

5007D and provisions for replacing the fuel filter at this specified period (or a shorter period) are included in the maintenance scheduled for the engine installation.

- (g) Power setting, in percentage.
- (h) Fuel temperature.
- (i) Fuel flow (engine fuel consumption).

**9. Operating Limitations and Information—Powerplant Limitations—Fuel Grade or Designation (Compliance With § 23.1521(d) Requirements)**

Instead of compliance with § 23.1521(d), the applicant must comply with the following:

The minimum fuel designation (for diesel engines) must be established so that it is not less than that required for the operation of the engines within the limitations in paragraphs (b) and (c) of § 23.1521.

**10. Markings and Placards—Miscellaneous Markings and Placards—Fuel, Oil, and Coolant Filler Openings (Compliance With § 23.1557(c)(1) Requirements)**

Instead of compliance with § 23.1557(c)(1), the applicant must comply with the following:

Fuel filler openings must be marked at or near the filler cover with—  
For diesel engine-powered airplanes—

- (a) The words “Jet Fuel”; and
- (b) The permissible fuel designations, or references to the Airplane Flight Manual (AFM) for permissible fuel designations.

(c) A warning placard or note that states the following or similar:  
“Warning—this airplane equipped with an aircraft diesel engine, service with approved fuels only.”

The colors of this warning placard should be black and white.

**11. Powerplant—Fuel System—Fuel-Freezing**

If the fuel in the tanks cannot be shown to flow suitably under all possible temperature conditions, then fuel temperature limitations are required. These will be considered as part of the essential operating parameters for the aircraft and must be limitations.

(1) The takeoff temperature limitation must be determined by testing or analysis to define the minimum cold-soaked temperature of the fuel that the airplane can operate on.

(2) The minimum operating temperature limitation must be determined by testing to define the minimum operating temperature acceptable after takeoff (with minimum

takeoff temperature established in (1) above).

**12. Powerplant Installation—Vibration Levels**

Vibration levels throughout the engine operating range must be evaluated and:

(1) Vibration levels *imposed on the airframe* must be less than or equivalent to those of the gasoline engine; or

(2) Any vibration level that is higher than that imposed on the airframe by the replaced gasoline engine must be considered in the modification and the effects on the technical areas covered by the following paragraphs must be investigated: 14 CFR part 23, §§ 23.251; 23.613; 23.627; 23.629 (or CAR 3.159, as applicable to various models); 23.572; 23.573; 23.574 and 23.901.

Vibration levels imposed on the airframe can be mitigated to an acceptable level by utilization of isolators, dampers clutches and similar provisions, so that unacceptable vibration levels are not imposed on the previously certificated structure.

**13. Powerplant Installation—One Cylinder Inoperative**

It must be shown by test or analysis, or by a combination of methods, that the airframe can withstand the shaking or vibratory forces imposed by the engine if a cylinder becomes inoperative. Diesel engines of conventional design typically have extremely high levels of vibration when a cylinder become inoperative. Data must be provided to the airframe installer/modifier so either appropriate design considerations or operating procedures, or both, can be developed to prevent airframe and propeller damage.

**14. Powerplant Installation—High Energy Engine Fragments**

It may be possible for diesel engine cylinders (or portions thereof) to fail and physically separate from the engine at high velocity (due to the high internal pressures). This failure mode will be considered possible in engine designs with removable cylinders or other non-integral block designs. The following is required.

(1) It must be shown that the engine construction type (massive or integral block with nonremovable cylinders) is inherently resistant to liberating high energy fragments in the event of a catastrophic engine failure; or,

(2) It must be shown by the design of the engine, that engine cylinders, other engine components or portions thereof (fragments) cannot be shed or blown off of the engine in the event of a catastrophic engine failure; or

(3) It must be shown that all possible liberated engine parts or components do not have adequate energy to penetrate engine cowlings; or

(4) Assuming infinite fragment energy, and analyzing the trajectory of the probable fragments and components, any hazard due to liberated engine parts or components will be minimized and the possibility of crew injury is eliminated. Minimization must be considered during initial design and not presented as an analysis after design completion.

Issued in Kansas City, Missouri, on November 1, 2004.

**James E. Jackson,**

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

[FR Doc. 04-25697 Filed 11-19-04; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2004-19444; Directorate Identifier 2004-CE-33-AD]

RIN 2120-AA64

**Airworthiness Directives; Pacific Aerospace Corporation, Ltd. Model 750XL Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Pacific Aerospace Corporation, Ltd. (Pacific Aerospace) Model 750XL airplanes. This proposed AD would require you to replace any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for New Zealand. We are issuing this proposed AD to replace the above identified rivets on the aileron pushrod ends and elevator control pushrod ends, which, if not replaced, could result in loose mechanical elements in the control systems. This could lead to control anomalies and loss of airplane control.

**DATES:** We must receive any comments on this proposed AD by December 27, 2004.

**ADDRESSES:** Use one of the following to submit comments on this proposed AD:

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the

instructions for sending your comments electronically.

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590.

- *Fax:* 1-202-493-2251.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

To get the service information identified in this proposed AD, contact Pacific Aerospace Corporation, Ltd., Hamilton Airport, Private Bag HN 3027, Hamilton, New Zealand; telephone: 64 7 843 6144; facsimile: 64 7 843 6134.

To view the comments to this proposed AD, go to <http://dms.dot.gov>. This is docket number FAA-2004-19444.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, Small Airplane Directorate, 901 Locust, Room 302, Kansas City, MO 64106; telephone: (816) 329-4146; facsimile: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

*How do I comment on this proposed AD?* We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include the docket number, "FAA-2004-19444; Directorate Identifier 2004-CE-33-AD" at the beginning of your comments. We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed rulemaking. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). This is docket number FAA-2004-19444. You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

*Are there any specific portions of this proposed AD I should pay attention to?* We specifically invite comments on the overall regulatory, economic,

environmental, and energy aspects of this proposed AD. If you contact us through a nonwritten communication and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend this proposed AD in light of those comments and contacts.

##### Docket Information

*Where can I go to view the docket information?* You may view the AD docket that contains the proposal, any comments received, and any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m. (eastern standard time), Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5227) is located on the plaza level of the Department of Transportation NASSIF Building at the street address stated in **ADDRESSES**. You may also view the AD docket on the Internet at <http://dms.dot.gov>. The comments will be available in the AD docket shortly after the DMS receives them.

##### Discussion

*What events have caused this proposed AD?* The Civil Aviation Authority (CAA), which is the airworthiness authority for New Zealand, recently notified FAA that an unsafe condition may exist on all Pacific Aerospace Corporation, Ltd. (Pacific Aerospace) Model 750XL airplanes. The CAA reports occurrences of loose type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends on Model 750XL airplanes in service in New Zealand.

*What is the potential impact if FAA took no action?* Any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends could result in loose mechanical elements in the control systems. This could lead to control anomalies and loss of airplane control.

*Is there service information that applies to this subject?* Pacific Aerospace has issued Mandatory Service Bulletin No. PACSB/XL/007, dated June 22, 2004.

*What are the provisions of this service information?* The service bulletin includes procedures for:

- Inspecting for any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends; and
- Replacing any type TLP-D or TLED rivets found on the aileron pushrod ends and elevator control pushrod ends with new Cherry Max 3213-4-

2 or 3243-4-2 (oversize nominal 1/8-inch) rivets.

*What action did the CAA take?* The CAA classified this service bulletin as mandatory and issued New Zealand AD Number DCA/40XL/1, dated June 24, 2004, to ensure the continued airworthiness of these airplanes in New Zealand.

*Did the CAA inform the United States under the bilateral airworthiness agreement?* These Pacific Aerospace Model 750XL airplanes are manufactured in New Zealand and are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Under this bilateral airworthiness agreement, the CAA has kept us informed of the situation described above.

##### FAA's Determination and Requirements of This Proposed AD

*What has FAA decided?* We have examined the CAA's findings, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since the unsafe condition described previously is likely to exist or develop on other Pacific Aerospace Model 750XL airplanes of the same type design that are registered in the United States, we are proposing AD action to replace any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends, which, if not replaced, could result in loose mechanical elements in the control systems. This could lead to control anomalies and loss of airplane control.

*What would this proposed AD require?* This proposed AD would require you to replace any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends.

*How does the revision to 14 CFR part 39 affect this proposed AD?* On July 10, 2002, we published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

##### Costs of Compliance

*How many airplanes would this proposed AD impact?* We estimate that

this proposed AD affects 6 airplanes in the U.S. registry.  
*What would be the cost impact of this proposed AD on owners/operators of the*

*affected airplanes?* We estimate the following costs to do this proposed replacement of any type TLP-D or TLED

rivets on the aileron pushrod ends and elevator control pushrod ends:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. Operators
6 workhours × \$65 per hour = \$390 .....	\$37 for 100 Cherry Max 3213-4-2 or 3243-4-2 (oversize nominal 1/8-inch) rivets.	\$427	\$427 × 6 = \$3,562.

The Cherry Max 3213-4-2 or 3243-4-2 rivets are available in a specially sealed 100-count package. The costs above cover this 100-count package although you may need less than 100 rivets.

**Regulatory Findings**

*Would this proposed AD impact various entities?* We have 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.

*Would this proposed AD involve a significant rule or regulatory action?* For the reasons discussed above, I certify that this proposed AD:

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); 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.

We prepared a summary of the costs to comply with this proposed AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under

**ADDRESSES.** Include "AD Docket FAA-2004-19444; Directorate Identifier 2004-CE-33-AD" in your request.

This proposed rulemaking is promulgated under the authority in Subtitle VII, Part A, Subpart III, Section 44701, General requirements. Under that section, the FAA is charged with prescribing minimum standards required in the interest of safety for the design of aircraft. This proposed regulation is within the scope of that authority since it corrects an unsafe condition in the design of the aircraft caused by type TLP-D or TLED rivets, which, if not replaced, could result in loose mechanical elements in the control systems. This could lead to control anomalies and loss of airplane control.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration 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):

**Pacific Aerospace Corporation, Ltd.:** Docket No. FAA-2004-19444; Directorate Identifier 2004-CE-33-AD

*When Is the Last Date I can Submit Comments on This Proposed AD?*

(a) We must receive comments on This proposed airworthiness directive (AD) by December 27, 2004.

*What Other ADs are Affected by This Action?*

(b) None.

*What Airplanes are Affected by This AD?*

(c) This AD affects Model 750XL airplanes, all serial numbers, that are certificated in any category.

*What Is the Unsafe Condition Presented in This AD?*

(d) This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for New Zealand. The actions specified in this AD are intended to replace any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends, which, if not replaced, could result in loose mechanical elements in the control systems. This could lead to control anomalies and loss of airplane control.

**What Must I Do To Address This Problem?**

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Replace any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends with a new Cherry Max 3213-4-2 or 3243-4-2 (oversize nominal 1/8-inch) rivet.	With 50 hours time-in-service (TIS) after the effective date of this AD, unless already done.	Follow the ACCOMPLISHMENT INSTRUCTIONS in Pacific Aerospace Corporation Mandatory Service Bulletin No. PACSB/XL/007, dated June 22, 2004.
(2) Do not install: (i) any type TLP-D or TLED rivets on the aileron pushrod ends and elevator control pushrod ends; or (ii) any aileron pushrods or elevator control pushrods with type TLP-D or TLED rivets on the ends.	As of the effective date of this AD .....	Not Applicable.

*May I Request an Alternative Method of Compliance?*

(f) You may request a different method of compliance or a different compliance time

for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the

Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Karl Schletzbaum, Aerospace Engineer, Small Airplane

Directorate, 901 Locust, Room 302, Kansas City, MO 64106; telephone: (816) 329-4146; facsimile: (816) 329-4090.

*Is There Other Information That Relates to This Subject?*

(g) New Zealand Airworthiness Directive Number DCA/40XL/1, dated June 24, 2004, also addresses the subject of this AD.

*May I Get Copies of the Documents Referenced in This AD?*

(h) To get copies of the documents referenced in this AD, contact Pacific Aerospace Corporation, Ltd., Hamilton Airport, Private Bag HN 3027, Hamilton, New Zealand; telephone: 64 7 843 6144; facsimile: 64 7 843 6134. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC, or on the Internet at <http://dms.dot.gov>. This is docket number FAA-2004-19444.

Issued in Kansas City, Missouri, on November 15, 2004.

**Scott L. Sedgwick,**

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

[FR Doc. 04-25795 Filed 11-19-04; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-19648; Directorate Identifier 2004-NE-31-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Rolls-Royce Corporation (formerly Allison Engine Company) 250-B17B, -B17C, -B17D, -B17E, -C20, -C20B, -C20F, -C20J, -C20S, and -C20W Turboprop and Turboshaft Engines**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for Rolls-Royce Corporation (RRC) (formerly Allison Engine Company) 250-B17B, -B17C, -B17D, -B17E, -C20, -C20B, -C20F, -C20J, -C20S, and -C20W turboprop and turboshaft engines that do not have turbine energy absorbing ring, part number (P/N) 23035175, installed. This proposed AD would require installation of a turbine energy absorbing ring in the plane of the 1st stage turbine wheel. This proposed AD may also require installation of 1st stage turbine nozzles, 2nd stage turbine nozzles, and a gas producer support assembly, all modified to allow for

installation of the turbine energy absorbing ring. This proposed AD results from an unacceptable rate of uncontained 1st stage turbine wheel failures. We are proposing this AD to minimize the risk of uncontained 1st stage turbine wheel fragments from causing damage to the aircraft or damage to the second engine on twin-engine installations which could lead to loss of control and loss of the aircraft.

**DATES:** We must receive any comments on this proposed AD by January 21, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You can get the service information identified in this proposed AD from Rolls-Royce Corporation, P.O. Box 420, Indianapolis, IN 46206-0420; telephone (317) 230-6400; fax (317) 230-4243.

You may examine the comments on this proposed AD in the AD docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Melissa T. Bradley, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, 2300 East Devon Avenue, Des Plaines, IL 60018-4696; telephone (847) 294-8110; fax (847) 294-7834.

#### **SUPPLEMENTARY INFORMATION:**

##### **Docket Management System (DMS)**

We have implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, we post new AD actions on the DMS and assign a DMS docket number. We track each action and assign a corresponding Directorate identifier. The DMS docket No. is in the form "Docket No. FAA-200X-XXXXX." Each DMS docket also lists the Directorate identifier ("Old Docket Number") as a cross-reference for searching purposes.

#### **Comments Invited**

We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2004-19648; Directorate Identifier 2004-NE-31-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of the DMS Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

#### **Examining the AD Docket**

You may examine the docket that contains the proposal, any comments received and, any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

#### **Discussion**

RRC conducted an analysis of uncontained 1st stage turbine wheel failures and the effects on aircraft. The 1st stage turbine wheel can fail as a result of in-service damage or gas producer tiebolt failure. The in-service damage is caused primarily by thermal fatigue to the turbine wheels during hot starts but has also been linked to improper alignment of the combustion liner and oil fires.

The manufacturer developed a turbine energy absorbing ring to render turbine wheel fragments non-hazardous. We have determined the present rate of hazardous 1st stage turbine wheel