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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96–NM–223–AD; Amendment 39–9764; AD 96–19–17]

RIN 2120–AA64

#### Airworthiness Directives; Boeing Model 757 Series 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 Boeing Model 757 series airplanes. This action requires a one-time inspection to detect discrepancies of the main battery shunt, and replacement with a serviceable part, if necessary. This action also requires inspection of certain wires, washers, and brass jam nuts to detect any discrepancy, and replacement with a serviceable part, if necessary. Additionally, this action requires inspection, and adjustment if necessary, of the torque and resistance of the installation of the main battery ground stud. This amendment is prompted by a report of interruption of electrical power during flight due to improper installation of the main battery shunt and ground stud connection of the main battery. The actions specified in this AD are intended to prevent such electrical power interruptions, which could result in loss of battery power to the source of standby power for the airplane.

**DATES:** Effective October 7, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 7, 1996.

Comments for inclusion in the Rules Docket must be received on or before November 19, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–223–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. 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:** Stephen S. Oshiro, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2793; fax (206) 227–1181.

**SUPPLEMENTARY INFORMATION:** The FAA recently has received reports indicating that interruptions of electrical power have occurred during flight, which resulted in the loss of battery power to the hot battery bus (HBB) on a Boeing Model 767 series airplane. The HBB is the source of standby power to the airplane. Investigation revealed that the reported loss of power to the HBB occurred due to cracked shunts, improper installation of fasteners on the shunt studs, and improper torque of shunt fasteners. It appears that the improper installation of fasteners on the shunt studs and improper torque of shunt fasteners occurred during manufacture.

Loose fasteners on the shunt studs can create an open circuit or high resistance in the connection of the main battery ground stud, which can cause an interruption of the battery charger and the loss of the HBB. The loss of the HBB and associated loads will cause multiple advisory level Engine Indication and Crew Alerting System (EICAS) messages; loss of power to the standby buses/loads during standby operation; and the potential loss of center bus power. Such loss of standby power could adversely affect the function of the following systems:

1. the captain's standby instruments,
2. flight control electronics,

3. Very High Frequency (VHF) communications,

4. thrust reverser control,
  5. standby ignition,
  6. passenger oxygen,
  7. fire detection and extinguishing,
- and
8. wing and engine anti-ice systems,
- among others.

Improper installation of the main battery shunt and ground stud connection of the main battery, if not corrected, could cause an interruption of electrical power and loss of battery power to the HBB during flight.

The main battery shunts of the main equipment center on the Boeing Model 767 series airplanes are identical to those installed on the Boeing Model 757 series airplanes; therefore, both of these models may be subject to this same unsafe condition. The FAA has addressed this unsafe condition in Model 767 series airplanes with the issuance of AD 96–19–10, amendment 39–9757, on September 6, 1996.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 757–24A0079, dated August 8, 1996, which describes procedures for inspection of the main battery shunt to detect contaminated fasteners, missing pressure washers or washers having an incorrect part number, or damage to the terminal posts or to the plastic base, and replacement of the main battery shunt, if necessary. The alert service bulletin also describes inspection of certain wires, washers, and brass jam nuts to detect any discrepancy, and replacement of any discrepant part with a serviceable part.

Additionally, the alert service bulletin describes procedures for an inspection of the main battery ground stud to verify the torque and resistance, and adjustment of the torque and resistance, if necessary.

#### Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on Boeing Model 757 series airplanes, this AD is being issued to prevent interruption of electrical power during flight, which could result in loss of battery power to the source of standby power for the airplane. This AD requires inspection of the main battery

shunt to detect contaminated fasteners, missing pressure washers or washers having an incorrect part number, or damage to the terminal posts or to the plastic base, and replacement of the main battery shunt, if necessary. This AD also requires inspection of certain wires, washers, and brass jam nuts to detect any discrepancy, and replacement of any discrepant part with a serviceable part. Additionally, this AD requires an inspection of the main battery ground stud to verify the torque and electrical resistance, and adjustment of the torque and resistance, if necessary. 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 96-NM-223-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:

96-19-17 Boeing: Amendment 39-9764.  
Docket 96-NM-223-AD.

*Applicability:* Model 757 series airplanes, as listed in Boeing Alert Service Bulletin

757-24A0079, dated August 8, 1996; 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 interruptions of electrical power during flight, which could result in loss of battery power to the source of standby power for the airplane, accomplish the following:

(a) Within 45 days after the effective date of this AD, accomplish the actions specified in paragraphs (a)(1), (a)(2) and (a)(3) of this AD, in accordance with Boeing Alert Service Bulletin 757-24A0079, dated August 8, 1996.

(1) Perform an inspection of the main battery shunt, to detect any contaminated fasteners, missing pressure washers or washers having an incorrect part number, or damage to terminal posts or to the plastic base. If any discrepancy is found, prior to further flight, replace the main battery shunt, in accordance with the alert service bulletin.

(2) Perform an inspection of the wires, washers, and brass jam nuts to detect any contamination or damage. If any discrepancy is found, prior to further flight, replace the discrepant part with a serviceable part, in accordance with the alert service bulletin.

(3) Inspect the torque and electrical resistance of the installation of the main battery ground stud, and adjust the torque and resistance of the ground stud, 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, 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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 actions shall be done in accordance with Boeing Alert Service Bulletin 757-24A0079, dated August 8, 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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 October 7, 1996.

Issued in Renton, Washington, on September 11, 1996.

James V. Devany,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-23851 Filed 9-19-96; 8:45 am]

BILLING CODE 4910-13-P

#### 14 CFR Part 71

[Airspace Docket No. 96-ANM-017]

##### **Amendment of Class E Airspace; Torrington, Wyoming**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Torrington, Wyoming, Class E airspace by providing additional controlled airspace to accommodate a Nondirectional Beacon (NDB) Standard Instrument Approach Procedure (SIAP) to the Torrington Municipal Airport.

**EFFECTIVE DATE:** 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** James C. Frala, Operations Branch, ANM-532.4, Federal Aviation Administration, Docket No. 96-ANM-017, 1601 Lind Avenue, SW, Renton, Washington 98055-4056; telephone number: (206) 227-2535.

##### **SUPPLEMENTARY INFORMATION:**

##### **History**

On July 10, 1996, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend Class E airspace at Torrington, Wyoming, by providing additional controlled airspace to accommodate a NDB SIAP to the Torrington Municipal Airport (61 FR 36316).

Interested parties were invited to participate in the rulemaking proceeding by submitting written comments on the proposal. No comments were received.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996,

and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace listed in this document will be published subsequently in the Order.

##### **The Rule**

This amendment to part 71 of Federal Aviation Regulations amends Class E airspace at Torrington, Wyoming. The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

##### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

##### **Adoption of the Amendment**

In consideration of the foregoing, the FAA amends 14 CFR part 71 as follows:

##### **PART 71—[AMENDED]**

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

##### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

*Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

ANM WY E5 Torrington, WY [Revised]

Torrington Municipal Airport, WY  
(Lat. 42°03'52"N, long. 104°09'10"W)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of the Torrington Municipal Airport.

\* \* \* \* \*

Issued in Seattle, Washington, on September 6, 1996.

Glenn A. Adams III,

*Assistant Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 96-24178 Filed 9-19-96; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 96-ANM-018]

##### **Establishment of Class E Airspace; Cañon City, Colorado**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes the Cañon City, Colorado, Class E airspace to accommodate a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to the Fremont County Airport.

**EFFECTIVE DATE:** 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** James C. Frala, Operations Branch, ANM-532.4, Federal Aviation Administration, Docket No. 96-ANM-018, 1601 Lind Avenue, SW, Renton, Washington 98055-4056; telephone number: (206) 227-2535.

##### **SUPPLEMENTARY INFORMATION:**

##### **History**

On July 11, 1996, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Cañon City, Colorado, to accommodate a new GPS SIAP to the Fremont County Airport (61 FR 36520). Interested parties were invited to participate in the rulemaking proceeding by submitting written comments on the proposal. No comments were received.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace listed in this document will be published subsequently in the Order.

##### **The Rule**

This amendment to part 71 of Federal Aviation Regulations establishes Class E airspace at Cañon City, Colorado. The FAA has determined that this regulation only involves an established body of technical regulations for which frequent