

total flight hours since first flight of the airplane: Do the inspection within 1,500 flight cycles or 3,000 flight hours after the effective date of this AD, whichever occurs first.

(2) For airplanes that, as of the effective date of this AD, have accumulated 27,700 or more total flight cycles or 55,400 or more total flight hours, but fewer than 44,000 total flight cycles or 88,000 total flight hours since first flight of the airplane: Do the inspection within 3,000 flight cycles or 6,000 flight hours after the effective date of this AD, without exceeding 45,500 total flight cycles or 91,000 total flight hours since first flight of the airplane, whichever occurs first.

(3) For airplanes that, as of the effective date of this AD, have accumulated fewer than 27,700 total flight cycles and less than 55,400 total flight hours since first flight of the airplane: Do the inspection before the accumulation of 30,700 total flight cycles or 61,400 total flight hours since first flight of the airplane, whichever occurs first.

#### (h) Corrective Action

If any crack is found during any inspection required by this AD: Before further flight, repair using a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

#### (i) Optional Modification

Accomplishing the modification of the splice plate of the FR47 butt joint in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320-53-1271, dated December 18, 2012, constitutes terminating action for the repetitive inspections required by paragraph (g) of this AD.

#### (j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Branch 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 International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-227-1405; fax: 425-227-1149. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved

by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

#### (k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2013-0203, dated September 6, 2013, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA-2014-0453.

(2) For service information identified in this AD, contact Airbus, Airworthiness Office—EAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>. You may view this 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 July 13, 2014.

**Jeffrey E. Duven,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2014-16950 Filed 7-17-14; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2014-0450; Directorate Identifier 2013-NM-250-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 adopt a new airworthiness directive (AD) for all The Boeing Company Model MD-90-30 airplanes. This proposed AD was prompted by reports of cracks emanating from the aft-most barrel nut holes of the left and right upper rear spar caps of the horizontal stabilizer. This proposed AD would require repetitive high frequency eddy current (ETHF) inspections for cracks in the areas around the two aft-most barrel nut holes of the upper rear spar caps, and corrective action if necessary; and repetitive ETHF inspections for cracks in the areas around the two aft-most

barrel nut holes of any repaired or replaced upper rear spar cap, and corrective actions if necessary. We are proposing this AD to detect and correct such cracks, which could propagate until the upper rear spar cap severs, and result in failure of the horizontal stabilizer upper center or aft skin panel and adversely affect the structural integrity of the airplane.

**DATES:** We must receive comments on this proposed AD by September 2, 2014.

**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, 3855 Lakewood Boulevard, MC D800-0019, Long Beach, CA 90846-0001; telephone 206-544-5000, extension 2; fax 206-766-5683; Internet <https://www.myboeingfleet.com>. You may view this 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> by searching for and locating Docket No. FAA-2014-0450; 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:** George Garrido, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, CA 90712-4137; phone: 562-627-5357;

fax: 562-627-5210; email: [george.garrido@faa.gov](mailto:george.garrido@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2014-0450; Directorate Identifier 2013-NM-250-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**

We have received reports of cracks emanating from the aft-most barrel nut holes of the left and right upper rear spar caps of the horizontal stabilizer. One airplane had accumulated 40,144 total flight hours and 32,253 total landing cycles, while another airplane had accumulated 58,296 total flight

hours and 43,512 total landing cycles. Investigations have determined that the cracks were caused by fatigue. In both cases, the cracks originated inside of the barrel nut holes, and radiated vertically and in the aft direction from the barrel nut holes. This condition, if not corrected, could result in cracks in the horizontal stabilizer, which could propagate until it severs the upper rear spar cap, and result in failure of the horizontal stabilizer upper center or aft skin panel and adversely affect the structural integrity of the airplane.

**Relevant Service Information**

We reviewed Boeing Alert Service Bulletin MD90-55A017, dated September 27, 2013. For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for Docket No. FAA-2014-0450.

**FAA's Determination**

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

**Proposed AD Requirements**

This proposed AD would require accomplishing repetitive high frequency eddy current (ETHF) inspections for cracks of the areas around the aft-most

barrel nut holes of the upper rear spar caps, and corrective actions if necessary; and repetitive ETHEF inspections for cracks at the two aft-most barrel nut holes of the repaired or replaced upper rear spar cap, and corrective actions if necessary.

The phrase "corrective actions" is used in this proposed AD. "Corrective actions" are actions that correct or address any condition found. Corrective actions in an AD could include, for example, repairs.

**Difference Between This Proposed AD and the Service Information**

Table 1 of paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90-55A017, dated September 27, 2013, specifies post-repair inspections of the upper rear spar cap of the aft flange that has been splice-repaired, which may be used in support of compliance with Section 121.1109(c)(2) or 129.109(b)(2) of the Federal Aviation Regulations (14 CFR 121.1109(c)(2) or 14 CFR 129.109(b)(2)). However, this NPRM does not propose to require those post-repair inspections. This difference has been coordinated with Boeing.

**Costs of Compliance**

We estimate that this proposed AD affects 52 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 .....	9 work-hours X \$85 per hour = \$765 per inspection cycle.	\$1,410 .....	\$2,175 per inspection cycle.	Up to \$113,100 per inspection cycle.

We estimate the following costs to do any necessary repairs and 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 repairs and replacements:

**ON-CONDITION COSTS**

Action	Labor cost	Parts cost	Cost per product
Repair (per side) .....	368 work-hours X \$85 per hour = \$31,280 .....	Up to \$90,129 .....	Up to \$121,409.
Replacement .....	368 work-hours X \$85 per hour = \$31,280 .....	\$81,764 .....	\$113,044.

**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 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 this 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 adding the following new airworthiness directive (AD):

**The Boeing Company:** Docket No. FAA–2014–0450; Directorate Identifier 2013 NM–250–AD.

##### (a) Comments Due Date

We must receive comments by September 2, 2014.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to all The Boeing Company Model MD–90–30 airplanes, certificated in any category.

##### (d) Subject

Air Transport Association (ATA) of America Code Stabilizers, 55.

##### (e) Unsafe Condition

This AD was prompted by reports of cracks emanating from the aft-most barrel nut holes of the left and right upper rear spar caps of the horizontal stabilizer. We are issuing this AD to detect and correct cracks in the horizontal stabilizer, which could propagate

until the upper rear spar cap severs, and result in failure of the horizontal stabilizer upper center or aft skin panel and adversely affect the structural integrity of the airplane.

##### (f) Compliance

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

##### (g) Inspection

At the applicable compliance time specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013, except as provided by paragraph (i) of this AD: Do a high frequency eddy current inspection (ETHF) for cracks in the areas around the two aft-most barrel nut holes of the upper rear spar cap; and do all applicable corrective actions; in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013. Thereafter, repeat the ETHF inspection at the applicable time specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013. Do all corrective actions before further flight.

##### (h) Post-Repair/Replacement Actions

For airplanes on which a splice repair or replacement was done as specified in Boeing Alert Service Bulletin MD90–55A017: At the applicable compliance time specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013, do an ETHF inspection for cracks at the two aft-most barrel nut holes of any repaired or replaced upper rear spar cap, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013. Thereafter, repeat the ETHF inspection at the applicable time specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013. If any cracking is found, before further flight, do the repair or replacement, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013.

##### (i) Post-Repair Inspections

The post-repair inspections of the upper rear spar cap of the aft flange that has been splice-repaired specified in Table 1 of paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013, are not required by this AD.

**Note 1 to paragraph (h) of this AD:** The damage tolerance inspections (post-repair inspections of the upper rear spar cap aft flange) specified in Table 1 of paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013, may be used in support of compliance with Section 121.1109(c)(2) or 129.109(b)(2) of the Federal Aviation Regulations (14 CFR 121.1109(c)(2) or 14 CFR 129.109(b)(2)). The corresponding actions specified in the Accomplishment Instructions of Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013, are not required by this AD.

##### (j) Exception to the Service Information

Where Boeing Alert Service Bulletin MD90–55A017, dated September 27, 2013, specifies a compliance time "after the original issue date of this service bulletin," this AD requires compliance within the specified compliance time after the effective date of this AD.

##### (k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles 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 paragraph (l)(1) of this AD.

(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, Los Angeles ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and 14 CFR 25.571, Amendment 45, and the approval must specifically refer to this AD.

##### (l) Related Information

(1) For more information about this AD, contact George Garrido, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5357; fax: 562–627–5210; email: [george.garrido@faa.gov](mailto:george.garrido@faa.gov).

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, 3855 Lakewood Boulevard, MC D800 0019, Long Beach, CA 90846–0001; telephone 206–544–5000, extension 2; fax 206–766–5683; Internet <https://www.myboeingfleet.com>. You may view this 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 July 11, 2014.

**Michael Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910–13–P**