DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 33

[Docket No. 28107; Notice No. 95-3]

RIN 2120-AF57

Airworthiness Standards; Windmilling and Rotor Locking Tests, and Vibration and Vibration Tests

AGENCY: Federal Aviation Administration, DOT. ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The Federal Aviation Administration (FAA) proposes to change the windmilling and vibration airworthiness standards for the issuance of original and amended type certificates for aircraft engines. This proposal resulted from an effort to harmonize the Federal Aviation **Regulations with European** requirements being drafted by the Joint Aviation Authorities (JAA). The proposed changes, if adopted, would create one set of common requirements, that would reduce the regulatory burden on the aviation industry worldwide by eliminating the need for applicants for type certificates to comply with different sets of standards when seeking certifications from the FAA and JAA. DATES: Comments must be submitted on or before June 5, 1995.

ADDRESSES: Comments on this notice should be mailed in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC–200), Docket No. 28107, 800 Independence Avenue, SW., Washington, DC 20591. Comments delivered must be marked Docket No. 28107. Comments may be inspected in Room 915G weekdays between 9:00 a.m. and 5:00 p.m., except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: John Golinski or Thomas Boudreau, Engine and Propeller Standards Staff, ANE– 110, Engine and Propeller Directorate, Aircraft Certification Service, FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803–5299; telephone (617) 238–7119; fax (617) 238–7199.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to submit written data, views, or arguments on this proposed rule. Comments relating to the environmental, energy, federalism, or economic impact that might result from

adopting the proposals in this notice are also invited. Substantive comments should be accompanied by cost estimates. Comments should identify the regulatory docket number and should be submitted in triplicate to the Rules Docket address specified above. all comments received on or before the closing date for comments specified will be considered by the Administrator before taking action on this proposed rulemaking. The proposals contained in this notice may be changed in light of comments received. All comments received will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket. Comments submitted in response to this notice must include a preaddressed, stamped postcard on which the following statement is made: "Comments to Docket No. 28107." The postcard will be date stamped and mailed to the commenter.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA–200, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–3484. Communications must identify the notice number of this NPRM.

Persons interested in being placed on the mailing list for future NPRM's should request, from the above office, a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

Part 33 of title 14 of the Code of Federal Regulations (14 CFR part 33, hereafter "part 33") prescribes airworthiness standards for the issuance of original and amended type certificates for aircraft engines. Part E of the Joint Aviation Requirements (JAR-E) prescribes corresponding airworthiness standards of the European Joint Aviation Authorities (JAA). While part 33 and JAR-E are similar, they differ in several respects. Non-uniform standards impose a regulatory burden on applicants seeking certification under both sets of standards in the form of additional costs and delays in the time required for certification.

Ås part of its commitment to promote harmonization of part 33 and JAR–E, the FAA, with the cooperation of the JAA, established the part 33/JAR-E Authorities Engine Group to compare part 33 and JAR-E. This group included regulatory representatives from France, Canada, Germany, the United Kingdom, and the United States. The basis for the comparison was part 33, as amended through Amendment 11, and JAR-E, as amended through Change 7. As its initial effort, the study group focused on gas turbine engines and concentrated on JAR-E items that appeared to be more stringent than part 33. The identified differences were categorized into lists 1 and 2. List 1 included twenty items where the differences appear to be sufficiently significant to cause the JAA to apply additional conditions to U.S. manufacturers seeking JAA certification. List 2 included requirements considered to be equivalent to the corresponding Federal Aviation Regulation (FAR) in part 33 based on FAA policy and practice.

In August 1989, at the request of the Aerospace Industries Association (AIA) and the Association Europeene Des **Constructeurs De Materiel Aerospatial** (AECMA), the FAA and JAA met in Paris, France, with aerospace industry representatives to initiate a process for resolving List 1 comparison issues. At an FAA/JAA management meeting in June 1992, in Toronto, Canada, seven part 33 engine "Harmonization's Terms of Reference'' were introduced. Two of these initiatives, windmilling and rotor locking test requirements, and vibration and vibration test requirements, were contained in the FAA/JAA List 1 of twenty items. They were the first engine harmonization initiatives for which consensus was reached by study groups from domestic and international industry and airworthiness authorities. In December 1992, the FAA requested the Aviation Rulemaking Advisory Committee (ARAC) to further evaluate the proposals (57 FR 58840). This task, in turn, was assigned to the Propulsion Harmonization Working Group of ARAC. On June 18, 1993, the working group reported to the ARAC, which recommended to the FAA that the FAA proceed with rulemaking. This NPRM and a corresponding notice of proposed amendment (NPA) to JAR-E reflect the ARAC recommendations.

General Discussion of the Proposals

The proposals in the NPRM would harmonize U.S. regulations with existing and proposed requirements of the European Joint Aviation Authorities, codify current industry practices, and clarify existing requirements. Specifically, whey would (1) Clarify the existing requirement that excessive vibratory stresses may not be induced