Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM–72–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Boeing Model 757 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on August 9, 1994 (59 FR 40490). That NPRM would have superseded AD 93–16–09, amendment 39–8666 (58 FR 45044, August 26, 1993) to require:

1. inspections to detect cracking of straight fuse pins,

2. replacement of cracked straight fuse pins with either new 15–5PH corrosion-resistant steel fuse pins or like pins,

3. replacement of bulkhead fuse pins with new 15–5PH corrosion-resistant steel fuse pins, and

4. repetitive inspections of newly-installed fuse pins. (Installation of the new 15–5PH corrosion-resistant steel fuse pins would allow a longer repetitive inspection interval than was previously provided by AD 93–16–09.)

That NPRM was prompted by the development of new 15–5PH corrosion-resistant steel fuse pins. Cracking of the midspar fuse pins, if not detected and corrected in a timely manner, could result in separation of the strut and engine from the wing of the airplane.

Due consideration has been given to the comments received in response to that NPRM.

One commenter requests that the proposal be revised to clarify the replacement requirements. The commenter questions whether straight fuse pins may be replaced independently of the other fuse pins in the same pylon when only one fuse pin is cracked. Further, the commenter questions whether steel fuse pins having part number (P/N) 311N5067–1 may be installed on the same pylon as corrosion-resistant steel (CRES) fuse pins having P/N 311N5217–1. The FAA concurs that clarification is warranted. It is not the FAA's intent to require replacement of uncracked fuse pins. However, the FAA has determined that it is unacceptable to mix the types of fuse pins on the same strut since fuse pin double shear load depends upon the type of fuse pin. Therefore, a steel fuse pin having part number (P/N) 311N5067–1 may not be installed on the same strut that has a corrosion-resistant steel (CRES) fuse pin having P/N 311N5217–1 installed on that strut. However, each strut must have fuse pins of the same type, which may differ from fuse pins on another strut. A new paragraph (e) has been added to this supplemental NPRM to clarify the replacement requirements.

One commenter requests that the proposal be revised to include repetitive inspections of refinished straight fuse pins. The commenter asserts that these pins should be inspected repetitively until cracking is found, at which time they should be replaced with the new 15–5PH fuse pins. The FAA concurs. The FAA's intent was to continue the requirements of AD 93–16–09 to inspect repetitively currently installed refinished straight fuse pins. However, this requirement was inadvertently excluded from the originally issued NPRM; therefore, a new paragraph (b) has been added to this supplemental NPRM to specify this.

[All paragraphs subsequent to paragraph (b) have been redesignated in this supplemental NPRM to accommodate the new paragraph (b).]

One commenter requests that the proposed requirement in paragraph (b) of the NPRM, which would require replacement of the bulkhead fuse pins within 90 days, be extended to 3,000 flight cycles. The commenter notes that there have been no reports of cracking or corrosion on 68 bulkhead fuse pins that had accumulated between 4,500 and 6,000 flight cycles. Further, the commenter states that its suggested 3,000-flight cycle compliance time will not adversely affect safety, since test results indicate that these fuse pins will maintain limit load beyond 5,000 flight cycles after the detection of an initial crack. Additionally, the commenter asserts that the fail-safe capability of the strut on Model 757 series airplanes can withstand full limit load with a total failure (i.e., failure of both shear planes) of the midspar fuse pin.

The FAA concurs. The FAA has reviewed the test data submitted by this commenter and has determined that extending the compliance time for replacement to 3,000 flight cycles will not adversely affect safety, since the strut of Model 757 series airplanes has fail-safe capability and can withstand full limit load, even with total failure of a midspar fuse pin. Paragraph (c) of this supplemental NPRM specifies this revised compliance time.

One commenter requests that the proposed repetitive inspection interval of 3,000 flight cycles for inspection of the new 15–5PH fuse pins be revised to coincide with operators' regularly scheduled maintenance visits at 3,500 landings. The FAA concurs. The FAA finds that extending the compliance time by 500 flight cycles will not adversely affect safety, and will allow the modification to be performed at a base during regularly scheduled maintenance where special equipment and trained maintenance personnel will be available if necessary. Therefore, paragraphs (a)(2)(ii), (d)(1), and (d)(2)(ii) of the supplemental NPRM specify a repetitive inspection interval of 3,500 flight cycles for inspection of the new 15–5PH corrosion-resistant steel fuse pins.

One commenter states that Boeing Service Bulletin 757–54A0019, Revision 5, dated March 17, 1994 (which is referenced in the proposal as the appropriate source of service information), does not describe procedures for eddy current inspections of the new 15–5PH corrosion-resistant steel fuse pins. Therefore, the commenter requests that the proposal be revised to reference another source of service information for accomplishing the eddy current inspections. The FAA does not concur. However, since these procedures are the same as those for the old style fuse pins, part number 311N5067–1, the FAA finds that the procedures in the referenced service bulletin also apply to the new 15–5PH fuse pins. Therefore, paragraph (a)(1)(ii) and (d)(2)(ii) of this supplemental NPRM reference the procedures described in the service bulletin to perform the eddy current inspections of the new 15–5PH corrosion-resistant steel fuse pins.

The FAA has recently reviewed the figures it has used over the past several years in calculating the economic impact of AD activity. In order to account for various inflationary costs in the airline industry, the FAA has determined that it is necessary to increase the labor rate used in these calculations from $55 per work hour to $60 per work hour. The economic impact information, below, has been revised to reflect this increase in the specified hourly labor rate.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect