

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-14-AD; Amendment 39-11354; AD 95-04-07 R2]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model DC-10-10, -15, and -30 Airplanes, and KC-10A (Military) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-10-10, -15, and -30 airplanes, and KC-10A (military) airplanes, that currently requires inspections to determine the condition of the lockwires on the forward engine mount bolts and correction of any discrepancies found. That amendment also provides for termination of the inspections for some airplanes by installing retainers on the bolts. That AD was prompted by reports of stretched or broken lockwires on the forward engine mount bolts. The actions specified by that AD are intended to prevent broken lockwires, which could result in loosening of the engine mount bolts, and subsequent separation of the engine from the airplane. This amendment provides an additional optional terminating modification and clarification of the requirements of the previous optional terminating modification, and removes the reporting requirements for the repetitive inspections.

DATES: Effective November 10, 1999.

The incorporation by reference of certain publications, as listed in the regulations, was approved previously by the Director of the Federal Register as of March 17, 1995 (60 FR 38477, July 27, 1995).

ADDRESSES: The service information referenced in this AD may be obtained from The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). 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 FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office,

3936 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ron Atmur, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5224; fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by revising AD 95-04-07 R1, amendment 39-9317 (60 FR 38477, July 27, 1995), which is applicable to certain McDonnell Douglas Model DC-10-10, -15, and -30 airplanes, and KC-10A (military) airplanes, was published in the **Federal Register** on July 21, 1999 (64 FR 39104). The action proposed to revise AD 95-04-07 R1 to continue to require inspections to determine the condition of the lockwires on the forward engine mount bolts and correction of any discrepancies found. The action also proposed to continue to provide for termination of the inspections for some airplanes by installing retainers on the bolts. In addition, the action proposed to provide an additional optional terminating modification and clarification of the requirements of the previous optional terminating modification, and proposed to remove the reporting requirements for the repetitive inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 389 airplanes of the affected design in the worldwide fleet. The FAA estimates that 229 airplanes of U.S. registry will be affected by this AD.

The inspections that are currently required by AD 95-04-07 R1, and retained in this AD, will take approximately 2 work hours per airplane to accomplish, at an average labor rate of \$60 per hour. Based on these figures, the cost impact of the currently required inspections on U.S. operators is estimated to be

approximately \$27,480, or \$120 per airplane, per inspection cycle.

The cost impact figure discussed above is 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.

Should an operator elect to accomplish the optional terminating modification, as specified in AD 95-04-07 R1, and the requirements clarified in this AD, it will take approximately 4 work hours per airplane to accomplish, at an average labor rate of \$60 per hour. Required parts will cost between \$2,744 and \$2,822 per airplane. Based on these figures, the cost impact of the optional terminating modification specified by AD 95-04-07 R1 on U.S. operators is estimated to be between \$2,984 and \$3,062 per airplane.

Should an operator elect to accomplish the optional terminating modification specified in McDonnell Douglas Service Bulletin DC10-71-159 that will be provided by this AD, it will take approximately 16 work hours per airplane to accomplish this required action, at an average labor rate of \$60 per work hour. Required parts will cost between \$2,744 and \$2,822 per airplane. Based on these figures, the cost impact of the optional terminating modification provided for by this AD on U.S. operators is estimated to be between \$3,704 and \$3,782 per airplane.

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 revising amendment 39–9317 (60 FR 38477, July 27, 1995), and by adding a new airworthiness directive (AD), amendment 39–11354, to read as follows:

95–04–07 R2 McDonnell Douglas:
Amendment 39–11354. Docket 99–NM–14–AD. Revises AD 95–04–07 R1, Amendment 39–9317.

Applicability: Model DC–10–30 and KC–10A (military) airplanes on which bolt retainers have not been installed on the engine mount in accordance with McDonnell Douglas DC–10 Service Bulletin 71–133, Revision 6, dated June 30, 1992; and all Model DC–10–10 and –15 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 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 broken lockwires, which could result in loosening of the engine mount bolts, and subsequent separation of the engine from the airplane, accomplish the following:

Restatement of Requirements of AD 95–04–07 R1, Amendment 39–9317

(a) Within 120 days after March 17, 1995 (the effective date of AD 95–04–07 R1, amendment 39–9317), unless accomplished previously within the last 750 flight hours prior to March 17, 1995, perform a visual inspection to detect broken lockwires on the forward engine mount bolts on engines 1, 2,

and 3, in accordance with McDonnell Douglas Alert Service Bulletin DC10–71A159, Revision 1, dated January 31, 1995.

(1) If no lockwire is found broken, repeat the inspection thereafter at intervals not to exceed 750 flight hours.

(2) If any lockwire is found broken, prior to further flight: Check the torque of the bolt, install a new lockwire, and install a torque stripe on the bolt, in accordance with the alert service bulletin. Thereafter at intervals not to exceed 750 flight hours, perform a visual inspection to detect misalignment of the torque stripes, and repeat the inspection to detect broken lockwires, in accordance with the alert service bulletin.

Optional Terminating Actions

(b) For Model DC–10–30 airplanes and KC–10A (military) airplanes only: Installation of retainers on the engine mount bolts of engines 1, 2, or 3 in accordance with the procedures depicted in Figure 6 of Revision 6 of McDonnell Douglas DC–10 Service Bulletin 71–133, dated June 30, 1992, constitutes terminating action for the requirements of this AD for that engine.

(c) For Model DC–10–10, –15, and –30 airplanes and KC–10A (military) airplanes: Modification of the forward engine mount bolts for engine 1, 2, or 3 in accordance with McDonnell Douglas Service Bulletin DC10–71–159, dated September 6, 1995, or Revision 01, dated July 28, 1997, constitutes terminating action for the requirements of this AD for that engine.

Alternative Methods of Compliance

(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, Los Angeles 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, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permits

(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.

Incorporation by Reference

(f) Except as provided by paragraphs (b) and (c) of this AD, the actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin DC10–71A159, Revision 1, dated January 31, 1995. This incorporation by reference was approved previously by the Director of the Federal Register as of March 17, 1995 (60 FR 38477, July 27, 1995). Copies may be obtained from The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). Copies may be inspected at the FAA, Transport

Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3936 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on November 10, 1999.

Issued in Renton, Washington, on September 29, 1999.

D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–25932 Filed 10–5–99; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 99–ACE–32]

Amendment to Class E Airspace; Smith Center, KS

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which revises Class E airspace at Smith Center, KS.

DATES: The direct final rule published at 64 FR 43068 is effective on 0901 UTC, November 4, 1999.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426–3408.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on August 9, 1999 (64 FR 43068). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on November 4, 1999. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.