

## 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:

**99-08-05 McDonnell Douglas:** Amendment 39-11110. Docket 98-NM-110-AD.

**Applicability:** Model DC-9 and C-9 (military) series airplanes, as listed in McDonnell Douglas Service Bulletin DC9-53-267, dated October 20, 1997; 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 (e) 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 fatigue cracking of the fuselage frames and longerons 16R and 17R, which could result in reduced structural integrity of the airplane, accomplish the following:

(a) Prior to the accumulation of 30,000 total landings, or within 3,000 landings after the effective date of this AD, whichever occurs later, perform a visual inspection to detect fatigue cracking of the fuselage frames and longerons 16R and 17R above the forward lower cargo door, in accordance with paragraph 3.B.1. of the Accomplishment Instructions of McDonnell Douglas Service Bulletin DC9-53-267, dated October 20, 1997.

(b) **Condition 1.** If no cracking is detected during the inspection required by paragraph (a) of this AD, accomplish the requirements of either paragraph (b)(1) or (b)(2) of this AD, in accordance with McDonnell Douglas Service Bulletin DC9-53-267, dated October 20, 1997.

(1) **Option 1.** Repeat the visual inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 19,000 landings. Or

(2) **Option 2.** Prior to further flight, modify the fuselage frames and longerons 16R and 17R. Prior to the accumulation of 19,000 landings after accomplishment of the modification, perform the visual inspection specified in paragraph 3.B.1.D. of the Accomplishment Instructions of the service bulletin to detect fatigue cracking of the skin adjacent to the modification.

(i) If no cracking is detected, repeat the visual inspection thereafter at intervals not to exceed 19,000 landings.

(ii) If any cracking is detected, prior to further flight, repair in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(c) **Condition 2.** If any cracking is detected during the inspection required by paragraph (a) of this AD, prior to further flight, repair the cracked area and modify the fuselage frames and longerons 16R and 17R; in accordance with McDonnell Douglas Service Bulletin DC9-53-267, dated October 20, 1997. Prior to the accumulation of 19,000 landings after accomplishment of the modification, perform the visual inspection specified in paragraph 3.B.1.D.(5) of the Accomplishment Instructions of the service bulletin to detect fatigue cracking of the skin adjacent to the modification, in accordance with the service bulletin.

(1) If no cracking is detected, repeat the visual inspection thereafter at intervals not to exceed 19,000 landings.

(2) If any cracking is detected, prior to further flight, repair in accordance with a method approved by the Manager, Los Angeles ACO.

(d) Accomplishment of the inspections required by this AD constitutes terminating action for the inspections of Principal Structural Element 53.09.055A (reference McDonnell Douglas Model DC-9 Supplemental Inspection Document, Report No. L26-008, Section 2 of Volume III-95, dated September 1995), as required by AD 96-13-03, amendment 39-9671.

(e) 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.

(f) 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.

(g) Except as provided by paragraphs (b)(2)(ii) and (c)(2) of this AD, the actions shall be done in accordance with McDonnell Douglas Service Bulletin DC9-53-267, dated October 20, 1997. 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 Aircraft Group, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). Copies may be inspected 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; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on May 12, 1999.

Issued in Renton, Washington, on March 30, 1999.

**Darrell M. Pederson,**

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

[FR Doc. 99-8329 Filed 4-6-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-SW-58-AD; Amendment 39-11112; AD 99-08-06]

RIN 2120-AA64

### Airworthiness Directives; Eurocopter France Model SA. 3160, SA. 316B, SA. 316C, and SA. 319B Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to Eurocopter France Model SA. 3160, SA. 316B, SA. 316C, and SA. 319B helicopters. This action requires inspecting the spar skin and main rotor blade (blade) root reinforcement strip area for a bonding separation, corrosion, or a crack, and replacing the blade, if necessary. This amendment is prompted by the in-flight failure of a blade. The actions specified in this AD are intended to detect a bonding separation, corrosion, or a crack in the area of the blade root reinforcement strip, which could result in failure of the blade and subsequent loss of control of the helicopter.

**DATES:** Effective April 22, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 22, 1999.

Comments for inclusion in the Rules Docket must be received on or before May 7, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-58-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972)

641-3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Richard Monschke, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5116, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:**

**Basis for Issuing This AD**

The Direction Generale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on Model SE. 3160, SA. 316B, SA. 316C, and SA. 319B helicopters. The DGAC advises that, due to the failure of a blade, the spar skin and blade root reinforcement strip area should be checked for separations, cracks, and corrosion.

Eurocopter France has issued Eurocopter SA 316/319 Service Bulletin No. 05.92 Revision No. 1, dated September 28, 1998 (SB). That SB specifies an inspection for bonding separation in the area along the reinforcement strip using a tapping method, and a visual inspection for cracks or corrosion in the blade root area skin using a 3-to 7-power magnifying glass. The DGAC classified this service bulletin as mandatory and issued DGAC AD 98-285-057(A), dated July 15, 1998, and DGAC AD 98-285-057(A) R1, dated December 16, 1998, in order to assure the continued airworthiness of these helicopters in France. The DGAC AD's require the initial inspection within 25 flying hours or 6 months, the Eurocopter SB recommends the initial inspection within 25 hours. The FAA has determined that the initial inspection must be accomplished before further flight to ensure public safety.

These helicopter models are manufactured in France and are 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of these type designs that are certificated for operation in the

United States. Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter France Model SE. 3160, SA. 316B, SA. 316C, and SA. 319B helicopters of the same type designs registered in the United States, this AD is being issued to detect a bonding separation, corrosion, or a crack in the area of the blade root reinforcement strip, which could result in failure of a blade and subsequent loss of control of the helicopter. This AD requires inspecting each spar skin and blade root reinforcement strip area for a bonding separation, corrosion, or a crack, and replacing the blade if any bonding separation, corrosion, or a crack is found. The actions are required to be accomplished in accordance with the service bulletin described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the structural integrity of the helicopters. Therefore, the initial inspections are required before further flight, and the repetitive inspections are required at intervals not to exceed 100 hours time-in-service (TIS) or 6 calendar months, whichever occurs first, and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment on this AD are not practical, and that good cause exists for making this amendment effective in less than 30 days.

**Cost Impact**

The FAA estimates that 24 helicopters will be affected by this AD, that it will take approximately 1.5 work hours to do the visual inspection, and 16.0 hours to replace a blade, if necessary, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$40,000 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$2,160 to conduct one inspection of the fleet, and \$40,960 per helicopter to replace one blade (if necessary).

**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 should 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 No. 98-SW-58-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's Determination**

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 a new airworthiness directive to read as follows:

#### AD 99-08-06 Eurocopter France:

Amendment 39-11112. Docket No. 98-SW-58-AD.

**Applicability:** Model SE. 3160, SA. 316B, SA. 316C, and SA. 319B helicopters, with main rotor blade, part numbers (P/N) 3160S11-10000-all part numbers, 3160S11-30000-all part numbers, 3160S11-35000-all part numbers, 3160S11-40000-all part numbers, 3160S11-45000-all part numbers, 3160S11-50000-all part numbers, and 3160S11-55000-all part numbers, installed, certificated in any category.

**Note 1:** This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters 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 (e) 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 bonding separation, corrosion, or cracks in the area of a main rotor blade (blade) root reinforcement strip, which could result in failure of the blade and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, and afterwards at intervals not to exceed 100 hours time-in-service or 6 calendar months, whichever occurs first, inspect the spar skin and blade root reinforcement strip area for a bonding separation, corrosion, or a crack in accordance with paragraphs 2.A and 2.B of the Accomplishment Instructions in Eurocopter SA 316/319 Service Bulletin No. 05.92. Revision No. 1, dated September 28,

1998 (SB), except operators are not required to contact Eurocopter if an anomaly is found.

(b) For the hatched areas (1.5 x 50mm and 10 x 100mm) on the upper and lower surfaces of each blade, if bonding separation is found, replace the blade with an airworthy blade prior to further flight (refer to Figure 1 of the SB).

(c) Bonding separation in the non-hatched area (10 x 100mm) of the upper and lower surfaces of each blade is permissible and must be inspected using the tapping method at intervals not to exceed 25 hours time-in-service to monitor possible propagation. When the bonding separation reaches the hatched area, the blade must be replaced with an airworthy blade (refer to Figure 1 of the SB).

(d) Visually inspect for a crack or corrosion on the upper and lower skin in the 100 x 100mm blade root area. If a crack or corrosion is detected, replace the blade with an airworthy blade prior to further flight (refer to Figure 1 of the SB).

(e) 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, Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Standards Staff.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standards Staff.

(f) Special flight permits will not be issued.

(g) Accomplish the inspections in accordance with Eurocopter SA 316/319 Service Bulletin No. 05.92 Revision No. 1, dated September 28, 1998. 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 Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on April 22, 1999.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 98-285-057(A), dated July 15, 1998, and AD 98-285-057(A)R1, dated December 16, 1998.

Issued in Fort Worth, Texas, on March 30, 1999.

**Eric Bries,**

*Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-8409 Filed 4-6-99; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-326-AD; Amendment 39-11105; AD 99-08-01]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 747 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that requires repetitive detailed visual inspections for corrosion, and repetitive high frequency eddy current (HFEC) inspections for cracks, of the upper link assembly on the number 2 and number 3 engine struts, and corrective actions, if necessary. This amendment is prompted by reports of corrosion and cracks located at the four fasteners that attach to the aft end to the upper link assembly on the number 2 and number 3 engine struts. The actions specified by this AD are intended to prevent failure of the upper link due to cracking or corrosion, subsequent damage to other strut support structure, and in-flight separation of an engine from the airplane.

**DATES:** Effective May 12, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 12, 1999.

**ADDRESSES:** 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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:** Tamara L. Anderson, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2771; fax (425) 227-1181.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD)