

§ 39.13 [Amended]

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

Boeing: Docket 98–NM–367–AD.

Applicability: Model 727–100 and –100C series airplanes; line numbers 126, 130, 146, 153, 221, 287, 331, 339, 345, 355, 416, 516, 532, 540, 551, 555, 559, 575, 592, 594, 596, 599, 600, 604, 605, 615, 619, 625, 626, 628, 630, 631, 632, 635, 640, 641, 643, 645, 647, 658, 660, 686, 695, 700, 711, 712, 735, 748, 766, 768, 784, 797, 803, 806, 810, 812, 817, 821, 822, 824, 829, 854, 856, 857, 858, 861, and 869; 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 degradation of the structural integrity of certain skin panels of the lower fuselage, which could result in loss of airplane pressurization, accomplish the following:

(a) Within 20 years since original installation, or within 4 years after the effective date of this AD, whichever occurs later, replace the skin panels of the lower fuselage between body station (BS) 950 and BS 1183 with non-bonded skin panels, in accordance with Part VI of the Accomplishment Instructions of Boeing Service Bulletin 727–53–0085, Revision 4, dated July 11, 1991.

Note 2: Accomplishment of the modification specified in Boeing Service Bulletin 727–53–0085, Revision 2, dated July 3, 1975, or Revision 3, dated September 28, 1989, is acceptable for compliance with the replacement required by paragraph (a) of this AD.

Note 3: Accomplishment of the modification specified in paragraph (a) of this AD constitutes terminating action for the inspection requirements of AD 92–19–10, amendment 39–8368 (57 FR 47404, October 16, 1992) for those panels.

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, 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 4: 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

(c) 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.

Issued in Renton, Washington, on July 15, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–18628 Filed 7–20–99; 8:45 am]

BILLING CODE 4910–13–U

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

[Docket No. 99–NM–14–AD]

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: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise 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 action 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 new action would provide an additional optional terminating modification, clarification of the requirements of the previous optional terminating modification, and would remove the reporting requirements for the repetitive inspections.

DATES: Comments must be received by September 7, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–14–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, 3936 Paramount Boulevard, Lakewood, California.

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:**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-14-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-14-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On February 16, 1995, the FAA issued AD 95-04-07, amendment 39-9159 (60 FR 11617, March 2, 1995), applicable to certain McDonnell Douglas Model DC-10-10, -15, and -30 series airplanes and KC-10A (military) airplanes. That AD required inspections to determine the condition of the lockwires on the forward engine mount bolts and correction of any discrepancies found. That action also provided 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.

Actions Since Issuance of Previous Rule

Since the issuance of AD 95-04-07, the FAA issued AD 95-04-07 R1, amendment 39-9317 (60 FR 38477, July 27, 1995), that clarifies the procedures for accomplishing the optional terminating action on engines 1, 2, and 3.

Additionally, since the issuance of that AD, the FAA has received reports indicating that the lockwires of the forward engine mount bolts have failed since the incorporation of McDonnell Douglas DC-10 Service Bulletin 71-133, Revision 6, dated June 30, 1992 (which is referenced in the existing AD as the appropriate source of information for accomplishment of installation of retainers on the engine mount bolts of the engine 1, 2, or 3). The exact cause of the failures has not yet been determined.

That service bulletin segregates the affected airplanes into three groups and provides each group (two of which are relatively similar) with an option for accomplishing the modification of the forward engine mount bolts of engines 1, 2, and 3, as listed below:

- For airplanes listed as Groups I and III, the service bulletin describes procedures for replacing the bolts on pylons 1 and 3; the washers with tabs

on pylon 2 (for Group III—include bolts); and the H-11 steel material bolt, washers, and nuts on the engine 1, 2, and 3 forward and aft mounts with improved material.

- For airplanes listed as Group II, the service bulletin describes procedures for replacing the bolts on pylons 1 and 3; the washers with tabs on pylon 2; and the H-11 steel material bolt, washers, and nuts on the engine 1, 2, and 3 forward and aft mounts with improved material. Additionally, the modification includes installing four retention brackets (retainers) on the aft engine mounts on engines 1, 2, and 3.

As mentioned previously, failed lockwires have been reported. The failed lockwires occurred on airplanes that had incorporated the requirements for Groups I and III of the service bulletin. No reports of failed lockwires have been reported on airplanes that have incorporated the retainers in accordance with the service bulletin. In light of this, the FAA has determined that the installation of the retainers in accordance with the McDonnell Douglas service bulletin (previously described) should be incorporated in order to terminate the repetitive inspections required by this proposed AD. This clarification of the previous optional terminating action is specified in paragraph (b) of this proposed AD.

The FAA has reviewed and approved McDonnell Douglas Service Bulletins DC10-71-159, dated September 6, 1995, and Revision 01, dated July 28, 1997, as additional sources of service information for accomplishment of an optional terminating action. These service bulletins describe procedures for modification of the forward engine mount bolts of engines 1, 2, and 3. This involves removal of the existing lockwires from the forward engine mount bolts, modification and reidentification of the anti-ice duct, and installation of retainers on the forward engine mount bolts.

Accomplishment of this optional terminating modification would eliminate the need for the repetitive inspections.

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 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. It also would continue to provide for termination of the inspections for some

airplanes by installing retainers on the bolts. This proposed AD would provide an additional optional terminating modification, clarification of the requirements of the previous optional terminating action, and would remove the reporting requirements for the repetitive inspections.

Differences Between Proposed Rule and Service Information

Operators should note that McDonnell Douglas Service Bulletins DC10-71-159, and Revision 01, recommend accomplishment of the modification of the forward engine mount bolts at the earliest practical maintenance period, but not to exceed 18 months from the issue date of the service bulletin. However, this proposed AD would allow operators the option of accomplishing the modification at their discretion.

The FAA has determined that, for this proposed AD, repetitive inspections of the lockwires of the forward engine mount bolts safely addresses the unsafe condition. The FAA has determined that repetitive inspections of an area may be permitted to continue indefinitely, although a positive fix to the problem exists, for the following reasons:

1. The inspection area of the forward engine mount bolts is easily accessible; and

2. In the event of a broken lockwire, it is easily detected; and

3. Since a single broken lockwire would not result in loss of an engine, the consequences of a single broken lockwire are not likely to be catastrophic.

In light of these reasons, the FAA has determined that the circumstances warranting continual repetitive inspections meet these three criteria.

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 would be affected by this proposed AD.

The inspections that are currently required by AD 95-04-07 R1 and retained in this proposed AD, would 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 figures discussed above are 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.

Should an operator elect to accomplish the optional terminating modification as specified in AD 95-04-07 R1, and the requirements clarified in this proposed AD, it would take approximately 4 work hours per airplane to accomplish, at an average labor rate of \$60 per hour. Required parts would 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 would be provided by this AD, it would take approximately 16 work hours per airplane to accomplish the proposed actions, at an average labor rate of \$60 per work hour. Required parts would cost between \$2,744 and \$2,822 per airplane. Based on these figures, the cost impact of the optional terminating modification proposed by this AD on U.S. operators is estimated to be between \$3,704 and \$3,782 per airplane.

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

McDonnell Douglas: 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 §§ 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 July 15, 1999.

D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[REG-116991-98]

RIN 1545-AW88

Compromises

AGENCY: Internal Revenue Service (IRS), Treasury.