does not specifically address applying chrome plating to those areas. However, the FAA has determined that the required inspections for corrosion and the modification specified by this final rule are adequate to detect or prevent corrosion of the forward trunnion joint. If information becomes available that indicates that the terminating action may be inadequate, the FAA may initiate further rulemaking.

The commenter also asserts that the proposal would impose costly and disruptive maintenance requirements if it requires incorporating an ineffective modification when better solutions already exist. As explained previously, the FAA has received no information indicating that the modification is ineffective. Additionally, the FAA is aware that Boeing has developed a new design for the forward trunnion joint, which entails, among other things, the removal of the internal threads. The FAA also notes that the service information relating to the new design is not available for FAA review and approval at the current time. However, under the provisions of paragraph (c) of the final rule, the FAA will consider requests for approval of an alternative method of compliance if sufficient data are submitted to substantiate that such a design change would provide an acceptable level of safety.

#### **Request to Withdraw the Proposal or Add Further Requirements**

This same commenter requests that if the proposal is not withdrawn, it should simply require operators to remove and report any corrosion at overhaul (not to exceed 10 years), with aggressive lubrication intervals of 250 flight cycles or less. The FAA infers that the commenter is basing its request on a statement (of the commenter's) that contends that the stress levels in the forward trunnion area are below the stress corrosion cracking threshold for crack formation. Therefore, the commenter concludes that no risk exists for stress corrosion cracking to start.

The FAA does not concur with the commenter's request to withdraw the NPRM. For reasons specified in the discussion of the previous comment, the

FAA finds that this rule is appropriate and necessary. Further, the FAA does not concur with the request to require removal of corrosion during overhaul. The FAA finds that the concept of stress corrosion threshold is not applicable to this situation because the affected structure is already corroded. The use of a stress corrosion threshold is only applicable during the material selection phase of a new design; it is not useful for predicting the behavior of corroded structure. Therefore, the FAA has determined that no change to the final rule is necessary.

#### **Request to Revise the Compliance Time**

One commenter states that the 18-month initial compliance time is too aggressive and will cause unnecessary costs and scheduling problems.

The FAA infers that the commenter would like the compliance time to be extended to correlate with the airplane's next scheduled overhaul. The FAA does not concur that the compliance time should be revised. In developing an appropriate compliance time, the FAA considered the safety implications, and normal maintenance schedules for timely accomplishment of the inspection and follow-on actions. In consideration of these items, as well as the reports of corrosion at the forward trunnion thrust face, tabs, and internal threads of the forward trunnion of the MLG, the FAA finds that a period of 18 months represents an appropriate compliance threshold wherein the inspection and follow-on actions can be accomplished during scheduled maintenance for the majority of affected operators and an acceptable level of safety can be maintained. However, under the provisions of paragraph (c) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted to substantiate that such adjustments would provide an acceptable level of safety.

#### **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 increase the economic burden on any operator nor increase the scope of the AD.

#### **Cost Impact**

There are approximately 455 Boeing Model 767 series airplanes of the affected design in the worldwide fleet.

The FAA estimates that 151 airplanes of U.S. registry will be affected by this AD.

It will take approximately 8 work hours per airplane to accomplish the visual inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required inspection on U.S. operators is estimated to be \$72,480, or \$480 per airplane, per inspection cycle.

The cost impact figures above do not account for the time to gain access to the forward trunnion joint or to return a main landing gear to service. In this case, however, the access and close-up work hours may account for the predominant portion of the total cost impact of this AD. It is estimated that it will take approximately 65 work hours to gain access to both forward trunnion joints, and 89 work hours to return the airplane to service. If these costs are included, the cost impact for the required inspections will be approximately \$1,467,720, or \$9,720 per airplane, per inspection cycle.

Repair of the forward trunnions (two per airplane), if accomplished (which may include both corrosion blend-out repairs as well as the application of chrome plate to certain portions of the forward trunnion), will take approximately 72 work hours to accomplish, at an average labor rate of \$60 per work hour. The cost of the repair kits will be approximately \$16,000 per airplane. Based on these figures, the cost impact of the repair on U.S. operators is estimated to be \$3,068,320, or \$20,320 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:

**99-10-08 Boeing:** Amendment 39-11161. Docket 97-NM-53-AD.

**Applicability:** Model 767 series airplanes, manufacturer's line positions 001 through 455 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 (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 prevent corrosion of the forward trunnion joint of the main landing gear (MLG), which could lead to a stress corrosion fracture of the forward trunnion and possible consequent collapse of the MLG, accomplish the following:

(a) Within 6 years since the outer cylinder of the MLG was new, last overhauled, or installed (replaced) after the last corrosion repair in accordance with Boeing Alert Service Bulletin 767-32A0127, dated January 29, 1996; or within 18 months after the effective date of this AD; whichever occurs later: Perform a detailed visual inspection to

detect corrosion inside the forward trunnion joint and the internal threads of the MLG; in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767-32A0127, dated January 29, 1996.

(1) If no corrosion of the forward trunnion joint is found, prior to further flight, accomplish either paragraph (a)(1)(i) or (a)(1)(ii) of this AD.

(i) Apply chrome plating to the forward trunnion thrust and tab faces and apply corrosion-inhibiting compound to the trunnion joint in accordance with the alert service bulletin. Accomplishment of this application of chrome plating constitutes terminating action for the requirements of this AD.

(ii) Apply corrosion-inhibiting compound to the forward trunnion joint in accordance with the Accomplishment Instructions of the alert service bulletin. Repeat the detailed visual inspection thereafter at intervals not to exceed six years or until chrome plating is applied to the forward trunnion thrust and tab faces and corrosion-inhibiting compound is applied to the trunnion joint, in accordance with the alert service bulletin.

(2) If any corrosion of the forward trunnion joint is found, prior to further flight, accomplish either paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Repair the forward trunnion, apply chrome plating to the forward trunnion thrust and tab faces, and apply corrosion-inhibiting compound; in accordance with the alert service bulletin. Accomplishment of this application of chrome plating and corrosion-inhibiting compound constitutes terminating action for the requirements of this AD.

(ii) Repair the forward trunnion and apply corrosion-inhibiting compound to the forward trunnion joint in accordance with the alert service bulletin. Repeat the detailed visual inspection thereafter at intervals not to exceed six years or until chrome plating is applied to the forward trunnion thrust and tab faces in accordance with the alert service bulletin.

(b) Replacement, repair, or overhaul of the outer cylinder of the MLG that includes the application of chrome plating to the forward trunnion thrust and tab faces and application of corrosion-inhibiting compound, in accordance with Boeing Alert Service Bulletin 767-32A0127, dated January 29, 1996, constitutes terminating action for the requirements of this AD.

#### Alternative Methods of Compliance

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

#### Special Flight Permits

(d) Special flight permits may be issued in accordance with §§ 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.

#### Incorporation by Reference

(e) The actions shall be done in accordance with Boeing Alert Service Bulletin 767-32A0127, dated January 29, 1996. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

(f) This amendment becomes effective on June 11, 1999.

Issued in Renton, Washington, on April 30, 1999.

**D. L. Riggins,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-17-AD; Amendment 39-11160; AD 99-10-06]

RIN 2120-AA64

#### Airworthiness Directives; Raytheon Aircraft Corporation Model Beech 2000 Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Corporation (Raytheon) Model Beech 2000 airplanes. This AD requires immediately incorporating temporary revisions to the Limitations Section of the Airplane Flight Manual (AFM) that include requirements of not allowing flap operation during takeoff, accomplishing the preflight visual checks (referred to as visual inspections in the AFM temporary revisions) of the aft cove panel of the wing for delamination prior to each flight, and incorporating a repair scheme if delamination is found. This AD also requires repetitively inspecting the trailing edge of the wing by looking for