

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 25 and 121**

[Docket No. 24594, Amendments 25-61 and 121-189]

Improved Flammability Standards for Materials Used in the Interiors of Transport Category Airplane Cabins

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; Request for additional comments; reopening of comment period.

SUMMARY: This notice announces the reopening of the comment period for Amendments 25-61 and 121-189 to the Federal Aviation Regulations (FAR). These amendments, which were adopted on July 21, 1986 (51 FR 26206), upgrade the fire safety standards for cabin interior materials in transport category airplanes. The final rule adopting these amendments included a request for public comments and provided a 6-month comment period. This action extends that comment period for an additional 90 days.

This reopening is necessary to afford all interested parties an opportunity to present their views on the recently adopted rulemaking.

DATE: Comments must be received on or before April 21, 1987.

ADDRESS: Comments may be mailed in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-204), Docket No. 24594, 800 Independence Avenue SW., Washington, DC 20591; or delivered in duplicate to: Room 915G, 800 Independence Avenue SW., Washington, DC 20591. All comments must be marked: Docket No. 24594. Comments may be inspected in Room 915G weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. In addition, the FAA is maintaining an information docket of comments in the Office of the Regional Counsel (ANM-7), FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. Comments in the information docket may be inspected in the Office of the Regional Counsel weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Gary L. Killion, Manager, Regulations Branch, Transport Standards Staff, ANM-110, Aircraft Certification Division, FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-

68966, Seattle, Washington 98168; telephone (206) 431-2112.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested persons are invited to submit such additional written data, views, or arguments concerning Amendments 25-61 and 121-189 as they may desire. Substantive comments should be accompanied by cost estimates. Commenters should identify the regulatory docket or amendment number and submit comments, in duplicate, to the Rules Docket address above. All comments received on or before the closing date will be considered by the Administrator before determining whether further action on this rulemaking is warranted. All comments will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. Commenters wishing the FAA to acknowledge receipt of their comments must submit with these comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 24594." The postcard will be date/time stamped and returned to the commenter.

Availability of Amendments

Any person may obtain a copy of Amendments 25-61 and 121-189 by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center (APA-230), 800 Independence Avenue SW., Washington, DC 20591; or by calling (202) 267-3484. Communications must identify Amendments 25-61 and 121-189.

Background

On July 21, 1986, the FAA adopted Amendments 25-61 and 121-189 (51 FR 26208; July 21, 1986), to upgrade the fire safety standards for cabin interior materials in transport category airplanes by: (1) Establishing new fire test criteria for type certification; (2) requiring that the cabin interiors of airplanes manufactured after a specified date and used in air carrier service comply with these new criteria; and (3) requiring that the cabin interiors of all other airplanes type certificated after January 1, 1958, and used in air carrier service comply with these new criteria upon the first replacement of the cabin interior. These amendments are based on Notice of Proposed Rulemaking (NPRM) No. 85-10 (50 FR 15038; April 16, 1985).

As discussed in the preamble to Amendments 25-61 and 121-189, some of the commenters responding to Notice

85-10 stated that the FAA was moving too rapidly in the rulemaking. Nevertheless, the FAA did not consider the comments received by that time to warrant abandoning the rulemaking or delaying it further, considering the increases in fire safety that would be achieved. Amendments 25-61 and 121-189 were adopted accordingly; however, the FAA did request further comments on both the test procedure and the appropriateness of the performance criteria. The closing date for the further comments was January 21, 1987. The FAA stated that a document discussing all comments received, presenting FAA responses and proposing any necessary further revisions to the new standards of Amendments 25-61 and 121-189, would be published in the Federal Register by July 21, 1987.

Following issuance of the final rule, the Aerospace Industries Association of America (AIA) and Air Transport Association of America (ATA) jointly petitioned for further rulemaking that would substitute different test procedures and acceptance criteria. This petition was published in the Federal Register on July 21, 1986 (51 FR 26166).

As also discussed in the preamble to Amendments 25-61 and 121-189, some commenters expressed concerns regarding the repeatability of test results using the FAA OSU test apparatus and procedures. The commenters note that, in addition to the initial type certification testing, succeeding material lots would have to be tested from a production standpoint to ensure that their heat release characteristics are not degraded from those of the material lot originally tested for type certification. Variations in test results would, therefore, necessitate the use of materials that nominally exceed the new standards of Amendments 25-61 and 121-189 to ensure that the results of individual tests are satisfactory. Such variations in test results could also create a situation in which a given material is found acceptable in the testing conducted by one manufacturer while the material is found unacceptable by another manufacturer. As a result of these concerns, the FAA conducted a third series of round-robin tests to determine whether certain refinements in the apparatus and procedures would improve the repeatability of test results. These tests were conducted at the FAA Technical Center, the facilities of two airplane manufacturers, and Ohio State University using common test specimens. Based on the results of these tests, the FAA Technical Center has recommended certain adjustments in the

test apparatus and procedures as follows:

(1) The thermopile should be constructed of five 24-gauge thermocouples instead of three 32-gauge thermocouples.

(2) The thermal inertia compensator should no longer be used.

(3) The use of a "blank" sample burn correction should be deleted.

(4) The flow rate of methane during calibration should be 1 liter/minute baseline and flow rates of 4, 8, 8, 8, 4 liters/minute. The time at a given flow rate should be reduced from 4 minutes to 2 minutes.

5. Collection speed of data should be at least one data point per second, instead of continuous which would allow for digital data acquisition.

These recommendations are contained in a memorandum developed by the Fire Safety Branch, FAA Technical Center, dated January 9, 1987, entitled Memorandum: Recommended Modifications to Part 25, Appendix F, Part IV. A copy of this memorandum has been placed in the Rules Docket for public inspection and comment. Comments on these recommendations are specifically requested. Following receipt and analysis of comments, the

FAA may determine that the recommended revisions are appropriate. If so, the final rule will be revised accordingly.

Reopening of Comment Period

In consideration of the need for public participation in determining future action regarding this rulemaking and requests for such reopening contained in letters from the AIA and ATA, both dated November 12, 1986, and the Suppliers of Advanced Composite Materials Association (SACMA) dated December 28, 1986, the FAA concludes that the comment period should be reopened.

Accordingly, the comment period for Amendment 25-61 and 121-189 is reopened until April 21, 1987.

In their letters, the AIA and ATA also request that the comment period for their joint petition for further rulemaking be granted a corresponding extension. This request is being granted through separate notice.

Conclusion: This document reopens the comment period on a final rule to afford the public and industry additional time in which to review and respond. The FAA has determined that this document involves rulemaking which is

considered to be significant as defined in Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). This document is not major as defined in Executive Order 12291. The FAA certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities.

Lit of Subjects

14 CFR Part 25

Aviation safety, Aircraft, Air transportation, Safety, Tires.

14 CFR Part 121

Aviation safety, Safety, Air transportation, Aircraft, Airplanes, Cargo, Flammable materials, Hazardous materials, Transportation Common carriers.

Authority: 49 U.S.C. 1344, 1354(a), 1355, 1357, 1401, 1421, 1423, 1424, 1425, 1428, 1429, 1430, 1485, 1502; 49 U.S.C. 106(g) (Revised Pub. L. 87-449, January 12, 1963).

Issued in Seattle, Washington, on February 4, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87-3564 Filed 2-19-87; 8:45 am]

BILLING CODE 4910-12-M