

of the Number 7 fuel nozzle and support assembly for evidence of fuel leakage and burning until replacement of the Number 7 fuel nozzle and support assembly with an improved sealing configuration. This AD also requires replacement of the aluminum oil tube fittings with steel fittings. In addition, this AD adds a requirement incorporated in PW ASB No. 6170, Revision 2, dated October 20, 1994, that was omitted from AD 94-14-16 to replace an additional aluminum oil scavenge line bolt with a steel bolt, and makes a correction to paragraph (b)(2)(iv). The actions are required to be accomplished in accordance with the alert service bulletins described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following

statement is made: "Comments to Docket Number 94-ANE-40." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866.

It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

##### § 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-8964, (59 FR 35238, July 11, 1994), and by adding a new airworthiness directive, Amendment 39-9135, to read as follows:

**95-02-16 Pratt & Whitney:** Amendment 39-9135. Docket 94-ANE-40. Supersedes AD 94-14-16, Amendment 39-8964.

**Applicability:** Pratt & Whitney (PW) Model JT8D-209, -217, -217A, -217C, -219 turbofan engines; and JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and -17AR turbofan engines incorporating the original issue or any revision of Pratt & Whitney Service Bulletin No. 5650; and any PW Model JT8D engine with low emissions fuel nozzles, Part Numbers 775485, 809137-01, 802965, and 5004308-02 installed. These engines are installed on but not limited to Boeing 727 and 737 series, and McDonnell Douglas DC-9 and MD-80 series aircraft.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent fuel leakage from the Number 7 fuel nozzle and support assembly and melting of the oil pressure and scavenge tube fittings, which can result in an uncontained engine fire and damage to the aircraft, accomplish the following:

(a) Inspect Number 7 fuel nozzle and support assemblies in accordance with PW Alert Service Bulletin (ASB) No. A6153, Revision 1, dated June 8, 1994, as follows:

(1) For Number 7 fuel nozzle and support assemblies that have accumulated more than 2,500 hours time in service (TIS) since last fuel nozzle and support assembly overhaul on the effective date of this airworthiness directive (AD), initially inspect for fuel leakage within 700 hours TIS after the effective date of this AD.

(2) For engines with Number 7 fuel nozzle and support assemblies with 2,500 or less hours TIS since fuel nozzle and support assembly overhaul on the effective date of this AD, initially inspect prior to accumulating 3,200 hours TIS since overhaul.

(3) Thereafter, inspect for fuel leakage in accordance with PW ASB A6153, Revision 1, dated June 8, 1994, at intervals not to exceed 700 hours TIS since last inspection.

(4) Remove from service Number 7 fuel nozzle and support assemblies that exhibit evidence of fuel leakage as described in PW ASB No. A6153, Revision 1, dated June 8, 1994, and replace with the improved sealing configuration nozzle in accordance with paragraph (b) of this AD, as follows:

(i) Within 25 hours TIS, or 25 cycles in service (CIS), whichever occurs first, after the inspection performed in paragraph (a)(1), (a)(2), or (a)(3) for aircraft with only one engine exhibiting Number 7 fuel nozzle and support assembly leakage.

(ii) Prior to further flight, on aircraft with two engines exhibiting Number 7 fuel nozzle and support assembly leakage, remove and replace at least one of the leaking Number 7 fuel nozzle and support assemblies. The remaining Number 7 fuel nozzle and support assembly shall be removed and replaced in accordance with paragraph (a)(4)(i) of this AD.

(iii) Prior to further flight, on Boeing 727 aircraft, with three engines exhibiting Number 7 fuel nozzle and support assembly leakage, remove and replace at least two of the leaking Number 7 fuel nozzle and support assemblies. The remaining Number 7 fuel nozzle and support assembly that