

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Saab Aircraft AB: Docket 99–NM–244–AD.

Applicability: All Model SAAB 2000 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 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 improper illumination of the ground under the service door due to incorrect installation of the aft exterior light, which could result in injury to the passengers or crew members during an emergency evacuation, accomplish the following:

(a) Within 4 months after the effective date of this AD, perform a one-time general visual inspection of the aft exterior light to verify proper orientation, in accordance with Saab Service Bulletin 2000–33–016, dated April 21, 1999.

(1) If the aft exterior light is correctly installed, as specified in the service bulletin, reinstall the lens in accordance with the service bulletin.

(2) If the aft exterior light is incorrectly installed, as specified in the service bulletin, prior to further flight, correct the orientation of the aft exterior light in accordance with the service bulletin.

Note 2: For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

Alternative Methods of Compliance

(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, International Branch, ANM–116, 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, International Branch, ANM–116.

Note 3: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Manager, International Branch, ANM–116.

Special Flight Permits

(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.

Note 4: The subject of this AD is addressed in Swedish airworthiness directive No. 1–140, dated April 21, 1999.

Issued in Renton, Washington, on November 5, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–29744 Filed 11–12–99; 8:45 am]

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

[Docket No. 99–NM–220–AD]

RIN 2120–AA64

Airworthiness Directives; Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 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 Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 series airplanes. This proposal would require an eddy current inspection to detect cracks in the upper girder of the two main landing gear (MLG) brackets; and repair of a cracked bracket followed by repetitive inspections, or replacement of a cracked MLG bracket with an improved bracket, as applicable. This proposal also provides for optional terminating action for certain requirements of this proposed AD. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to detect and correct cracks in the upper girder of the MLG bracket, which could progress into the vertical stiffeners of the MLG bracket and result in reduced structural integrity of the landing gear.

DATES: Comments must be received by December 15, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–220–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 Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 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 99–NM–220–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. 99-NM-220-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for the Netherlands, notified the FAA that an unsafe condition may exist on certain Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 series airplanes. The RLD advises that cracks have been discovered in the upper girder of the main landing gear (MLG) bracket, between the stringer fitting bolts attaching the MLG bracket and fitting to the wing upper skin. Crack surface investigation has shown that the cracking occurred due to stress corrosion. The affected MLG brackets are made of 7079T6 aluminum, which is known to be sensitive to this type of cracking. Such cracking, if not corrected, could progress into the vertical stiffeners of the MLG bracket, and result in an insufficient load transfer from the MLG aft pintle pin into the auxiliary wing spar structure, and consequent reduced structural integrity of the landing gear.

Explanation of Relevant Service Information

Fokker has issued Service Bulletin F28/57-90, dated March 1, 1999, which contains procedures for an eddy current inspection to detect cracks in the upper girder of the two MLG brackets; and repair of a cracked bracket, with follow-on repetitive eddy current inspections, or replacement of a cracked bracket with an improved bracket, as applicable. The RLD classified Service Bulletin F28/57-90 as mandatory, and issued Dutch airworthiness directive 1999-045, dated March 31, 1999, in order to assure the continued airworthiness of these airplanes in the Netherlands.

Fokker has also issued Fokker Proforma Service Bulletin F28/57-92, dated July 1, 1999, which describes the procedures for replacement of the existing MLG bracket with an improved bracket. The improved bracket is made of 7175T7 aluminum, which is not as sensitive to stress corrosion cracking as the material of the existing bracket. The accomplishment instructions of the proforma service bulletin reference an appendix to the proforma service bulletin that will include specific instructions on accomplishing the replacement on a specific operator's fleet. Procedures for the replacement include measuring the position of the existing MLG bracket, removing the existing bracket and attachment fittings, checking alignment of the fastener

holes, measuring gaps, installing a shim, aligning the new bracket, and installing the new bracket and attachment fittings.

Accomplishment of the actions specified in these service bulletins is intended to adequately address the identified unsafe condition.

FAA's Conclusions

This airplane model is manufactured in the Netherlands and is 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 RLD has kept the FAA informed of the situation described above. The FAA has examined the findings of the RLD, 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.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously, except as noted below.

Operators should note that, in consonance with the findings of the RLD, the FAA has determined that, in certain cases, the repair and repetitive inspections proposed by this AD can be allowed to continue in lieu of accomplishment of a terminating action. In making this determination, the FAA considers that, in certain cases, long-term continued operational safety will be adequately assured by accomplishing the repetitive inspections to detect cracking before it represents a hazard to the airplane.

The proposed AD also would require that, regardless of the results of the inspections, operators report all inspection findings to the airplane manufacturer.

Differences Between Proposed Rule, Foreign Airworthiness Directive, and Service Bulletin

The proposed AD would differ from Fokker Service Bulletin F28/57-90 and the parallel Dutch airworthiness directive in that it would require, prior to further flight, replacement of a cracked MLG bracket with an improved bracket, if a crack exceeds 0.0591 inch (15 mm) in length. The service bulletin and the Dutch airworthiness directive

specify replacement of a cracked MLG bracket prior to further flight only if a crack exceeds 1.576 inch (40 mm) in length. The FAA has determined that, because of the safety implications and consequences associated with such cracking, any subject MLG bracket that is found to have a crack that exceeds 0.0591 (15 mm) in length must be replaced prior to further flight.

Operators should note that Fokker Service Bulletin F28/57-90 and the Dutch airworthiness directive specify to replace a cracked MLG bracket in accordance with Fokker Proforma Service Bulletin F28/57-92, or to contact the manufacturer for replacement instructions. However, this proposed AD would require replacement of a cracked MLG bracket to be accomplished in accordance with Fokker Proforma Service Bulletin F28/57-92.

Operators also should note that, although Fokker Proforma Service Bulletin F28/57-92, including any appendix referenced in that proforma service bulletin, may specify that the manufacturer may be contacted if any discrepancies are found during the replacement of the MLG bracket, this proposal would require correction of the discrepancies in accordance with a method approved by the FAA, or the RLD (or its delegated agent). In light of the type of corrective action that would be required to address the identified unsafe condition, and in consonance with existing bilateral airworthiness agreements, the FAA has determined that, for this proposed AD, corrective action approved by either the FAA or the RLD would be acceptable for compliance with this proposed AD.

Cost Impact

The FAA estimates that 6 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 inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$720, or \$120 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.

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:

Fokker Services B.V.: Docket 99–NM–220–AD.

Applicability: Model F.28 Mark 1000, 2000, 3000 and 4000 series airplanes; serial numbers 11003 through 11091 inclusive, 11094 through 11171 inclusive, 11991, and 11992; 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 (f) 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 cracks in the upper girder of the main landing gear (MLG) bracket, which could progress into the vertical stiffeners of the MLG bracket and result in reduced structural integrity of the landing gear, accomplish the following:

One-Time Inspection and Corrective Actions

(a) Within 12 months after the effective date of this AD, perform a one-time eddy current inspection of the upper girder of the MLG brackets on the left and right sides of the airplane for cracks, in accordance with the Accomplishment Instructions of Fokker Service Bulletin F28/57–90, dated March 1, 1999.

(1) If no cracks are found, no further action is required by this AD.

(2) Except as provided by paragraph (c) of this AD, if any crack is found, prior to further flight, repair as specified in paragraph C.(1) of the Accomplishment Instructions of the service bulletin, in accordance with the service bulletin. Thereafter, repeat the eddy current inspection at intervals not to exceed 1 year, until accomplishment of paragraph (d) of this AD.

Reporting Requirement

(b) Within 10 days after accomplishing each inspection required by paragraph (a) of this AD, submit a report of the inspection results to: Fokker Services B.V., Technical Services, Attn: Manager Airline Support, P.O. Box 231, 2150 AE Nieuw-Vennep, The Netherlands. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120–0056.

Replacement

(c) For airplanes on which a crack greater than 0.591 inch (15 mm) in length is found: Except as provided by paragraph (e) of this AD, prior to further flight, replace the cracked MLG bracket with a new, improved bracket (including measuring the position of the existing MLG bracket, removing the existing bracket and attachment fittings, checking alignment of the fastener holes, measuring gaps, installing a shim, and aligning the new bracket); in accordance with Fokker Proforma Service Bulletin F28/57–92, dated July 1, 1999. Such replacement constitutes terminating action for the repetitive inspections required by paragraph (a)(2) of this AD.

Optional Terminating Action

(d) Except as provided by paragraph (e) of this AD, replacement of the MLG bracket with a new, improved bracket (including measuring the position of the existing MLG bracket, removing the existing bracket and attachment fittings, checking alignment of the fastener holes, measuring gaps, installing

a shim, and aligning the new bracket), in accordance with Fokker Proforma Service Bulletin F28/57–92, dated July 1, 1999; constitutes terminating action for the repetitive inspections specified in paragraph (a)(2) of this AD for the replaced bracket.

(e) If any discrepancy is detected during accomplishment of the replacement procedures, and the service bulletin or any appendix to the service bulletin specifies to contact Fokker for appropriate action: Prior to further flight, repair in accordance with a method approved by either the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate; or the Rijksluchtvaartdienst (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM–116, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

Alternative Methods of Compliance

(f) 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, International Branch, ANM–116, 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, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(g) 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.

Note 3: The subject of this AD is addressed in Dutch airworthiness directive 1999–045, dated March 31, 1999.

Issued in Renton, Washington, on November 5, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–316–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 767 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.