[Federal Register: July 13, 2006 (Volume 71, Number 134)]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2006-25175; Directorate Identifier 2006-NM-099-AD; Amendment 39-14670; AD 2006-13-17]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 757-200 Series Airplanes Modified by Supplemental Type Certificate (STC) SA979NE

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting a typographical error in an existing airworthiness directive (AD) that was published in the Federal Register on June 28, 2006 (71 FR 36671). The error resulted in the misidentification of the manufacturer name in the product identification line of the regulatory text. This AD applies to certain Boeing Model 757-200 series airplanes. This AD requires a one-time deactivation of the auxiliary fuel system, repetitive venting and draining of the auxiliary fuel tank sumps, and revising the Limitations section of the airplane flight manual to limit the maximum cargo weight.

DATES: Effective July 13, 2006.

ADDRESSES: The AD docket contains the proposed AD, comments, and any final disposition. You may examine the AD docket on the Internet at http://dms.dot.gov, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Washington, DC. This docket number is FAA-2006-25175; the directorate identifier for this docket is 2006-NM-099-AD.

FOR FURTHER INFORMATION CONTACT: Jon Hjelm, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7323; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION: On June 15, 2006, the FAA issued AD 2006-13-17, amendment 39-14670 (71 FR 36671, June 28, 2006), for certain Boeing Model 757-200 series airplanes. The AD requires a one-time deactivation of the auxiliary fuel system, repetitive venting and draining of the auxiliary fuel tank sumps, and revising the Limitations section of the airplane flight manual to limit the maximum cargo weight.

As published, the manufacturer name is misidentified in the product identification line of the regulatory text.

No other part of the regulatory information has been changed; therefore, the final rule is not republished in the Federal Register.

The effective date of this AD remains July 13, 2006.

§ 39.13 [Corrected]

In the Federal Register of June 28, 2006, on page 36673, in the second column, the product identification line of AD 2006-13-17 is corrected to read as follows:

* * * * *

2006-13-17 Boeing: Amendment 39-14670. Docket No. FAA-2006-25175; Directorate Identifier 2006-NM-099-AD.

* * * * *

Issued in Renton, Washington, on July 6, 2006.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 06-6181 Filed 7-12-06; 8:45 am]

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[Federal Register: June 28, 2006 (Volume 71, Number 124)]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2006-25175; Directorate Identifier 2006-NM-099-AD; Amendment 39-14670; AD 2006-13-17]
RIN 2120-AA64

Airworthiness Directives; Boeing Model 757-200 Series Airplanes Modified by Supplemental Type Certificate (STC) SA979NE

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Boeing Model 757-200 series airplanes. This AD requires a one-time deactivation of the auxiliary fuel system, repetitive venting and draining of the auxiliary fuel tank sumps, and revising the Limitations section of the airplane flight manual to limit the maximum cargo weight. This AD results from a re-evaluation of the floor structure and cargo barriers conducted by the STC holder. We are issuing this AD to prevent structural overload of the auxiliary fuel tank support structure, which could cause the floor beams to fail, damaging the primary flight controls and the auxiliary power unit fuel lines that pass through the floor beams, resulting in loss of control of the airplane. We are also issuing this AD to prevent structural overload of the cargo barriers, which could cause the barriers to fail, allowing the cargo to shift, resulting in damage to the auxiliary fuel tanks, residual fuel leakage, and consequent increased risk of a fire.

DATES: This AD becomes effective July 13, 2006.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of July 13, 2006.

We must receive comments on this AD by August 28, 2006.

ADDRESSES: Use one of the following addresses to submit comments on this AD.

- DOT Docket Web site: Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.
- Government-wide rulemaking Web site: Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590.
- Fax: (202) 493-2251.

• Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact PATS Aircraft, LLC, Product Support, 21652 Nanticoke Avenue, Georgetown, DE 19947, for service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Jon Hjelm, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7323; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

PATS Aircraft (holder of Supplemental Type Certificate (STC) SA979NE) notified us that it has determined that Model 757-200 series airplanes equipped with auxiliary fuel tank systems installed by STC SA979NE have insufficient structural strength in the auxiliary fuel tank support structure. The STC holder has also determined that the cargo barriers have insufficient structural strength if subjected to emergency landing loads with more than 2,000 pounds of cargo in the cargo compartment. These determinations were based on a new structural analysis resulting from a re-evaluation of the floor structure and cargo barriers conducted by the STC holder. Structural overload of the auxiliary fuel tank support structure could cause the floor beams to fail, damaging the primary flight controls and the auxiliary power unit fuel lines that pass through the floor beams; this condition, if not corrected, could result in loss of control of the airplane. Structural overload of the cargo barriers could cause the barriers to fail, allowing the cargo to shift; this condition, if not corrected, could result in damage to the auxiliary fuel tanks, residual fuel leakage, and consequent increased risk of a fire.

Relevant Service Information

We have reviewed PATS Aircraft Service Bulletin SA979NE-28-SB-28–IR, dated April 3, 2006. The service bulletin describes procedures for deactivating the auxiliary fuel system, and installing new cargo loading weight limits and "INOP" placards, depending on the airplane configuration. The service bulletin also describes procedures for venting any residual air pressure from the auxiliary fuel tanks following each flight and draining the auxiliary fuel tank sumps to regularly remove any residual fuel that may accumulate over time due to leakage around the auxiliary fuel tank valves. Paragraph I.D. ("Description") of the service bulletin describes limiting the maximum cargo weight to 2,000 pounds (as specified on the new cargo weight placards) in the forward and aft cargo compartments, as applicable, depending on the STC configuration of the airplane.

We have also reviewed the PATS Aircraft supplements to the Limitations section of the Boeing 757-200 Airplane Flight Manual (AFM), which are identified in the following table. These AFM supplements provide revised maximum cargo weight limits.

TABLE.—APPLICABLE AFM SUPPLEMENTS FOR REVISED CARGO WEIGHT LIMITS

For airplanes having S/Ns—	Use PATS Aircraft AFM supplement—
29025, 29026, 29027, and 29028 (STC Configuration F, which has been upgraded to Configuration H)	142, dated May 31, 2006.
24923 (STC Configuration A)	143, dated May 31, 2006.
25155 and 25220 (STC Configuration C & D)	144, dated May 31, 2006.
28463 (STC Configuration E)	145, dated May 31, 2006.
22690 and 25487 (STC Configuration B & G)	146, dated May 31, 2006.

FAA's Determination and Requirements of This AD

The unsafe conditions described previously are likely to exist or develop on other airplanes of the same type design. We are issuing this AD to prevent structural overload of the auxiliary fuel tank support structure, which could cause the floor beams to fail, damaging the primary flight controls and the auxiliary power unit fuel lines that pass through the floor beams, resulting in loss of control of the airplane. We are also issuing this AD to prevent structural overload of the cargo barriers, which could cause the barriers to fail, allowing the cargo to shift, resulting in damage to the auxiliary fuel tanks, residual fuel leakage, and consequent increased risk of a fire. This AD requires accomplishing the actions specified in the service information described previously, except as discussed under "Differences Between the AD and the Service Bulletin."

Differences Between the AD and the Service Bulletin

PATS Aircraft Service Bulletin SA979NE-28-SB-28–IR, dated April 3, 2006, does not specify a compliance time for deactivating the auxiliary fuel system or implementing the new cargo weight limits. In developing an appropriate compliance time for those actions in this AD, we considered the degree of urgency associated with the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the deactivation (3 hours) and AFM revision. In light of all of these factors, we find that a 30-day compliance time represents an appropriate interval of time for affected airplanes to continue to operate without compromising safety.

Interim Action

We consider this AD interim action. The STC holder is currently developing a modification that will address the unsafe conditions identified in this AD. Once this modification is developed, approved, and available, we may consider additional rulemaking.

FAA's Determination of the Effective Date

Since unsafe conditions exists that require the immediate adoption of this AD, we have found that notice and opportunity for public comment before issuing this AD are impracticable, and that good cause exists to make this AD effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any relevant written data, views, or arguments regarding this AD. Send your comments to an address listed in the ADDRESSES section. Include "Docket No. FAA-2006-25175; Directorate Identifier 2006-NM-099-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD that might suggest a need to modify it.

We will post all comments we receive, without change, to *http://dms.dot.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477-78), or you may visit http://dms.dot.gov.

Examining the Docket

You may examine the AD docket on the Internet at *http://dms.dot.gov*, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the ADDRESSES section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses unsafe conditions that are likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

CORRECTION: [*Federal Register: July 13, 2006 (Volume 71, Number 134); Page 39521-39522; www.access.gpo.gov/su_docs/aces/aces140.html*]

2006-13-17 Boeing: Amendment 39-14670. Docket No. FAA-2006-25175; Directorate Identifier 2006-NM-099-AD.

Effective Date

(a) This AD becomes effective July 13, 2006.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Boeing Model 757-200 series airplanes, certificated in any category; modified by Supplemental Type Certificate (STC) SA979NE, having serial numbers identified in PATS Aircraft Service Bulletin SA979NE-28-SB-28–IR, dated April 3, 2006.

Unsafe Condition

(d) This AD results from a re-evaluation of the floor structure and cargo barriers conducted by the STC holder. We are issuing this AD to prevent structural overload of the auxiliary fuel tank support structure, which could cause the floor beams to fail, damaging the primary flight controls and the auxiliary power unit fuel lines that pass through the floor beams, resulting in loss of control of the airplane. We are also issuing this AD to prevent structural overload of the cargo barriers, which could cause the barriers to fail, allowing the cargo to shift, resulting in damage to the auxiliary fuel tanks, residual fuel leakage, and consequent increased risk of a fire.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Service Bulletin References

(f) The term "service bulletin," as used in this AD, means the Accomplishment Instructions and Maintenance Requirements of PATS Aircraft Service Bulletin SA979NE-28-SB-28-IR, dated April 3, 2006.

Deactivation of the Auxiliary Fuel System and Revised Cargo Weight Limits

(g) Within 30 days after the effective date of this AD: Do the actions in paragraphs (g)(1) and (g)(2) of this AD. Thereafter, do the actions in paragraphs (h) and (i) of this AD at the times specified in those paragraphs.

(1) Deactivate the auxiliary fuel system by doing all of the actions specified in Part III and all of the actions for the applicable airplane configuration specified in Part IV of the service bulletin.

(2) Revise the Limitations section of the Boeing 757-200 Airplane Flight Manual (AFM) to include revised maximum cargo weight limits specified in the applicable AFM supplement identified in Table 1 of this AD. Operate the airplane according to the limitations in the AFM supplements.

TABLE 1.—APPLICABLE AFM SUPPLEMENTS FOR REVISED CARGO WEIGHT LIMITS

For airplanes having S/Ns—	Use PATS Aircraft AFM supplement—
29025, 29026, 29027, and 29028 (STC Configuration F, which has been upgraded to Configuration H)	142, dated May 31, 2006.
24923 (STC Configuration A)	143, dated May 31, 2006.
25155 and 25220 (STC Configuration C & D)	144, dated May 31, 2006.
28463 (STC Configuration E)	145, dated May 31, 2006.
22690 and 25487 (STC Configuration B & G)	146, dated May 31, 2006.

Repetitive Venting of the Built-Up Pressure in the Auxiliary Fuel Tanks

(h) After deactivating the auxiliary fuel system as specified in paragraph (g) of this AD: Following each flight, vent the auxiliary fuel tanks by doing all of the actions specified in paragraph A. of Part V of the service bulletin.

Repetitive Draining of the Fuel Tank Sumps for Residual Fuel

(i) At intervals not to exceed 100 flight cycles following deactivation of the auxiliary fuel system, as specified in paragraph (g) of this AD: Drain the auxiliary fuel tank sumps to remove any built-up residual fuel by doing all of the actions specified in paragraph B. of Part V of the service bulletin.

Special Flight Permits

(j) 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 airplane can be modified, provided the airplane is operated with the auxiliary fuel tanks empty.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, New York Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

Material Incorporated by Reference

(l) You must use PATS Aircraft Service Bulletin SA979NE-28-SB-28–IR, dated April 3, 2006, and the applicable PATS Aircraft supplement to the Boeing 757-200 Airplane Flight Manual identified in Table 2 of this AD, as applicable, to perform the actions that are required by this AD, unless the AD specifies otherwise.

TABLE 2.–AIRPLANE FLIGHT MANUAL SUPPLEMENTS FOR INCORPORATION BY REFERENCE

PATS Aircraft airplane flight manual supplement–	Dated–
142	May 31, 2006.
143	May 31, 2006.
144	May 31, 2006.
145	May 31, 2006.
146	May 31, 2006.

The Director of the Federal Register approved the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact PATS Aircraft, LLC, Product Support, 21652 Nanticoke Avenue, Georgetown, DE 19947, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Nassif Building, Washington, DC; on the Internet at *http://dms.dot.gov*; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

Issued in Renton, Washington, on June 15, 2006.
Ali Bahrami,
Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 06-5702 Filed 6-27-06; 8:45 am]
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