

Airworthiness Directive

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39 [61 FR 19811 NO. 87 05/03/96]

Docket No. 95-CE-37-AD; Amendment 39-9608; AD 96-10-03

RIN 2120--AA64

Airworthiness Directives; The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation) PA28, PA32, PA34, and PA44 Series Airplanes

PDF Copy (If Available):

▼ Preamble Information

AGENCY: Federal Aviation Administration, DOT

ACTION: Final rule

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain The New Piper Aircraft, Inc. (Piper) PA28, PA32, PA34, and PA44 series airplanes. This action will require inspecting and modifying the flap lever assembly. Reports of worn flap handle attach bolts and elongated holes in the flap lever to cable mounting attach point prompted this AD action. The actions specified by this AD are intended to prevent failure of the flap handle attach bolt and sudden retraction of the flaps, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Effective June 14, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 14, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Attn: Customer Service, 2629 Piper Dr., Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-37-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer,

FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to The New Piper Aircraft, Inc. (Piper) PA28, PA32, PA34, and PA44 series airplanes was published in the **Federal Register** on October 13, 1995 (60 FR 53314). The action proposed to require inspecting and modifying the flap lever assembly. Accomplishment of the proposed action would be in accordance with Piper Service Bulletin (SB) No. 965, dated September 1, 1993.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to each comment received from two commenters.

The first commenter recommends that the compliance time be changed to apply to aircraft with greater than 2,000 hours time-in-service (TIS) and require these aircraft to accomplish the modification within the next 500 hours TIS or 12 calendar months, whichever occurs first. The commenter acknowledges that the wear problem in the flap handle attach area is a widespread problem and has been dealt with by the industry for years. Industry's experience with the problem is that it progresses gradually over time; therefore, the immediacy of the 100 hour TIS compliance time does not seem warranted. The commenter recommends the compliance time be changed to 500 hours TIS to coincide with commercial operators' inspection cycles and 12 calendar months to coincide with an individual owner/operator's annual inspection.

The FAA recognizes the commenter's proposal, but the service difficulty reports reflect 73 reports from January 1990 to March 1995 and from these 73 reports, 50 reports were submitted from the same commercial operator. The operator submitted a TIS range of 1200 to 2400 hours TIS for the 50 occurrences in their fleet. The remaining 23 reports contain TIS values ranging from 1884 to 5063. With this information, FAA could not determine the statistical distribution or fleet average. Subsequently, the FAA made a determination that a compliance time with a 2,000 hour TIS threshold or within the next 100 hours TIS for those airplanes with greater than 2,000 hours TIS was reasonable and will not impose an undue burden on the affected owners/operators. The compliance time remains unchanged as a result of the comment.

The second commenter recommended that the standard part designation corresponding to the manufacturer's part number be included in the AD. The standard part designation is typically listed in the manufacturer's service publications and manuals.

The commenter also states that the AD as proposed requires the installation of the Piper part numbers to comply with the AD. The Piper part numbers (P/N) are equivalent to the standard parts and therefore, the standard parts designation should also be listed as acceptable compliance to this AD action.

The FAA concurs that the standard parts are equivalent to the Piper parts designated in this AD, with the exception of the bushing, Piper P/N 63900-174. The standard parts designation will be listed as equivalent parts in the Final Rule to permit AD compliance

(with the exception of the bushing, Piper P/N 63900-174).

The commenter also states that P/N 407 564 was listed incorrectly in the NPRM as P/N 407 584. The FAA concurs and the part number is corrected in the Final Rule.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

The FAA estimates that 30,000 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 2 workhours per airplane to accomplish this action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$16 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$4,080,000. This figure is based on the assumption that all of the affected airplanes have worn bolts and elongated holes and that none of the owners/operators of the affected airplanes have replaced the worn parts.

Piper has informed the FAA that parts have been distributed to equip approximately 8,000 airplanes. Assuming that these distributed parts are incorporated on the affected airplanes, the cost of the proposed AD will be reduced by \$1,088,000 from \$4,080,000 to \$2,992,000.

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 copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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 USC 106(g), 40113, 44701.

Section 39.13 - [AMENDED]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

▼ **Regulatory Information**

96-10-03 THE NEW PIPER AIRCRAFT, INC. (formerly Piper Aircraft Corporation):

Amendment No. 39-9608; Docket No. 95-CE-37-AD.

Applicability: The following airplane models and serial numbers, certificated in any category:

Serial Numbers	Models
PA28-140	28-20000 through 28-26946 and 28-7125001 through 28-7725290
PA28-150, PA28-160, and PA28-180	28-1 through 28-5859, 28-7105001 through 28-7505259, 28-E13, and 28-03
PA28-151	28-7415001 through 28-7715314
PA28-161	28-7716001 through 28-8616057, 2816001 through 2816102, and 2841001 through 2841346
PA28-181	28-7690001 through 28-8690062 and 2890001 through 2890169
PA28-235	28-10001 through 28-11378, 28-7110001 through 28-7710089, and 28-E11
PA28-236	28-7911001 through 28-8611008 and 2811001 through 2811034
PA28-201T	28-7921001 through 28-7921095
PA28R-180	28R-30001 through 28R-31270 and 28R-7130001 through 28R-7130013
PA28R-200	28R-35001 through 28R-35820 and 28R-7135001 through 28R-7635462
PA28R-201	28R-7737001 through 28R-7837319 and 2837001 through 2837059
PA28R-201T	28R-7703001 through 28R-7803374 and 2803001 through 2803012
PA28RT-201	28R-7918001 through 28R-8218026
PA28RT-201T	28R-7931001 through 28R-8631005 and 2831001 through 2831038
PA32-260	32-1 through 32-1297 and 32-7100001 through 32-7800008
PA32-300	32-40000 through 32-40974 and 32-7140001 through 32-7940290
PA32-301	32-8006001 through 32-8406020
PA32-301T	32-8024001 through 32-8424002

PA32R-300	32R-7680001 through 32R-7880068
PA32RT-300	32R-7885001 through 32R-7985105
PA32RT-300T	32R-7887001 through 32R-7987126
PA32R-301	32R-8013001 through 32R-8413024
PA32R-301T	32R-8029001 through 32R-8429028
PA34-200	34-7250001 through 34-7450220
PA34-200T	34-7570001 through 34-8170092
PA34-220T	34-8133001 through 34-8233088
PA44-180	44-7995001 through 44-8195026 and 4495001 through 4495013
PA44-180T	44-8107001 through 44-8107066

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 (f) 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 upon the accumulation of 2,000 hours time-in-service (TIS) or within the next 100 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished.

NOTE 2: The compliance time specified in this AD takes precedence over the compliance time specified in the The New Piper Aircraft Inc. (Piper) Service Bulletin (SB) 965, dated September 1, 1993.

NOTE 3: The instructions in this AD do not mirror the Piper service bulletin and instructions in this AD take precedence over the service bulletin instructions. This AD will require installing the clevis bolt, regardless of the condition of the current part.

To prevent failure of the flap handle attach bolt and sudden retraction of the flaps, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Measure the cable mounting attach hole diameter and enlarge the hole to .316 of an inch diameter. If the diameter of the cable mount attach hole is larger than .316 of an inch, prior to further flight, replace the flap lever handle (refer to the applicable illustrated parts catalog for part number), in accordance with the **INSTRUCTIONS** section of Piper SB No. 965, dated September 1, 1993.

(b) Install a new bushing (using only Piper Part Number (P/N) 63900-174) into the cable mounting attach hole, in accordance with the **INSTRUCTIONS** section of Piper SB No. 965, dated September 1, 1993.

(c) Replace the flap lever handle attach bolt with a new clevis bolt (Piper P/N 400 673 or standard P/N AN23-11) in accordance with the **INSTRUCTIONS** section of Piper SB No. 965, dated September 1, 1993.

(d) Inspect the washer, nut, and cotter pin, and if damaged, prior to further flight, replace washer (Piper P/N 407-564 or standard P/N AN960-10), nut (Piper P/N 404-392 or standard P/N AN320-3), and cotter pin (Piper P/N 424-051 or standard P/N MS24665-132) as applicable in accordance with the INSTRUCTIONS section of Piper SB No. 965, dated September 1, 1993.

(e) 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.

(f) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

NOTE 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta Aircraft Certification Office.

(g) The inspections and replacements required by this AD shall be done in accordance with The New Piper Aircraft Inc. Service Bulletin No. 965, dated September 1, 1993. 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 The New Piper Aircraft, Inc., Attn: Customer Service, 2629 Piper Dr., Vero Beach, Florida 32960. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on June 14, 1996.

▼ Footer Information

▼ Comments