**[4910-13-P]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2013-0790; Directorate Identifier 2013-NM-061-AD]**

**RIN 2120-AA64**

**Airworthiness Directives;** The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to supersede airworthiness directive (AD) 89-12-10, which applies to certain The Boeing Company Model 747 series airplanes. AD 89-12-10 currently requires replacement of certain underwing fuel tank access doors with stronger, fire-resistant doors. Since we issued AD 89-12-10, we have received reports indicating that a standard access door was located where an impact-resistant access door was required, and stencils were missing from some impact-resistant access doors. Stencils are required to indicate that the door is impact-resistant and to indicate the correct location for installation of the impact-resistant door. This proposed AD would require an inspection of the left- and right-hand wing fuel tank access doors to determine whether impact-resistant access doors are installed in the correct locations, and replacement of any door with an impact-resistant access door if necessary. This proposed AD would also require an inspection for the presence of stencils and index markers on impact-resistant access doors, and application of new stencils or index markers if necessary. This proposed AD would also require revising the maintenance program to incorporate changes to the airworthiness limitations section. This proposed AD would also add airplanes to the applicability. We are proposing this AD to prevent foreign object

penetration of the fuel tank, which could cause a fuel leak near an ignition source (e.g., hot brakes or engine exhaust nozzle), consequently leading to a fuel-fed fire.

**DATES:** We must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

• Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the instructions for submitting comments.

• Fax: 202-493-2251.

• Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

• Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet https://www.myboeingfleet.com. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

**Examining the AD Docket**

You may examine the AD docket on the Internet at http://www.regulations.gov; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address

for the Docket Office (phone: 800-647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Suzanne Lucier, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6438; fax: 425-917-6590; email: suzanne.lucier@faa.gov.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2013-0790; Directorate Identifier 2013-NM-061-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to http://www.regulations.gov, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

On May 22, 1989, we issued AD 89-12-10, Amendment 39-6230 (54 FR 23643, June 2, 1989) ("AD 89-12-10"), for certain The Boeing Company Model 747-100, 747-200, 747-300, and 747-SP series airplanes. AD 89-12-10 requires replacement of certain underwing fuel tank access doors with stronger, fire-resistant doors. AD 89-12-10 resulted from several incidents of door penetration by tire and engine debris, which

resulted in spillage of significant quantities of fuel. We issued AD 89-12-10 to prevent a fire in the wing fuel tank.

**Actions Since AD 89-12-10 Was Issued**

Since we issued AD 89-12-10, additional access doors, that may be installed on additional airplanes that were not identified in AD 89-12-10, have been identified that may be subject to the unsafe condition. Certain doors are addressed in other service bulletins. Additionally, due to repainting of the lower wing skin, stencils that identify the access door may no longer be in place to provide a visual confirmation that the correct door is installed.

**Relevant Service Information**

We reviewed the following service information. For information on the procedures and compliance times, see this service information at http://www.regulations.gov by searching for Docket No. FAA-2013-0790.

- Boeing Service Bulletin 747-28-2315, dated January 11, 2012.
- CDCCL Task 57-AWL-01, "Impact-Resistant Fuel Tank Access Doors," of Sub-section B, Airworthiness Limitations (AWLs) – Fuel Systems, of Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs) of Boeing 747-400 Maintenance Planning Data (MPD) Document D621U400, Revision August 2012.
- CDCCL Task 57-AWL-01, "Impact-Resistant Fuel Tank Access Doors," of Sub-section C, Airworthiness Limitations – Fuel Systems, of the Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs) Document D6-13747-CMR, Revision August 2012.

**FAA's Determination**

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition identified previously is likely to exist or develop in other products of these same type designs.

**Proposed AD Requirements**

This proposed AD would retain none of the requirements of AD 89-12-10. Since that AD was issued, the FAA issued section 121.316 of the Federal Aviation Regulations (14 CFR 121.316) requiring that each turbine-powered transport category airplane meet the requirements of section 25.963(e) of the Federal Aviation Regulations (14 CFR 25.963(e)). Section 25.963(e) outlines the certification requirements for fuel tank access covers on turbine powered transport category airplanes.

This proposed AD would require accomplishing the actions specified in the service information described previously. This proposed AD would add Models 747-400, 747-400D, 747-400F, and 747SR series airplanes to the applicability, and clarify the applicability of AD 89-12-10, Amendment 39-6230 (54 FR 23643, June 2, 1989) to identify models listed in the current type certification data sheets (TCDS).

This proposed AD would also require inspecting fuel tank access doors to determine that impact-resistant access doors are installed in the correct locations and replacing any door with an impact-resistant access door if necessary; inspecting application of stencils and index markers of impact-resistant access doors and application of new stencils or index markers if necessary; and revising the maintenance program.

This proposed AD requires revisions to certain operator maintenance documents to include a new CDCCL. Compliance with CDCCLs is required by section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator might not be able to accomplish the actions described in the revisions. In this

situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to the procedures specified in paragraph (j) of this proposed AD. The request should include a description of changes to the required actions that will ensure the continued damage tolerance of the affected structure.

After accomplishment of the revision required by paragraph (h) of this AD, no alternative actions (e.g., inspections), intervals, and/or CDCCLs may be used unless the actions, intervals, and/or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j) of this AD.

**Costs of Compliance**

We estimate that this proposed AD affects 189 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

**Estimated costs**

| Action | Labor cost | Parts cost | Cost per product | Cost on U.S. operators |
|---|---|---|---|---|
| Inspection | Up to 13 work-hours X $85 per hour = $1,105 | $0 | Up to $1,105 | Up to $208,845 |
| Maintenance program revision | 1 work-hour X $85 per hour = $85 | $0 | $85 | $16,065 |

We estimate the following costs to do any necessary replacements that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these replacements:

**On-condition costs**

| Action | Labor cost | Parts cost | Cost per product |
|---|---|---|---|
| Replacement per door | 3 work-hours X $85 per hour = $255 | $8,000 | $8,255 |
| Stencil and index marker (14 doors) | 17 work-hours X $85 per hour = $1,445 | $0 | $1,445 |

According to the manufacturer, some of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

**Authority for this Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

For the reasons discussed above, I certify that the proposed regulation:

(1) Is not a "significant regulatory action" under Executive Order 12866,

(2) Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

2. The FAA amends § 39.13 by removing airworthiness directive (AD) 89-12-10, Amendment 39-6230 (54 FR 23643, June 2, 1989), and adding the following new AD:

**The Boeing Company:** Docket No. FAA-2013-0790; Directorate Identifier 2013-NM-061-AD.

**(a) Comments Due Date**

The FAA must receive comments on this AD action by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**(b) Affected ADs**

This AD supersedes AD 89-12-10, Amendment 39-6230 (54 FR 23643, June 2, 1989).

**(c) Applicability**

This AD applies to The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP series airplanes; certificated in any category; as identified in Boeing Service Bulletin 747-28-2315, dated January 11, 2012.

**(d) Subject**

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 28, Fuel.

**(e) Unsafe Condition**

This AD was prompted by reports indicating that a standard access door was located where an impact-resistant access door was required, and stencils were missing from some impact-resistant access doors. We are issuing this AD to prevent foreign object penetration of the fuel tank, which could cause a fuel leak near an ignition source (e.g., hot brakes or engine exhaust nozzle), consequently leading to a fuel-fed fire.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Inspection and Corrective Action**

Within 72 months after the effective date of this AD, do the actions specified in paragraphs (g)(1) and (g)(2) of this AD, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 747-28-2315, dated January 11, 2012.

(1) Do either a general visual inspection or ultrasonic non-destructive test of the left- and right-hand wing fuel tank access doors to determine whether impact-resistant access doors are installed in the correct locations. If any standard access door is found,

before further flight, replace with an impact-resistant access door, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 747-28-2315, dated January 11, 2012.

(2) Do a general visual inspection of the left- and right-hand wing fuel tank impact resistant access doors to verify stencils and index markers are applied. If a stencil or index marker is missing, before further flight, apply a stencil or index marker, as applicable, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 747-28-2315, dated January 11, 2012.

**(h) Maintenance Program Revisions**

Within 60 days after the effective date of this AD do the actions specified in paragraphs (h)(1) and (h)(2) of this AD.

(1) Revise the maintenance program to incorporate CDCCL Task 57-AWL-01, "Impact-Resistant Fuel Tank Access Doors," of Sub-section B, Airworthiness Limitations (AWLs) – Fuel Systems, of Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs) of Boeing 747-400 Maintenance Planning Data (MPD) Document D621U400, Revision August 2012.

(2) Revise the maintenance program to incorporate CDCCL Task 57-AWL-01, "Impact-Resistant Fuel Tank Access Doors," of Sub-section C, Airworthiness Limitations – Fuel Systems, of the Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs) Document D6-13747-CMR, Revision August 2012.

**(i) No Alternative Actions, Intervals, and/or Critical Design Configuration Control Limitations (CDCCLs)**

After accomplishing the revision required by paragraph (h) of this AD, no alternative actions (e.g., inspections), intervals, and/or CDCCLs may be used unless the actions, intervals, and/or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j) of this AD.

**(j) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

**(k) Related Information**

(1) For more information about this AD, contact Suzanne Lucier, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6438; fax: 425-917-6590; email: suzanne.lucier@faa.gov.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet https://www.myboeingfleet.com. You may review copies of the referenced service

information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on September 13, 2013.

Jeffrey E. Duven,
Acting Manager,
Transport Airplane Directorate,
Aircraft Certification Service.

[FR Doc. 2013-23271 Filed 09/24/2013 at 8:45 am; Publication Date: 09/25/2013]