



[4910-13-P]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2019-0705; Product Identifier 2019-NM-098-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; The Boeing Company 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 certain The Boeing Company Model 737-600, -700, -700C, -800, and -900 series airplanes. This proposed AD was prompted by reports of cracks in the bear strap between certain stations, sometimes common to fasteners in the gap cover and emanating from rough sanding marks found on the surface of the bear strap. This proposed AD would require inspections of the fuselage skin and bear strap at the forward galley door between certain stations for cracks, and applicable on-condition actions. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Fax: 202-493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0705.

### **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-2019-0705; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Michael Bumbaugh, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3522; email: michael.bumbaugh@faa.gov.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2019-0705 Product Identifier 2019-NM-098-AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM because of those comments.

The FAA will post all comments received, without change, to <http://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about this proposed AD.

**Discussion**

The FAA has received reports of cracks in the bear strap from station (STA) 290 to STA 296, and between S-8R and S-9R, sometimes common to fasteners in the gap cover and emanating from rough sanding marks found on the surface of the bear strap. Bear strap cracking is the result of poor workmanship during production after the skin and bear strap hot bond process. The FAA has determined that the cracking is occurring in the bear strap, where the adhesive bond flash removal was performed with an abrasive

material. Cracking of the bear strap, if not addressed, could result in severing of the bear strap, possibly leading to uncontrolled decompression of the airplane and loss of structural integrity of the airplane.

### **Related Service Information under 1 CFR part 51**

The FAA reviewed Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019. This service information describes procedures for inspecting for cracks of the fuselage skin and bear strap at the forward galley door between certain stations, through the use of two alternative inspection methods: (1) internal and external general visual inspections and internal surface high frequency eddy current (HFEC) inspections, and (2) external general visual and external eddy current inspections, and applicable on-condition actions. On-condition actions include inspections for cracks, HFEC inspections for cracks, low frequency eddy current (LFEC) inspections for cracks, and repair, depending on the inspection method selected. 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.

### **FAA's Determination**

The FAA is proposing this AD because the agency evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

### **Proposed AD Requirements**

This proposed AD would require accomplishment of the actions identified in Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019, described

previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0705.

**Costs of Compliance**

The FAA estimates that this proposed AD affects 752 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

**Estimated costs for required actions: Option 1**

| <b>Action</b>                      | <b>Labor cost</b>   | <b>Parts cost</b> | <b>Cost per product</b>    | <b>Cost on U.S. operators</b>  |
|------------------------------------|---|-------------------|----------------------------|--------------------------------|
| Internal general visual inspection | 11 work-hours X \$85 per hour = \$935                     | \$0               | \$935                      | \$703,120                      |
| External general visual inspection | 1 work-hour X \$85 per hour = \$85                        | \$0               | \$85                       | \$63,920                       |
| Internal Surface HFEC inspections  | 3 work-hours X \$85 per hour = \$255 per inspection cycle | \$0               | \$255 per inspection cycle | \$191,760 per inspection cycle |

**Estimated costs for required actions: Option 2**

| <b>Action</b>                      | <b>Labor cost</b>  | <b>Parts cost</b> | <b>Cost per product</b>      | <b>Cost on U.S. operators</b>    |
|------------------------------------|--|-------------------|------------------------------|----------------------------------|
| External general visual inspection | 1 work-hour X \$85 per hour = \$85                           | \$0               | \$85                         | \$63,920                         |
| External LFEC and HFEC inspections | 18 work-hours X \$85 per hour = \$1,530 per inspection cycle | \$0               | \$1,530 per inspection cycle | \$1,150,560 per inspection cycle |

The FAA has received no definitive data that would enable the agency to provide cost estimates for the on-condition actions specified in this proposed 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.

The FAA is 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.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order

8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes and associated appliances to the Director of the System Oversight Division.

### **Regulatory Findings**

The FAA 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.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, 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.

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

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

### **The Proposed Amendment**

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

**The Boeing Company:** Docket No. FAA-2019-0705 Product Identifier  
2019-NM-098-AD.

**(a) Comments Due Date**

The FAA must receive comments by [INSERT DATE 45 DAYS AFTER DATE  
OF PUBLICATION IN THE Federal Register].

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to The Boeing Company Model 737-600, -700, -700C, -800, and  
-900 series airplanes, certificated in any category, as identified in Boeing Alert  
Requirements Bulletin 737-53A1383 RB, dated May 9, 2019.

**(d) Subject**

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

**(e) Unsafe Condition**

This AD was prompted by reports of cracks in the bear strap from station (STA)  
290 to STA 296, and between S-8R and S-9R, sometimes common to fasteners in the gap  
cover and emanating from rough sanding marks found on the surface of the bear strap.  
The FAA is issuing this AD to address cracking of the bear strap, which could result in  
severing of the bear strap, possibly leading to uncontrolled decompression of the airplane  
and loss of structural integrity of the airplane.

**(f) Compliance**

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

**(g) Required Actions**

Except as specified by paragraph (h) of this AD: At the applicable times specified in the “Compliance” paragraph of Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019.

Note 1 to paragraph (g) of this AD: Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 737-53A1383, dated May 9, 2019, which is referred to in Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019.

**(h) Exceptions to Service Information Specifications**

(1) For purposes of determining compliance with the requirements of this AD: Where Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019, uses the phrase “the original issue date of Requirements Bulletin 737-53A1383 RB,” this AD requires using “the effective date of this AD,” except where Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019, uses the phrase “the original issue date of Requirements Bulletin 737-53A1383 RB” in a note or flag note.

(2) Where Boeing Alert Requirements Bulletin 737-53A1383 RB, dated May 9, 2019, specifies contacting Boeing for repair instructions or for alternative inspections: This AD requires doing the repair, or doing the alternative inspections and applicable

on-condition actions, using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

**(i) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle ACO Branch, 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 certification office, send it to the attention of the person identified in paragraph (j)(1) 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 Company Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO Branch, FAA, 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.

**(j) Related Information**

(1) For more information about this AD, contact Michael Bumbaugh, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3522; email: michael.bumbaugh@faa.gov.

(2) 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 90740-5600; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

Issued in Des Moines, Washington, on September 16, 2019.

Suzanne Masterson,  
Acting Director,  
System Oversight Division,  
Aircraft Certification Service.

[FR Doc. 2019-21187 Filed: 9/30/2019 8:45 am; Publication Date: 10/1/2019]