P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Phil Forde, Aerospace Engineer, Airframe Branch, ANM–121S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2771; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal 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–NM–14–AD." The postcard will be date stamped and returned to the commenter.

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–14–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 707 and 720 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the

Federal Register on July 18, 1994 (59 FR 36376). That NPRM would have superseded an existing AD to require repetitive inspections to detect cracks in certain areas of the upper forward skin panels of the wing center section, and repair, if necessary. That AD also would have provided an optional terminating modification for the repetitive inspections. That NPRM was prompted by reports that the inspections required by the existing AD are not effective in detecting fatigue cracks in a timely manner. That condition, if not corrected, could result in failure of the upper forward skin panels of the wing center section.

One commenter to the NPRM submitted a request that the proposal be revised to eliminate duplicate or conflicting requirements with AD 85-12-01 (50 FR 26690, June 28, 1985) for unmodified airplanes (those having no bulb angle or thicker skin). That AD requires accomplishment of inspections specified in Supplemental Structural Inspection Document (SSID) D6-44860 for Model 707/720 series airplanes. The FAA concurs partially. The SSID provides procedures for accomplishment of dye penetrant or eddy current inspections to detect cracks on the upper forward skin panels of the wing center section. However, the FAA has determined that the dye penetrant inspection techniques contained in the SSID for the affected airplanes have not been effective in detecting cracks in a timely manner. Boeing has advised the FAA that it plans to remove those inspections from the next revision of the SSID; subsequently, the FAA may consider further rulemaking to revise AD 85-12-01 accordingly. For this reason, the FAA finds that inspections using eddy current techniques, as proposed in this supplemental NPRM, are necessary to detect cracks effectively in a timely manner for those airplanes having no bulb angle or thicker skin.

Further, upon reevaluation of certain inspection thresholds and repetitive intervals, the FAA finds that the compliance times specified in paragraphs (a), (a)(2)(i), and (b) of the proposal are less conservative than those recommended in the SSID. In light of this consideration, the FAA finds that, for unmodified airplanes, the compliance times specified in this proposal must be revised to make them more consistent with the more conservative times recommended in the SSID. Therefore, the proposed repetitive interval of 1,000 landings or 18 months, whichever occurs first, specified in paragraphs (a) and (b) of the original NPRM, has been revised to 450 landings

in this supplemental NPRM. In addition, the proposed inspection threshold of 7,000 total landings, specified in paragraph (a)(2)(i) of the original NPRM, has been revised to 6,400 total landings in this supplemental NPRM. The FAA has determined that accomplishment of the required actions at these revised compliance times will provide an acceptable level of safety.

The commenter also submitted a request that the applicability statement of the proposal be revised to specify airplanes listed in Boeing Service Bulletin 2590, Revision 11, dated December 12, 1991. Certain Model 707 series airplanes were modified during production and, therefore, need not be inspected in accordance with the requirements of the proposed AD; the service bulletin listing excludes those airplanes. The FAA concurs, and has revised the proposal accordingly.

The FAA also has revised the proposed repetitive inspection interval, specified in paragraph (c) of the original NPRM, to remove the reference to an optional 18-month repetitive inspection interval and to require that these inspections be performed only at intervals not to exceed 1,000 landings. This revised interval corresponds with the recommendation of the Structures Working Group for Model 707/720 series airplanes, and the FAA has determined that it will ensure that cracking is detected in a timely manner.

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

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 compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this notice to clarify this requirement.

The FAA has recently reviewed the figures it has used over the past several years in calculating the economic