

# AIRWORTHINESS DIRECTIVES FINAL RULES: 99-05-09

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**DOCKET NUMBER:** 98-CE-110-AD

**AMENDMENT:** 39-11057

**AD NUMBER:** 99-05-09

**SUBJECT HEADING:** Airworthiness Directives; The New Piper Aircraft, Inc. PA-23, PA-24, PA-28, PA-32, and PA-34 Series Airplanes

**ACTION:** Final rule; request for comments

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain The New Piper Aircraft, Inc. (Piper) PA-23, PA-24, PA-28, PA-32, and PA-34 series airplanes that incorporate certain Facet (manufactured by the Purolator Products Company) induction air filters. This AD requires replacing these induction air filters. This AD results from reports of cracking, splitting, crumbling, and deterioration (referred to as damage hereon) of Facet/Purolator induction air filters manufactured between a certain time period. The actions specified by this AD are intended to prevent pieces of a damaged induction air filter from being ingested into the engine, which could result in reduced or loss of engine power.

Comments for inclusion in the Rules Docket must be received on or before April 28, 1999.

**DATES:** Effective March 19, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-110-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-110-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Ms. Juanita Craft, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6089; facsimile: (770) 703-6097; e-mail address: "Juanita.Craft@faa.gov".

## **SUPPLEMENTARY INFORMATION:**

### **Discussion**

The FAA has received reports of deterioration, cracking, splitting, and crumbling (referred hereon as damage) of certain Purolator/Facet induction air filters, Purolator part number (P/N) 638873, Model No. CA161PL, Piper P/N 460-632 (PS60007-2), that are installed on certain Piper PA-23, PA-24, PA-28, PA-32, and PA-34 series airplanes. Purolator utilized an incorrect curing time in the manufacturing process of the plastisol used in the induction air filters from January 1997 through September 1998. This incorrect curing time makes the

induction air filters susceptible to the damage described above.

This condition, if not corrected in a timely manner, could result in engine ingestion of pieces of a damaged induction air filter with possible reduced or loss of engine power.

### **Relevant Service Information**

Piper has issued Service Bulletin No. 1022, dated September 22, 1998, which specifies procedures for inspecting to determine if one of the defective induction air filters is installed. This service bulletin also includes (referenced as ATTACHMENT "A") Purolator Service Bulletin No.: SB090298.01, dated September 16, 1998, which specifies removing, inspecting, and replacing any defective induction air filter.

### **The FAA's Determination**

After examining the circumstances and reviewing all available information related to the incidents described above, including the relevant service information, the FAA has determined that AD action should be taken to prevent pieces of a damaged induction air filter from being ingested into the engine, which could result in reduced or loss of engine power.

### **Explanation of the Provisions of the AD**

Since an unsafe condition has been identified that is likely to exist or develop in other Piper PA-23, PA-24, PA-28, PA-32, and PA-34 series airplanes of the same type design, the FAA is issuing an AD. The FAA requires replacing any Purolator/Facet induction air filter, Purolator P/N 638873, Model No. CA161PL, Piper P/N 460-632 (PS60007-2), that:

- Was manufactured anytime from January 1997 through September 1998; and
- Is identified with a .250 (1/4)-inch high (white) ink stamp "FACET - 638873", and may include "FAA-PMA".

Accomplishment of the replacement is required in accordance with the applicable maintenance manual, as specified in Piper Service Bulletin No. 1022, dated September 22, 1998, and Purolator Service Bulletin No.: SB090298.01, dated September 16, 1998.

### **Determination of the Effective Date of the AD**

Since a situation exists (possible reduced or loss of engine power) that requires the immediate adoption of this regulation, it is found that notice and opportunity for public prior comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

### **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should 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 will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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

that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-CE-110-AD." The postcard will be date stamped and returned to the commenter.

### **Regulatory Impact**

The regulations adopted herein will not have substantial direct effects 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

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

Air transportation, Aircraft, Aviation safety, Safety.

### **Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

### **REGULATORY TEXT:**

**99-05-09 THE NEW PIPER AIRCRAFT, INC.:** Amendment 39-11057, Docket No. 98-CE- 110-AD.

Applicability: The following airplane model and serial numbers, certificated in any category, that are equipped with Purolator air filter part number (P/N) 638873, Model CA161PL, or Piper P/N 460-632 (PS60007-2):

<b>Models</b>	<b>Serial Numbers</b>
PA-23-235	27-505 through 27-622
PA-23-250	27-01 through 27-2504
PA-24-180 and PA-24-250	24-103 through 24-3687
PA-24-260	24-3642, and 24-4000 through 24-5028
PA-28-140	28-20000 through 28-7725290

PA-28-150, PA-28-160, and PA-28-180	28-1 through 28-7505259, and 28-E13
PA-28-181	28-7690001 through 28-8690062, and 2890001 through 2890205
PA-28-181	2890206 through 2890231, and 2843001 through 2843167
PA-28-235	28-10001 through 28-7710089, and 28-E11
PA-28-201T	28-7921001 through 28-7921095
PA-28R-201T	28R-7703001 through 28R-7803374
PA-28R-201T	2803001 through 2803012
PA-28RT-201T	28R-7931001 through 28R-8631005, and 2831001 through 2831038
PA-32-260	32-1 through 32-7800008
PA-32-300	32-7640001 through 32-7940290
PA-32-301	32-8006001 through 32-8606023, and 3206001 through 3206088
PA-32R-300	32R-7680001 through 32R-7880068
PA-32RT-300	32R-7885001 through 32R-7985105
PA-32R-301	32R-8013001 through 32R-8613006, and 3213001 through 3213041
PA-32R-301	3213029, 3213042 through 3213103, and 3246001 through 3246117
PA-34-200T	34-7570001 through 34-8170092
PA-34-220T	34-8133001 through 34-8633031, and 3433001 through 3433225
PA-34-220T	3448001 through 3448035
PA-34-220T	3448038 through 3448079, and 3447001 through 3447029
PA-34-220T	3449002 through 3449078

NOTE 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To prevent pieces of a damaged induction air filter from being ingested into the engine, which could result in reduced or loss of engine power, accomplish the following:

(a) Within the next 25 hours time-in-service (TIS) after the effective date of this AD, replace, with an FAA-approved induction air filter, any Purolator/Facet induction air filter, Purolator part number (P/N) 638873, Model No. CA161PL, Piper P/N 460-632 (PS60007-2), that incorporates the criteria presented in both

paragraphs (a)(1) and (a)(2) of this AD. Accomplish this replacement in accordance with the applicable maintenance manual.

(1) Was manufactured anytime from January 1997 through September 1998; and

(2) Is identified with a .250 (1/4)-inch high (white) ink stamp "FACET - 638873", and may include "FAA-PMA".

NOTE 2: This AD allows the aircraft owner or pilot to check the maintenance records to determine whether any Purolator/Facet induction air filter, Purolator P/N 638873, Model No. CA161PL, Piper P/N 460-632 (PS60007-2), has been installed between January 1997 and March 19, 1999 (the effective date of this AD). See paragraph (c) of this AD for authorization.

NOTE 3: Piper Service Bulletin No. 1022, dated September 22, 1998, and Purolator Service Bulletin No.: SB090298.01, dated September 16, 1998, provide information relating to the subject of this AD, including procedures on how to identify the affected induction air filters.

(b) As of the effective date of this AD, no person shall install, on any affected airplane, any Purolator/Facet induction air filter, Purolator P/N 638873, Model No. CA161PL, Piper P/N 460-632 (PS60007-2), that incorporates the criteria presented in both paragraphs (a)(1) and (a)(2) of this AD.

(c) The owner/operator holding at least a private pilot's certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may check the maintenance records to determine whether any Purolator/Facet induction air filter, Purolator P/N 638873, Model No. CA161PL, Piper P/N 460-632 (PS60007-2), has been installed between January 1997 and March 19, 1999 (the effective date of this AD). If one of these induction air filters is not installed, the AD does not apply and the owner/operator must make an entry into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), One Crown Center, 1895 Phoenix Boulevard, Suite 450, Atlanta, Georgia 30349. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

NOTE 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(f) The service information that relates to the subject presented in this AD may be obtained from The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960. This information may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri.

(g) This amendment becomes effective on March 19, 1999.

**FOOTER:**