

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39 [61 FR 32317 NO. 122 06/24/96]

Docket No. 95-ANE-25; Amendment 39-9651; AD 96-12-09

RIN 2120-AA64

Airworthiness Directives; PTC Seating Products Division, B/E Aerospace, Model 950 Series Passenger Seats Equipped With Footrest Assembly

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final Rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to PTC Seating Products Division, B/E Aerospace (PTC), formally known as PTC Aerospace, Model 950 series passenger seats with footrest assembly. This amendment will require the removal of the footrest assembly arms and the installation of a conversion kit on each PTC Model 950 series passenger seat equipped with footrest assembly. This amendment is prompted by two incidents of finger injuries that occurred during attempts to either extend or retract the footrest system on PTC Model 950 series passenger seats equipped with footrest assembly. The actions specified by this AD are intended to prevent injury to hands during the operation of a PTC Model 950 series passenger seat equipped with footrest assembly.

DATES: Effective July 29, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** August 23, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from B/E Aerospace, PTC Seating Products Division, 607 Bantam Road, Litchfield, CT 06759. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Richard Noll, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7160, fax (617) 238-7199.

SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to PTC Model 950 series passenger seats equipped with footrest assembly was published in the **Federal Register** on October 2, 1995 (60 FR 51375). That action proposed to require the removal of the footrest assembly arms and the installation of

a conversion kit on each PTC Model 950 series passenger seat equipped with footrest assembly. Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter states that the compliance time of 9 months should only apply to the footrest on first class Model 950 seats, stating that the potential problem with the linkage only occurs on the first class Model 950 seats when the footrest is in a horizontal position. The commenter further states, that the compliance time should be increased to 18 months on the executive class Model 950 seats, since the footrest has a physical stop that limits the travel of the linkage and thus the footrest to approximately 45 degrees.

The FAA disagrees. The FAA has examined the various seats equipped with footrest and finds that the potential for injury to the hands exists on all of these seat models. The FAA considers the modification to be repetitive and not complex, therefore, does not need to be done during scheduled maintenance. An increase of the compliance time to 18 months is not needed.

There are approximately 5800 seats equipped with footrest assembly of the affected design in the worldwide fleet. The FAA estimates that 5000 seats equipped with footrest assembly installed on aircraft of U.S. registry would be affected by this AD, that it would take approximately 3/4 work hours per seat to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$30 per seat. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$225,000.

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.

For the reasons discussed above, I certify that this action (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. A final evaluation has been prepared for this action and is contained at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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:

AIRWORTHINESS DIRECTIVE

Aircraft Certification Service
Washington, DC



U.S. Department
of Transportation
**Federal Aviation
Administration**

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Federal Aviation Regulations, Part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference FAR Subpart 39.3).

96-12-09 PTC SEATING PRODUCTS DIVISION, B/E AEROSPACE: Amendment 39-9651. Docket No. 95-ANE-25.

Applicability: PTC Seating Products Division, B/E Aerospace (PTC) Model 950 series passenger seat equipped with footrest assembly.

NOTE: This AD applies to each seat 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 seats equipped with footrest assembly that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any seat from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent injury to hands during operation of the PTC Model 950 series passenger seats equipped with footrest assembly, accomplish the following:

- (a) Within nine calendar months after the effective date of this AD,
 - (1) Remove seat footrest assembly arms, P/N 98440-1 or -2, in accordance with the Accomplishment Instructions of PTC Aerospace Service Bulletin (SB) 25-1192, Revision A, dated March 16, 1992.
 - (2) Install conversion kit, P/N 122966-1, in accordance with Section 2, Accomplishment Instructions of PTC Seating Products Division, B/E Aerospace SB 25-1330, dated July 27, 1994.
- (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, Boston Aircraft

Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Boston Aircraft Certification Office. NOTE: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Boston Aircraft Certification Office.

(c) The removal of seat footrest assembly arms and replacement of the conversion kit shall be done in accordance with PTC Aerospace Service Bulletin (SB) 25-1192, Revision A, dated March 16, 1992, pages 1-5, and PTC Seating Products Division, B/E Aerospace SB 25-1330, dated July 27, 1994, pages 1-12. 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 B/E Aerospace, PTC Seating Products Division, 607 Bantam Road, Litchfield, CT 06759. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capital Street, NW., suite 700, Washington, DC.

(d) This amendment becomes effective on July 29, 1996.