

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to all MORAVAN a.s. (Moravan) Model Z-242L airplanes. This AD establishes a technical service life for these airplanes by restricting Acrobatic and Utility category operations and requiring replacement of the wings after a certain operational time period. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for the Czech Republic. The actions specified by this AD are intended to prevent structural failure of the wing due to fatigue cracking. Such failure could result in a wing separating from the airplane with consequent loss of airplane control.

DATES: This AD becomes effective on March 21, 2003.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of March 21, 2003.

ADDRESSES: You may get the service information referenced in this AD from Moravan, Inc., 765 81 Otrokovice, Czech Republic; telephone: +420 67 767 3940; facsimile: +420 67 792 2103. You may view this information at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000-CE-05-AD, 901 Locust, Room 506, 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; facsimile: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Discussion

What Events Have Caused This AD?

The Civil Aviation Authority Czech Republic (CAA CZ), which is the

airworthiness authority for the Czech Republic, notified FAA that an unsafe condition may exist on all Moravan Model Z-242L airplanes. The CAA CZ reports that these airplanes are operated over the load spectrum that was used at certification. The CAA CZ further reports that a technical service life for these airplanes is needed. The affected airplanes fall into two different groups:

—Group 1: those airplanes with a serial number in the range of 0001 through 0656 with the original wings installed; and

—Group 2: those airplanes with stronger wings installed either through modification (serial numbers 0001 through 0656) or at manufacture (all serial numbers beginning with 0657).

Based on analysis, the CAA CZ reports that the technical service life should be:

	Acrobatic and utility category operations	All operations
Group 1	190 hours time-in-service (TIS) only in these categories. Operation only in the Normal category thereafter.	3,500 hours TIS. New wings must be installed prior to further operation.
Group 2	450 hours TIS only in these categories. Operation only in the Normal category thereafter.	5,500 hours TIS. New wings must be installed prior to further operation.

What Is the Potential Impact if FAA Took No Action?

Fatigue cracks in the wing, if not detected and corrected or prevented, could result in structural failure of the wing. Such failure could result in a wing separating from the airplane with consequent loss of airplane control.

Has FAA Taken Any Action to This Point?

We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Moravan Model Z-242L airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on October 4, 2002 (67 FR 62214). The NPRM proposed to establish a technical service life for these airplanes by restricting Acrobatic and Utility category operations and requiring replacement of the wings after a certain operational time period.

Was the Public Invited to Comment?

The FAA encouraged interested persons to participate in the making of this amendment. The following presents the comments received on the proposal and FAA's response to each comment:

Comment Issue No. 1: Delay the AD Until Moravan America Completes an Analysis of the Problem and Presents an Alternative

What Is the Commenters' Concern?

Several commenters request that FAA delay issuing the final rule AD until after Moravan America has a chance to present an alternative to the actions specified in the NPRM. Specific comments in this area are as follows:

—One of the alternatives that Moravan America is working on allows an extension of the 450-hour time-in-service (TIS) Acrobatic and Utility operations life limit to 700 hours TIS. This would only apply to airplanes with strengthened wings;

—Moravan America will produce a service bulletin tailored to the operational characteristics of the U.S. safety assurance system and will provide operational guidelines and a measurement system for exceeding load limits. Included in this service bulletin would be guidelines for continued airworthiness and operational constraints;

—The FAA should delay issuing this AD until Moravan America has a chance to evaluate all the facts leading to the issuance of the Czech

Republic AD. The Moravan America proposed solution will be a better option; and

—Moravan America can have a proposed alternative to this AD within 90 days.

What Is FAA's Response to the Concern?

The FAA is continuing with this AD action. However, we will add a grace period of "90 days after the effective date of this AD" to the compliance time of the life limits in the Utility and Acrobatic categories. This would make the compliance time "upon accumulating either 190 hours TIS or 450 hours TIS in the Utility or Acrobatic category or on or before June 10, 2003 (90 days after the effective date of this AD), whichever occurs later." This compliance time change will give Moravan America the time it needs to develop an alternative method of compliance and service bulletin for FAA approval.

Based on data submitted, we may approve an alternative method of compliance and amend the AD, as appropriate.