

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001–NM–237–AD]

RIN 2120–AA64

#### Airworthiness Directives; Boeing Model 767–200 and –300 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 767–200 and –300 series airplanes. This proposal would require replacement of certain door-mounted escape slides and slide-raft assemblies with new slide-raft assemblies; replacement of certain escape system latches with new latches; and modification or replacement of certain counterbalance assemblies with new counterbalance assemblies; as applicable. This action is necessary to prevent the escape slides and slide-rafts of the forward and mid-cabin entry and service doors from being too short to reach the ground in the event that the airplane rotates onto the aft fuselage, resulting in an extreme tip-back position, which could result in injury to passengers and crewmembers during an emergency evacuation. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by January 9, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–237–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal

holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: *9-anm-nprmcomment@faa.gov*. Comments sent via fax or the Internet must contain “Docket No. 2001–NM–237–AD” in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 or 2000 or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Susan Rosanske, Aerospace Engineer, Airframe Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 917–6448; fax (425) 917–6590.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.*, reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments,

in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket Number 2001–NM–237–AD.” The postcard will be date stamped and returned to the commenter.

#### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–237–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

#### Discussion

The FAA has received reports indicating that the original analysis of the highest sill heights for the forward and mid-cabin entry and service doors is no longer valid on certain Boeing Model 767–200 and –300 series airplanes. The original analysis showed that, in the event of a main landing gear (MLG) failure, the engine nacelle strut would shear off due to the weight of the airplane; however, the results of further testing revealed that the engine nacelle strut has a higher strength than originally calculated. This higher strength could result in higher-than-expected sill height values occurring at the forward and mid-cabin doors with the airplane resting on one MLG and the opposite engine. In this instance, the airplane could rotate onto the aft fuselage (*i.e.*, an extreme tip-back position). We have received two reported incidents of a single MLG collapsing, which resulted in a partial tip-back position due to the degree of rotation of the airplane. No injury resulted to passengers using the evacuation slides during the emergency.

This condition, if not corrected, could cause the escape slides and slide-rafts of the forward and mid-cabin entry and service doors to be too short to reach the ground in the event that the airplane rotates onto the aft fuselage, resulting in an extreme tip-back position. This tip-back position could result in injury to passengers and crewmembers during an emergency evacuation.