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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–131–AD; Amendment 39–10078; AD 97–15–05]

RIN 2120–AA64

Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain British Aerospace (Jetstream) Model 4101 airplanes. This action requires an inspection to determine the data on the label of certain hose assemblies, and replacement of all hose assemblies from any discrepant batch with certain new hose assemblies. This amendment is prompted by a report of failure of a hose assembly in the fire extinguisher system of the engine nacelle due to cracks, caused during manufacture of the hose assemblies, in the swaged ferrule that attaches the hose to the end fitting. The actions specified in this AD are intended to ensure that such discrepant hose assemblies are replaced. Discrepant hose assemblies could fail and consequently prevent the proper distribution of fire extinguishing agent within the engine nacelle in the event of a fire.

DATES: Effective July 31, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 31, 1997.

Comments for inclusion in the Rules Docket must be received on or before September 15, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–131–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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: William Schroeder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2148; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain British Aerospace (Jetstream) Model 4101 airplanes. The CAA advises that it has received a report of failure of a hose assembly in the fire extinguisher system of the engine nacelle on an in-service airplane. Investigation revealed that the cause of such a failure was attributed to cracks in the swaged ferrule that attaches the hose to the end fitting. These cracks were caused apparently during manufacture of two batches of hose assemblies. Defective hose assemblies, if not corrected, could result in failure of the hose assemblies and consequently prevent the proper distribution of fire extinguishing agent within the engine nacelle in the event of a fire.

Explanation of Relevant Service Information

The manufacturer has issued Jetstream Alert Service Bulletin J41–A26–007, dated December 13, 1996, which describes procedures for performing a one-time detailed visual inspection to determine the data on the label of the two suspect hose assemblies having part number 14191001–56. The service bulletin also describes procedures for replacement of all hose assemblies from any discrepant batch with certain new hose assemblies (i.e.,

from a non-discrepant batch) that has different data on the identification label. The CAA classified this alert service bulletin as mandatory and issued British airworthiness directive 001–12–96 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom 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 CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, 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 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, this AD is being issued to ensure all hose assemblies from the two discrepant batches are replaced; discrepant assemblies could fail and consequently prevent the proper distribution of the fire extinguishing agent within the engine nacelle in the event of a fire. This AD requires a one-time detailed visual inspection to determine the data on the label of certain hose assemblies, and replacement of all hose assemblies from any discrepant batch with certain new hose assemblies. The actions are required to be accomplished in accordance with the alert service bulletin described previously.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements

affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-NM-131-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44

FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

97-15-05 British Aerospace Regional Aircraft [Formerly: Jetstream Aircraft Limited, British Aerospace (Commercial Aircraft) Limited], Amendment 39-10078. Docket 97-NM-131-AD.

Applicability: Jetstream Model 4101 airplanes, constructors numbers 41004 through 41096 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 otherwise 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 failure of the hose assemblies, which could prevent the proper distribution of the fire extinguishing agent within the engine nacelle in the event of a fire, accomplish the following:

(a) Within 30 days after the effective date of this AD, perform a one-time detailed

visual inspection to determine the data on the label of the two hose assemblies having part number 14191001-56, in accordance with Jetstream Alert Service Bulletin J41-A26-007, dated December 13, 1996.

(1) If the data on any hose assembly are not identical to the data shown on either Label 1 or Label 2 of Figure 2 of the Accomplishment Instructions of the alert service bulletin, no further action is required by this AD.

(2) If the data on any hose assembly are identical to the data shown in either Label 1 or Label 2 in Figure 2 of the Accomplishment Instructions of the alert service bulletin, prior to the accumulation of 60 flight hours following accomplishment of the inspection required by paragraph (a) of this AD, replace the hose assembly with a new hose assembly that has different data on the identification label, in accordance with the alert service bulletin.

(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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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) The inspection and replacement shall be done in accordance with Jetstream Alert Service Bulletin J41-A26-007, dated December 13, 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 AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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.

(e) This amendment becomes effective on July 31, 1997.

Issued in Renton, Washington, on July 9, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 97-18503 Filed 7-15-97; 8:45 am]

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