

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94-NM-245-AD]

Airworthiness Directives; Airbus Industrie Model A310 and A300-600 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede two existing airworthiness directives (AD), applicable to Airbus Industrie Model A310 and A300-600 series airplanes. One AD currently requires repetitive operational tests of feel and limitation computers (FLC) 1 and 2; the other AD requires replacement of certain FLC's on Model A300-600 series airplanes. Those AD's were prompted by reports that the elevator control operated with stiffness. The actions specified by those AD's are intended to prevent stiff operation of the elevator control and undetected loss of rudder travel limitation function, which could adversely affect the controllability of the airplane. This action would require installation of new FLC's, which would terminate the currently required repetitive operational tests. This action also would revise the applicability of the rule to delete airplanes on which these new FLC's have been installed previously.

DATES: Comments must be received by February 21, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-245-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tom Groves, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1503; fax (206) 227-1149.

SUPPLEMENTARY INFORMATION: Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall 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, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94-NM-245-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-245-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On December 28, 1993, the FAA issued AD 93-24-51, amendment 39-8783 (59 FR 507, January 5, 1994), which is applicable to all Airbus Model A310 and A300-600 series airplanes. That AD requires repetitive operational tests of the Feel and Limitation Computers (FLC) 1 and 2. Any FLC that fails the operational test is required to be repaired or replaced in accordance with a method approved by the FAA. That AD was prompted by a report that the elevator control on a Model A300-600 series airplane operated with stiffness. The requirements of that AD are intended to prevent stiff operation of the elevator control and undetected loss of rudder travel limitation function, which could adversely affect controllability of the airplane.

Subsequent to the issuance of that AD, the FAA issued AD 94-09-16, amendment 39-8905 (59 FR 23133, May 5, 1994), applicable to certain Model A300-600 series airplanes. That AD requires the replacement of certain FLC's with FLC's that have been modified by an adjustment of the "UNDERVOLTAGE DETECTION" signal, which will preclude stiff operation of the elevator control. That AD was prompted by reports that the elevator control on several in-service airplanes operated with stiffness. The cause of the stiffness problem was found to be associated with spurious undervoltage detection in the FLC. The requirements of AD 94-09-16 are intended to prevent certain aspects of stiff operation of the elevator control and undetected loss of the rudder travel limitation function. Airplanes on which these modified FLC's were installed were still subject to the repetitive operational tests required by AD 93-24-51.

Since the issuance of those two AD's, the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has advised the FAA that the manufacturer has developed new modified FLC's for installation on Model A310 and A300-600 series airplanes that will positively address the unsafe condition associated with stiff operation of the elevator control.

Airbus Industrie has issued the following service bulletins:

1. Service Bulletin A310-27-2068, Revision 1, dated March 16, 1994, and

Revision 2, dated April 19, 1995, pertain to Model A310 series airplanes. These service bulletins describe procedures for installing Modification 10668, which entails a modification of the FLC to adjust the power supply monitoring. (The power supply is optimized in order to avoid stiff operation of the elevator due to a spurious undervoltage detection in the FLC's.)

2. Service Bulletin A310-27-2070, dated May 5, 1994, also pertains to Model A310 series airplanes. This service bulletin describes procedures for installing Modification 10712, which entails a modification of the FLC's to include improved fault detection, which is intended to avoid possible lack of warning when the undervoltage power supply detection is active. Accomplishment of this modification necessitates the simultaneous or previous accomplishment of Modification 10668.

3. Service Bulletin A300-27-6025, Revision 1, dated August 31, 1994, and Revision 2, dated April 19, 1995, pertain to Model A300-600 series airplanes. These service bulletins describe procedures for installing Modification 10667, which entails a modification of the FLC to adjust the power supply monitoring. The power supply is optimized in order to avoid stiff operation of the elevator due to a spurious undervoltage detection in the FLC's. (The original issue of this service bulletin, dated September 15, 1993, was referenced in AD 94-09-16 as the source for service instructions.)

4. Service Bulletin A300-27-6026, dated May 5, 1994, also pertains to Model A300-600 series airplanes. This service bulletin describes procedures for installing Modification 10713, which entails a modification of the FLC's to include improved fault detection, which is intended to avoid possible lack of warning when the undervoltage power supply detection is active. Accomplishment of this modification necessitates the simultaneous or previous accomplishment of Modification 10667.

The DGAC classified these service bulletins as mandatory and issued the following French airworthiness directives (CN) in order to assure the continued airworthiness of these airplanes in France:

1. CN 93-202-153(B)R1, dated August 3, 1994;

2. CN 94-046-156(B)R2, dated November 9, 1994; and

3. CN 95-202-188(B), dated October 11, 1995.

These airplane models are manufactured in France 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. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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 an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede both AD 93-24-51 and AD 94-09-16. This new proposed AD would continue to require repetitive operational tests of the FLC's until new modified FLC's are installed. The installation would be required to be accomplished in accordance with the service bulletins described previously.

This proposed action also would revise the applicability of the rule to eliminate those airplanes on which the new modified FLC's have been installed previously.

Additionally, as a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this notice to clarify this long-standing requirement.

There are approximately 55 Airbus Model A300-600 and A310 series airplanes of U.S. registry that would be affected by this proposed AD.

The operational tests of the FLC's (which are currently required by AD 93-24-51 and would be retained in this AD) take approximately .5 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact on U.S. operators of the tests currently required is estimated to be \$1,650, or \$30 per airplane, per operational test.

Installation of the modified FLC's proposed in this AD action would take approximately 5 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact on U.S. operators of this proposed installation is estimated to be \$16,500, or \$300 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (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) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 USC 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-8783 (59 FR 507, January 5, 1994), and by adding a new airworthiness directive (AD), to read as follows:

Airbus Industrie: Docket 94-NM-245-AD.
Supersedes AD 93-24-51, amendment 39-8783, and AD 94-09-16, amendment 39-39-8905.

Applicability: Model A310 series airplanes on which Modifications 10712 and 10668 were not incorporated during production, or that are equipped with Feel and Limitation Computers (FLC) having the part numbers listed below; and Model A300-600 series airplanes on which Modifications 10713 and 10667 were not incorporated during production, or that are equipped with FLC's having the part numbers listed below; certificated in any category.

| Airplane model | FLC part No. |
|----------------|---|
| A310 | 35-900-1008-009 35-900-1009-011 35-900-1011-011 35-900-1011-011-A |
| A300-600 | 35-900-2000-200 35-900-2000-201 35-900-2002-201 35-900-2002-201-A 35-900-3002-302 |

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 use the authority provided in paragraph (f)(1) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent stiff operation of the elevator control and undetected loss of rudder travel limitation function, which may adversely affect controllability of the airplane, accomplish the following:

(a) For all airplanes: Within 7 days after January 20, 1994 (the effective date of AD 93-24-51, amendment 39-8783), perform an operational test to verify proper operation of the Feel and Limitation Computers (FLC) 1 and 2, in accordance with Airbus Industrie All Operator Telex 27-14, dated November 2, 1993.

(1) If the operational test is successful, repeat the test at intervals not to exceed 7 days until the requirements of paragraph (c)

or (d) of this AD, as applicable, are accomplished.

(2) If any FLC fails the operational test, prior to further flight, accomplish the procedures specified in either paragraph (c) or (d) of this AD, as applicable.

(b) Except as provided by paragraphs (c) and (d) of this AD: As of January 20, 1994 (the effective date of AD 93-24-51, amendment 39-8783), no airplane shall be operated with an inoperative pitch feel system or inoperative pitch feel fault lights.

(c) For Model A310 series airplanes: Within 6 months after the effective date of this AD, replace or modify the currently installed FLC's in accordance with paragraphs (c)(1) and (c)(2) of this AD. Installation of FLC's that incorporate both Modifications 10668 and 10712 constitutes terminating action for the repetitive operational tests of the FLC's required by paragraph (a) of this AD, and for the operating limitations required by paragraph (b) of this AD.

(1) Install Modification 10668 in accordance with Airbus Service Bulletin A310-27-2068, Revision 1, dated March 16, 1994, or Revision 2, dated April 19, 1995. And

(2) Install Modification 10712 in accordance with Airbus Service Bulletin A310-27-2070, dated May 5, 1994.

(d) For Model A300-600 series airplanes: Accomplish the requirements of paragraphs (d)(1), and (d)(2) of this AD. Accomplishment of these actions constitutes terminating action for the operational tests required by paragraph (a) of this AD, and for the operating limitations required by paragraph (b) of this AD.

(1) Within 45 days after May 20, 1994 (the effective date of AD 94-09-16, amendment 39-8905), replace the FLC's, having part number (P/N) 35-900-2000-200 or 35-900-2000-201, serial numbers 755 and subsequent, with an FLC that has been previously modified, in accordance with Airbus Service Bulletin A300-27-6025, dated September 15, 1993, or Revision 1, dated August 31, 1994.

(2) Within 6 months after the effective date of this AD, replace or modify the FLC's in accordance with paragraphs (d)(2)(i) and (d)(2)(ii) of this AD. Installation of FLC's that incorporate both Modifications 10667 and 10713 constitutes terminating action for the repetitive operational tests of the FLC's required by paragraph (a) of this AD, and for the operating limitations required by paragraph (b) of this AD.

(i) Install Modification 10667 in accordance with Airbus Service Bulletin A300-27-6025, dated September 15, 1993; or Revision 1, dated August 31, 1994; or Revision 2, dated August 19, 1995. And

(ii) Install Modification 10713 in accordance with Airbus Service Bulletin A300-27-6026, dated May 5, 1994.

Note 2: The accomplishment of paragraph (d)(1) of this AD entails installing FLC's that incorporate Modification 10667, as does the accomplishment of paragraph (d)(2)(i). Paragraph (d)(2)(i) is included in this AD because the list of part numbers of affected FLC's in paragraph (d)(1), as well as in the parallel requirement of AD 94-09-16, is not

comprehensive. Additional affected FLC part numbers were identified subsequent to the issuance of AD 94-09-16; FLC's having those part numbers are subject to the requirements of paragraph (d)(2) of this AD.

(e) As of the effective date of this AD, operational tests in accordance with paragraph (a) of this AD may be discontinued on modified FLC's having the part numbers listed in Table 1 of this AD.

TABLE 1

| Airplane model | FLC part No. |
|----------------|--|
| A310 | 35-900-1010-011 35-900-1012-011 35-900-1012-011-A |
| A300-600 | 35-900-3004-302 35-900-2001-201 35-900-2003-201 35-900-2003-201-A |

(f)(1) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

(2) Alternative methods of compliance, approved in accordance with AD 93-24-51, amendment 398783; or AD 94-09-16, amendment 39-8905, are approved as alternative methods of compliance with this AD.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(g) 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.

Issued in Renton, Washington, on January 10, 1996.

Darrell M. Pederson,
Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.
[FR Doc. 96-490 Filed 1-18-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-138-AD]

Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes Equipped With Air Cruisers Evacuation Slides

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).