

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

[Docket No. 98-NM-166-AD]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes, and Model MD-88 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 McDonnell Douglas Model DC-9-80 series airplanes, and Model MD-88 airplanes. This proposal would require a one-time inspection to detect corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer; and corrective actions, if necessary. This proposal is prompted by reports of corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer, apparently due to the improper brushing of cadmium on the hinge plates during manufacture. The actions specified by the proposed AD are intended to detect and correct corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer, which could result in reduced structural integrity of the airplane.

DATES: Comments must be received by August 10, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-166-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 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 FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft

Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Brent Bandle, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5237; fax (562) 627-5210.

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 98-NM-166-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. 98-NM-166-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports of corrosion on the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer on certain McDonnell Douglas Model DC-9-80 series airplanes, and Model MD-88 airplanes. This corrosion occurred on airplanes that had accumulated between 15,000 and 30,000 total flight hours. Investigation has revealed that the hinge plates were apparently brushed with

cadmium during the assembly drill out and line ream processes. During these manufacturing processes, it appears that the cadmium material became trapped between the mating hinge plates. Consequently, chemical action caused corrosion to occur around the lug bores. The corrosion has been attributed to the cadmium-brushed plates, which were not part of the approved type design. Such corrosion, if not detected and corrected in a timely manner, could result in reduced structural integrity of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Service Bulletin MD80-55-054, dated March 3, 1998, which describes procedures for a one-time visual inspection to detect corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer; and corrective actions, if necessary. Corrective actions include removal of corrosion that is within the limits specified in the Structural Repair Manual; and replacement of the hinge plates with new parts, if the corrosion exceeds the limits specified in the Structural Repair Manual. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed 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 AD would require a one-time inspection to detect corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer; and corrective actions, if necessary. The proposed AD also would require that operators report results of inspection findings (positive or negative) to the FAA.

Cost Impact

There are approximately 1,059 airplanes of the affected design in the worldwide fleet. The FAA estimates that 706 airplanes of U.S. registry would be affected by this proposed AD. It would take approximately 117 work hours per airplane (which includes removal and installation) to accomplish the proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$4,956,120, or \$7,020 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:

McDonnell Douglas: Docket 98–NM–166–AD.

Applicability: Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87) series airplanes, and Model MD–88 airplanes; as listed in

McDonnell Douglas Service Bulletin MD80–55–054, dated March 3, 1998; 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 detect and correct corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer, which could result in reduced structural integrity of the airplane, accomplish the following:

(a) Within 18 months after the effective date of this AD, perform a one-time visual inspection to detect corrosion of the lug bores and the surface of the hinge plates of the vertical-to-horizontal stabilizer, in accordance with McDonnell Douglas Service Bulletin MD80–55–054, dated March 3, 1998.

(1) **Condition 1:** If no corrosion is detected, no further action is required by this paragraph.

(2) **Condition 2:** If any corrosion is detected that is within the limits specified in the Structural Repair Manual, prior to further flight, remove the corrosion in accordance with the service bulletin.

(3) **Condition 3:** If any corrosion is detected that exceeds the limits specified in the Structural Repair Manual, prior to further flight, replace the hinge plates with new parts, in accordance with the service bulletin.

(b) Within 10 days after accomplishing the inspection required by paragraph (a) of this AD, or within 10 days after the effective date of this AD, whichever occurs later, submit a report of the inspection results (both positive and negative findings) to the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California 90712–4137; fax (562) 627–5210. 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.

(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, Los Angeles ACO. 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.

(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 June 19, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–17007 Filed 6–25–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–CE–138–AD]

RIN 2120–AA64

Airworthiness Directives; Cessna Aircraft Company 180 and 185 Series Airplanes.

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede Airworthiness Directive (AD) 80–10–01, which is applied to certain Cessna Aircraft Company 180 and 185 series airplanes that are equipped with Airglas Engineering Company, Inc., (AECI) Model LW3600–180 single position or Model LW3600–180A two position fixed penetration wheel ski installations. AD 80–10–01 currently requires: modifying the ski bungee assemblies, safety cables, and check cables; limiting the maximum airspeed to 160 knots with skis installed; and installing an airspeed limitation placard. The proposed AD would retain the actions required in AD 80–10–01, and would require marking the maximum airspeed limits on the airspeed indicator; placing a supplemental airplane flight manual (AFM) and AFM supplement in the cockpit; and adding the Cessna Model 180K airplane to the applicability. Reports that certain airspeeds cause the skis to rotate into a nose-down position during flight prompted the AD action. The actions specified by the proposed AD are intended to prevent one or both wheel skis from rotating into a nose-down position during flight, which could result in loss of control of the airplane and/or possible airplane damage during flight or landing operations.

DATES: Comments must be received on or before August 24, 1998.