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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2016-3698; Directorate Identifier 2015-NM-138-AD; Amendment 39-18733; AD 2016-25-07]**

**RIN 2120-AA64**

#### **Airworthiness Directives; The Boeing Company Airplanes**

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

**ACTION:** Final rule.

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**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain The Boeing Company Model 767-200 and -300 series airplanes. This AD was prompted by an evaluation by the design approval holder (DAH) indicating that the aft pressure bulkhead is subject to widespread fatigue damage (WFD). This AD requires replacing the aft pressure bulkhead with a new, improved aft pressure bulkhead, and doing related investigative and corrective actions if necessary. We are issuing this AD to prevent the unsafe condition on these products.

**DATES:** This AD is effective February 7, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of February 7, 2017.

**ADDRESSES:** For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-3698.

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

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-3698; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket

Office (phone: 800-647-5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6447; fax: 425-917-6590; email: wayne.lockett@faa.gov.

## **SUPPLEMENTARY INFORMATION:**

### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 767-200 and -300 series airplanes. The NPRM published in the Federal Register on February 22, 2016 (81 FR 8668) ("the NPRM"). The NPRM was prompted by an evaluation by the DAH indicating that the aft pressure bulkhead at Station 1582 is subject to WFD. The NPRM proposed to require replacing the aft pressure bulkhead with a new, improved aft pressure bulkhead, and doing related investigative and corrective actions if necessary. We are issuing this AD to prevent fatigue cracking in the radial web lap splices of the aft pressure bulkhead. Such cracking could result in rapid decompression and consequent reduced structural integrity of the airplane.

### **Comments**

We gave the public the opportunity to participate in developing this AD. We have considered the comments received. Boeing and United Airlines supported the NPRM.

### **Effect of Winglets on Accomplishment of the Proposed Actions**

Aviation Partners Boeing stated that accomplishing the supplemental type certificate (STC) ST01920SE does not affect compliance with the actions specified in the NPRM.

We agree with the commenter. We have redesignated paragraph (c) of the proposed AD as (c)(1) and added paragraph (c)(2) to this AD to state that installation of STC ST01920SE does not affect the ability to accomplish the actions required by this final rule. Therefore, for airplanes on which STC ST01920SE is installed, a "change in product" alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

### **Changes To This AD**

We have reviewed Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016, and there are no substantial changes. Therefore, we have included Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016, in paragraphs (c), (g), (h), and (i) of this AD. We have also provided credit in paragraph (j) of this AD for actions done prior to the effective date of this AD using Boeing Alert Service Bulletin 767-53A0267, dated August 13, 2015.

We have also revised paragraph (g) of this AD to clarify certain terminating actions.

### **Conclusion**

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

**Related Service Information Under 1 CFR part 51**

We reviewed Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016. The service information describes procedures for replacing the aft pressure bulkhead at Station 1582 of Section 48 with a new, improved aft pressure bulkhead, including all applicable related investigative and corrective actions. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

**Costs of Compliance**

We estimate that this AD affects 86 airplanes of U.S. registry.  
 We estimate the following costs to comply with this AD:

**Estimated Costs**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replacement	1,541 work-hours × \$85 per hour = \$130,985	\$646,889	\$777,874	\$66,897,164

We have received no definitive data that enables us to provide cost estimates for the on-condition investigative and corrective actions specified in this AD.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will 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.

For the reasons discussed above, I certify that this AD:

- (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),

(3) Will not affect intrastate aviation in Alaska, and

(4) 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.

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

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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):



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**2016-25-07 The Boeing Company:** Amendment 39-18733; Docket No. FAA-2016-3698; Directorate Identifier 2015-NM-138-AD.

**(a) Effective Date**

This AD is effective February 7, 2017.

**(b) Affected ADs**

This AD affects the ADs specified in paragraphs (b)(1), (b)(2), and (b)(3) of this AD.

(1) AD 2004-05-16, Amendment 39-13511 (69 FR 10917, March 9, 2004).

(2) AD 2004-14-19, Amendment 39-13728 (69 FR 42549, July 16, 2004).

(3) AD 2009-06-19, Amendment 39-15856 (74 FR 12243, March 24, 2009).

**(c) Applicability**

(1) This AD applies to The Boeing Company Model 767-200 and -300 series airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016.

(2) Installation of Supplemental Type Certificate (STC) ST01920SE ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgSTC.nsf/0/38B606833BBD98B386257FAA00602538?OpenDocument&Highlight=st01920se](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgSTC.nsf/0/38B606833BBD98B386257FAA00602538?OpenDocument&Highlight=st01920se)) does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST01920SE is installed, a "change in product" alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

**(d) Subject**

Air Transport Association (ATA) of America Code 53, Fuselage.

**(e) Unsafe Condition**

This AD was prompted by an evaluation by the design approval holder (DAH) indicating that the aft pressure bulkhead at Station 1582 is subject to widespread fatigue damage (WFD). We are issuing this AD to prevent fatigue cracking in the radial web lap splices of the aft pressure bulkhead. Such cracking could result in rapid decompression and consequent reduced structural integrity of the airplane.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

### **(g) Replacement, Related Investigative and Corrective Actions, and Terminating Actions**

Before the accumulation of 60,000 total flight cycles, or within 36 months after the effective date of this AD, whichever occurs later, but not earlier than 37,500 total accumulated flight cycles: Replace the aft pressure bulkhead at Station 1582 of Section 48 with a new, improved aft pressure bulkhead, and perform all applicable related investigative and corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016; except as required by paragraph (h) of this AD. Do all applicable related investigative and corrective actions before further flight. Accomplishing the replacement in this paragraph terminates all requirements of the ADs identified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD.

- (1) AD 2004-05-16, Amendment 39-13511 (69 FR 10917, March 9, 2004).
- (2) AD 2004-14-19, Amendment 39-13728 (69 FR 42549, July 16, 2004).
- (3) AD 2009-06-19, Amendment 39-15856 (74 FR 12243, March 24, 2009).

### **(h) Corrective Actions**

If any defect (e.g., rifling, gouging, nicks, or burrs, or excessive surface roughness) is found in any fastener hole (other than normally produced during a typical reaming operation), during accomplishment of any inspection (related investigative actions) required by this AD, and Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016, specifies to contact Boeing for repair instructions: Before further flight, repair in accordance with the procedures specified in paragraph (k) of this AD.

### **(i) Exception to the Service Information**

Where Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016, specifies a compliance time "after the original issue date of this service bulletin," this AD requires compliance within the specified time after the effective date of this AD.

### **(j) Credit for Previous Actions**

This paragraph provides credit for the actions required by paragraphs (g) and (h) of this AD, if those actions were performed before the effective date of this AD using Boeing Alert Service Bulletin 767-53A0267, dated August 13, 2015; which is not incorporated by reference in this AD.

### **(k) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. To be approved, the repair method, modification deviation, or

alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) Except as required by paragraph (h) of this AD: For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (k)(4)(i) and (k)(4)(ii) apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or sub-step is labeled "RC Exempt," then the RC requirement is removed from that step or sub-step. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

### **(l) Related Information**

For more information about this AD, contact Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle ACO, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6447; fax: 425-917-6590; email: wayne.lockett@faa.gov.

### **(m) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Alert Service Bulletin 767-53A0267, Revision 1, dated August 4, 2016.

(ii) Reserved.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>.

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on November 25, 2016.

John P. Piccola, Jr.,  
Acting Manager, Transport Airplane Directorate,  
Aircraft Certification Service.