

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39 [64 FR 62108 11/16/99]

Docket No. 99-NM-15-AD; Amendment 39-11415; AD 99-23-19

RIN 2120-AA64

Airworthiness Directives; Learjet Model 31, 31A, 35, 35A, and 60 Airplanes

**Preamble Information**

AGENCY: Federal Aviation Administration, DOT

ACTION: Final rule

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Learjet Model 31, 31A, 35, 35A, and 60 airplanes, that requires a visual inspection of the spoiler actuators to determine the serial number of the spoiler actuators; and replacement of the spoiler actuators with new actuators, if necessary. This amendment is prompted by failure of a spoiler actuator piston rod during the first production flight of a Model 60 airplane due to an incomplete heat treatment process. The actions specified by this AD are intended to prevent failure of the spoiler actuator, which could result in the spoiler panel floating and inducing an uncommanded roll of the airplane.

DATES: Effective December 21, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 21, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. 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 FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Shane Bertish, Aerospace Engineer, Systems and Equipment Branch, ACE-116W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4156; fax (316) 946-4407.

**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 Learjet Model 31, 31A, 35, 35A, and 60 airplanes was published in the Federal Register on August 30, 1999 (64 FR 47148). That action proposed to require a visual inspection of the spoiler actuators to determine the serial number of the spoiler actuators; and replacement of the spoiler actuators with new actuators, if necessary.

### **Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

### **Conclusion**

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

### **Cost Impact**

There are approximately 45 airplanes of the affected design in the worldwide fleet. The FAA estimates that 37 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$2,220, or \$60 per airplane.

The 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.

### **Regulatory Impact**

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 "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

### **▼ Regulatory Information**

**99-23-19 LEARJET, INC.:** Amendment 39-11415. Docket 99-NM-15-AD.

Applicability: Model 31 and 31A airplanes, serial numbers 31-033, 31-105, 31-114, 31-126, and 31-150 through 31-161 inclusive; Model 35 and 35A airplanes, serial numbers 35-065, 35-242, 35-300, 35-323, 35-447, 35-622, and 35-670; and Model 60 airplanes, serial numbers 60-029, 60-050, 60-120 through 60-139 inclusive; certificated in any category.

NOTE 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the spoiler actuator, which could result in the spoiler panel floating and inducing an uncommanded roll of the airplane, accomplish the following:

### **Inspection and Replacement**

(a) Within 150 flight hours after the effective date of this AD, perform a visual inspection to determine the serial number of the spoiler actuators, in accordance with Learjet Service Bulletins SB 31-27-19, dated December 14, 1998 (for Model 31 and 31A airplanes); SB 35-27-36, dated December 14, 1998 (for Model 35 and 35A airplanes); or SB 60-27-21, dated December 14, 1998 (for Model 60 airplanes); as applicable.

(1) If the serial number is not listed in the applicable service bulletin, no further action is required by this AD.

(2) If the serial number is listed in the applicable service bulletin, prior to further flight, replace the

spoiler actuators with new actuators in accordance with the Accomplishment Instructions of the applicable service bulletin.

#### **Alternative Methods of Compliance**

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Wichita Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

NOTE 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

#### **Special Flight Permits**

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

#### **Incorporation by Reference**

(d) The actions shall be done in accordance with Learjet Service Bulletin SB 31-27-19, dated December 14, 1998, Learjet Service Bulletin SB 35-27-36, dated December 14, 1998, or Learjet Service Bulletin SB 60-27-21, dated December 14, 1998, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on December 21, 1999.

#### **▼ Footer Information**

Issued on October 28, 1999.