

407-99-26, Revision C, dated February 28, 2002. The modifications and re-identifications shall be accomplished in accordance with Bell Helicopter Textron Technical Bulletin No. 407-01-33, dated August 29, 2001, and Parts I and III of the Accomplishment Instructions in Bell Helicopter Textron Alert Service Bulletin 407-01-48, Revision B, dated April 25, 2002. The creation of historical service record sheets and inspections shall be done in accordance with Parts IV and V of the Accomplishment Instructions in Bell Helicopter ASB 407-01-48, Revision B, dated April 25, 2002. These incorporations by reference were 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 Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437-2862 or (800) 363-8023, fax (450) 433-0272. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(k) This amendment becomes effective on April 17, 2003.

Note 3: The subject of this AD is addressed in Transport Canada (Canada) AD No. CF-1999-17R2, dated April 5, 2002.

Issued in Fort Worth, Texas, on March 3, 2003.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002-NE-27-AD; Amendment 39-13083; AD 2003-05-07]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and -17AR Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), that is applicable to Pratt & Whitney (PW) JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and -17AR turbofan engines. This amendment requires removal from service of certain part number (P/N) 3rd-4th and 4th-5th stage compressor rotor spacer assemblies and

incorporation of a new tierod retention configuration. This amendment is prompted by two reports of uncontained failure of JT8D turbofan engines, caused by turbine rotor overspeed resulting from first and second stage fan section separation from the low pressure compressor (LPC). The actions specified by this AD are intended to prevent first and second stage fan section separation from the LPC, resulting in turbine rotor overspeed, uncontained engine failure, and damage to the airplane.

DATES: Effective April 17, 2003. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 17, 2003.

ADDRESSES: The service information referenced in this AD may be obtained from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565-8770; fax (860) 565-4503. This information may be examined, by appointment, at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7175; fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that is applicable to PW JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, and -17AR turbofan engines was published in the **Federal Register** on November 15, 2002, (67 FR 69152). That action proposed to require removal from service of certain P/N 3rd-4th and 4th-5th stage compressor rotor spacer assemblies and incorporation of a new tierod retention configuration in accordance with PW Service Bulletin (SB) No. JT8D 6429, dated August 23, 2002.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Agreement With Proposal as Written

The National Transportation Safety Board and one other commenter agree with the proposal as written.

Compliance With Referenced Service Bulletins

One commenter states that compliance with PW SBs 5408, 5719, and 5734 should be considered direct compliance to the proposed rule in place of PW SB 6429, dated August 23, 2002. The commenter believes that these three service bulletins offer an equivalent level of safety to that of PW SB 6429. Further, the commenter is concerned that the new PW SB 6429 may introduce new failure modes.

The FAA does not agree. The proposed rule is worded such that the intents of SBs 5409, 5719, and 5734 are contained in paragraph (a) of the final rule. This wording was chosen at the request of the Air Transport Association (ATA) to facilitate easier compliance by operators. However, while the modifications identified by these bulletins reduce the probability of encountering a tierod fracture and some operators may not have experienced one since incorporating the bulletins, they do not prevent the fractures completely. The FAA has received reports from PW of tierod fractures occurring after incorporating SBs 5409, 5719, and 5734. Accordingly, PW has issued SB JT8D 6429, dated August 23, 2002, which adds a tierod retention feature to prevent the escape of the fractured end of the tierod which can lead to separation of the first and second stage fan sections from the rear stages of the LPC and a subsequent uncontained engine failure. Further, the new design features in question have been used on other engines with similar tierod configurations. The new tierods meet all of the airworthiness standards required for certification. Proven design standards used for the new retention feature have demonstrated to the FAA that no new failure modes will be introduced into the field.

Lack of Enforcement of Acceptable Maintenance Practices and Financial Burden

One commenter states that the rule ignores enforcement of acceptable, pertinent maintenance practices and adds monetary burden to all operators, without regard to disciplined adherence to PW's or operator's approved maintenance program.

The FAA does not agree. The FAA has identified an unsafe condition that exists on a type certified product. The actions identified to correct that condition are manufacturer's maintenance recommendations. The FAA is required to mandate these recommendations in order to correct the unsafe condition. Operators are still