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14 CFR Part 39

[Docket No. 94–NM–159–AD; Amendment 39–9268; AD 95–12–17]

Airworthiness Directives; Boeing Model 737–100 and –200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737–100 and –200 series airplanes, that requires various inspections for cracks in the outboard chord of the frame at body station (BS) 727 and in the outboard chord of stringer 18A; and repair or replacement of cracked parts. This amendment is prompted by reports of fatigue cracks in those outboard chords. The actions specified by this AD are intended to prevent such fatigue cracking, which could result in reduced structural integrity of the outboard chords, and subsequent rapid decompression of the airplane.

DATES: Effective August 18, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 18, 1995.

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: Thomas Rodriguez, Aerospace Engineer, Airframe Branch, ANM–120S, Seattle Aircraft Certification Office, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2779; fax (206) 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 737–100 and –200 series airplanes was published in the **Federal Register** on December 7, 1994 (59 FR 63065). That action proposed to require various inspections for cracks in the outboard chord of the frame at body station (BS) 727 and in the outboard chord of stringer 18A; and repair or replacement of cracked parts. That action also provides for an optional terminating action for the required inspections.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Two commenters support the proposed rule.

The manufacturer requests that, in the Discussion section of the proposed rule, a reference to ''chords'' be changed to ''chord.'' The FAA acknowledges that ''chord'' would be more accurate. However, since the Discussion section does not appear in the final rule, no change to the final rule is necessary.

The manufacturer also requests that certain clarifications be made to the proposed rule. The manufacturer notes that the addition of the words ''BS 727'' in paragraphs (a) and (c) will clarify that it is the BS 727 upper outboard chord, not the S–18A chord, that is being referred to. The manufacturer also notes that changing the words ''outboard chords'' with ''cracked chord'' in paragraph (g)(2) would clarify the intent of the replacement requirements of that paragraph. The FAA concurs, and has revised the final rule accordingly.

Two commenters request that the final rule reference a new revision of Boeing Service Bulletin 737–53A1166 that includes procedures for repair of cracking in the S–18A outer chord. The commenters note that the service bulletin specified in the proposed rule only describes the inspection of S–18A and does not provide repair instructions in the event that cracking is detected. The FAA concurs. Since issuance of the proposed rule, the FAA has reviewed and approved Boeing Service Bulletin 737–53A1166 Revision 1, dated May 25, 1995, which describes repair procedures for cracking of stringer 18A outer chord. Paragraph (e) of the final rule has been changed to add a reference to this revised service bulletin as an additional source of service information.

One commenter states that the proposed Pulse Echo Shear Wave (PESW) inspection is redundant, since the proposed rule also would require a High Frequency Eddy Current (HFEC) inspection. The commenter also states that the HFEC inspection is more accurate for detecting cracks than the PESW inspection. The commenter therefore requests that the FAA remove the requirement to perform the PESW inspection from the proposed rule. The FAA does not concur. The PESW inspection is necessary to detect cracking that is not common to the fastener holes; the HFEC inspection only would detect cracks that extend into the fastener hole.

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 previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 999 Boeing Model 737–100 and –200 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 296 airplanes of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per airplane to accomplish the required inspections, and that the average labor rate is $60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $71,040, or $240 per airplane, per inspection cycle.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Should an operator elect to accomplish the optional terminating action that will be provided by this AD action, it will take approximately 50 work hours to accomplish it, at an average labor rate of $60 per work hour. Required parts will cost approximately $3,680 per airplane. Based on these figures, the total cost impact of this optional terminating action is estimated to be $6,680 per airplane.

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