

[4910-13-U]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39 [64 FR 47372 No. 168 08/31/99]

[Docket No. 98-NM-222-AD; Amendment 39-11273; AD 99-18-07]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747-400 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747-400 series airplanes, that requires installation of strap assemblies on the ceiling panels and rails that support the video monitors. This amendment is prompted by reports of the video monitor ceiling panels falling into the cabin area due to the failure of certain latch assemblies during turbulence. The actions specified by this AD are intended to prevent ceiling panels from falling into the passenger area in the event of failure of certain latch assemblies on the ceiling panels, which could result in consequent injury to the crew and passengers.

DATES: Effective October 5, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 5, 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: Jan Risheim, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1675; 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) that is applicable to certain Boeing Model 747-400 series airplanes was published in the **Federal Register** on November 9, 1998 (63 FR 60222). That action proposed to require installation of strap assemblies on the ceiling panels and rails that support the video monitors.

Comments

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 proposed AD is not applicable to any airplane in its fleet and offers no further comment.

Request to Revise Language of Unsafe Condition

One commenter, the manufacturer, requests that the language used to describe the unsafe condition be revised to more accurately reflect the intent of the service bulletin. In the body of the proposal, the statement of the unsafe condition reads, "To prevent failure of certain latch assemblies on the ceiling panels, which could cause the ceiling panels to fall into the cabin area, and consequent injury to the crew and passengers, accomplish the following." The commenter states that the strap assemblies installed in accordance with the service bulletin "...are not intended to, and will not, prevent failure of the latch assemblies. The function of the strap assemblies is to prevent the panels from falling in the event that the latches do fail."

The FAA concurs with the commenter's request. Therefore, the statement of unsafe condition has been revised accordingly in both the "Summary" and "Compliance" sections of the final rule.

Request to Reduce Cost Estimate

One commenter, the manufacturer, requests that the estimated number of work hours be reduced from the 476 work hours stated in the proposal. The commenter points out that, in Boeing Service Bulletin 747-25A3142, Revision 1, dated August 6, 1998, the estimated number of work hours necessary for the installation of strap assemblies on the ceiling panels is reduced from 34 work hours per panel (as stated in the original issue of the service bulletin, dated October 16, 1997) to 9 work hours per panel. Furthermore, the commenter states that the number of work hours that would be necessary for the proposed actions to be accomplished on an airplane ranges from a minimum of 18 work hours (2 panels at 9 work hours each) to a maximum of 126 work hours (14 panels at 9 work hours each). Similarly, the commenter states that the estimated cost of parts ranges from \$1,366 to \$9,575, depending on the number of ceiling panels that need to be modified.

The FAA concurs with the commenter's request to reduce the estimated number of work hours. Though the commenter does not make a specific request with regard to the range of minimum-to-maximum work hours and parts costs, the FAA infers that the commenter wants the cost impact section of the proposal to be revised to reflect the range of costs rather than the maximum cost only. The FAA concurs with this request, and the "Cost Impact" section of this final rule has been revised accordingly.

Request to Increase Compliance Time

One commenter requests that the proposed compliance time for accomplishment of the installation of strap assemblies be increased from 24 to 36 months to minimize impact on its operations.

The FAA does not concur with the commenter's request. In developing an appropriate compliance time for this action, the FAA considered the safety implications and normal operator maintenance schedules. The 24-month compliance time was chosen to ensure that affected airplanes complete one required major maintenance period ("C" check) during the proposed compliance time. The FAA finds that the 24-month compliance time represents an appropriate interval of time allowable wherein the installation can be accomplished during scheduled maintenance intervals for the majority of affected operators, and an acceptable level of safety can be maintained. No change to the final rule is necessary in this regard.

Request to Decrease Compliance Time

One commenter recommends that the proposed compliance time for accomplishment of the installation of strap assemblies be reduced from 24 to 12 months. The commenter states that a compliance time of 12 months would better ensure the safety of the traveling public. The commenter also suggests that a requirement to block seats in the "drop zone" would be another option to ensure passenger safety.

The FAA does not concur with the commenter's request. As explained above, in establishing a compliance time for the proposed requirement, the FAA considered the safety implications and normal maintenance schedules for affected operators. The FAA finds that 24 months represents an appropriate interval of time allowable for the operators to continue to operate the affected airplanes, while not affecting the safety of the flight crew or passengers. The FAA also finds that reducing the compliance time from 24 to 12 months or requiring blockage of seats would add an additional burden on operators and require issuance of a supplemental NPRM and reopening of the public comment period. The FAA finds that, considering the safety implications associated with the identified unsafe condition, it would be inappropriate to delay the issuance of the rule in this way. No change to the final rule is necessary in this regard.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 280 airplanes of the affected design in the worldwide fleet. The FAA estimates that 40 airplanes of U.S. registry will be affected by this AD.

It will take approximately 9 work hours per ceiling panel, and between 18 and 126 work hours per airplane, to accomplish the required installation, at an average labor rate of \$60 per work hour. Required parts will cost between \$1,366 and \$9,575 per airplane. Based on these figures, the cost impact of the installation required by this AD on U.S. operators is estimated to be between \$2,446 and \$17,135 per airplane.

The cost impact figure discussed above is 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.

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.

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 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 it is contained in the Rules

Docket. A copy of it 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:

SUPERSEDED

AIRWORTHINESS DIRECTIVE

REGULATORY SUPPORT DIVISION
P.O. BOX 26460
OKLAHOMA CITY, OKLAHOMA 73125-0460



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

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) 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 14 CFR part 39, subpart 39.3).

99-18-07 BOEING: Amendment 39-11273. Docket 98-NM-222-AD. Issued August 23, 1999.

Applicability: Model 747-400 series airplanes, as listed in Boeing Alert Service Bulletin 747-25A3142, Revision 1, dated August 6, 1998, 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 ceiling panels from falling into the passenger area in the event of failure of certain latch assemblies on the ceiling panels, which could result in consequent injury to the crew and passengers, accomplish the following:

(a) Within 24 months after the effective date of this AD, install strap assemblies on the ceiling panels and rails that support the video monitors, in accordance with Boeing Alert Service Bulletin 747-25A3142, dated October 16, 1997, or Revision 1, dated August 6, 1998.

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, 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.

Special Flight Permits

(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.

Incorporation by Reference

(d) The installation shall be done in accordance with Boeing Alert Service Bulletin 747-25A3142, dated October 16, 1997, or Boeing Service Bulletin 747-25A3142, Revision 1, dated August 6, 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 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 5, 1999.

FOR FURTHER INFORMATION CONTACT:

Jan Risheim, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1675; fax (425) 227-1181.