

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 97-NM-324-AD; Amendment 39-10402; AD 98-06-24]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330 and A340 series airplanes. This action requires modification to reinforce the joints of certain fuselage frames. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent fatigue cracking of the fuselage frames, which could result in reduced structural integrity of the airplane.

DATES: Effective April 6, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 6, 1998.

Comments for inclusion in the Rules Docket must be received on or before April 20, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 97-NM-324-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness

authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A330 and A340 series airplanes. The DGAC advises that, during a full-scale fatigue test, a 4.5-millimeter crack developed in the fuselage after 31,717 simulated flight cycles. The crack was found at the lowest inboard bolt hole at the frame splice area and shear clip attachment on left fuselage frame (L FR) 48 at stringer 26. Similar damage was found at L FR 53 and right fuselage frame 52. Such fatigue cracking of fuselage frames, if not detected and corrected in a timely manner, could result in reduced structural integrity of the airplane.

Explanation of Relevant Service Information

Airbus has issued Service Bulletin A330-53-3015, dated November 24, 1995 (for Model A330 series airplanes), and A340-53-4023, Revision 2, dated May 15, 1996 (for Model A340 series airplanes). These service bulletins describe procedures for modifying the joints of fuselage frames 48 to 53. The modification involves adding two joint straps, replacing existing fasteners with new fasteners, and replacing the existing clips with machined clips. Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The DGAC classified these service bulletins as mandatory and issued French airworthiness directives 96-006-024(B) and 96-005-039(B), both dated January 3, 1996, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

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 21.19) 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.

Explanation of Requirements of the Rule

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, this AD is being issued to prevent fatigue cracking in the fuselage frames, which could result in reduced structural integrity of the airplane. This AD requires accomplishment of the actions specified in the service bulletins described previously.

Cost Impact

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 208 work hours to accomplish the required modification, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$30,765 per airplane. Based on these figures, the cost impact of this AD would be \$43,245 per airplane.

Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public 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 shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. 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 Number 97-NM-324-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.

For the reasons discussed above, I certify that this action (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); 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, 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 the following new airworthiness directive:

98-06-24 Airbus: Amendment 39-10402. Docket 97-NM-324-AD.

Applicability: Model A330 and A340 series airplanes, on which Airbus Modification 42409 has not been accomplished, certificated in any category.

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 request approval for an alternative method of compliance in accordance with paragraph (c) 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, unless accomplished previously.

To prevent fatigue cracking in the fuselage frames, which could result in reduced structural integrity of the airplane, accomplish the following:

(a) Reinforce the joints for fuselage frames 53, 53.1, and 53.2, in accordance with Airbus Service Bulletin A330-53-3015, dated November 24, 1995 (for Model A330 series airplanes); or Airbus Service Bulletin A340-53-4023, Revision 2, dated May 15, 1996 (for Model A340 series airplanes), as applicable; at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable.

(1) For Airbus Model A330 series airplanes on which Airbus Modification 43475 has been accomplished, and for Airbus Model

A340 series airplanes: Prior to the accumulation of 4,100 total flight cycles, or within 500 flight cycles after the effective date of this AD, whichever occurs later.

(2) For Airbus Model A330 series airplanes on which Airbus Modification 43475 has not been accomplished: Prior to the accumulation of 4,600 total flight cycles, or within 500 flight cycles after the effective date of this AD, whichever occurs later.

(b) Reinforce the joints for fuselage frames 48 through 52 inclusive, in accordance with Airbus Service Bulletin A330-53-3015, dated November 24, 1995 (for Model A330 series airplanes); or Airbus Service Bulletin A340-53-4023, Revision 2, dated May 15, 1996 (for Model A340 series airplanes), as applicable; at the time specified in paragraph (b)(1) or (b)(2) of this AD, as applicable.

(1) For Airbus Model A330 series airplanes on which Airbus Modification 43475 has been accomplished, and for Airbus Model A340 series airplanes: Prior to the accumulation of 13,500 total flight cycles, or within 500 flight cycles after the effective date of this AD, whichever occurs later.

(2) For Airbus Model A330 series airplanes on which Airbus Modification 43475 has not been accomplished: Prior to the accumulation of 15,000 total flight cycles, or within 500 flight cycles after the effective date of this AD, whichever occurs later.

(c) 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, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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) The actions shall be done in accordance with Airbus Service Bulletin A330-53-3015, dated November 24, 1995, or Airbus Service Bulletin A340-53-4023, Revision 2, dated May 15, 1996; as applicable. Airbus Service Bulletin A340-53-4023, Revision 2, dated May 15, 1996, contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 2, 3, 3a, 4, 4a, 5-7, 31-32, 83-87	2	May 15, 1996.
8-10, 12, 14-18, 20-29, 33-82	Original	November 24, 1995.
11, 13, 19, 30	1	February 22, 1996.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a)

and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the

Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in French airworthiness directives 96-006-024(B) and 96-005-039(B), both dated January 3, 1996.

(f) This amendment becomes effective on April 6, 1998.

Issued in Renton, Washington, on March 10, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-6757 Filed 3-19-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-216-AD; Amendment 39-10398; AD 98-06-20]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A320 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Airbus Model A320 series airplanes, that currently requires inspections to detect cracking of certain floor beams and side box-beams, and repair of cracks; and modification of the pressure floor. That AD was prompted by results of a full-scale fatigue test. This amendment adds a one-time inspection to verify proper clearance between the fasteners of the reinforcement bracket and the bellcrank of the free-fall extension system of the main landing gear (MLG) and its associated tie rod attachment nut. This amendment also adds a requirement for a new improved modification of the pressure floor. The actions specified by this AD are intended to prevent reduced structural integrity of the fuselage, restricted operation of the MLG free-fall system and, consequently, reduced ability to use the MLG during an emergency.

DATES: Effective April 24, 1998.

The incorporation of certain publications, as listed in the regulations, is approved by the Director of the Federal Register as of April 24, 1998.

The incorporation by reference of Airbus Industrie Service Bulletin A320-53-1024, dated September 23, 1992, as listed in the regulations, was approved previously by the Director of the Federal

Register as of August 23, 1993 (58 FR 39440, July 23, 1993).

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 93-14-04, amendment 39-8628 (58 FR 39440, July 23, 1993), which is applicable to certain Airbus Model A320 series airplanes, was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on March 12, 1997 (62 FR 11388). The action proposed to continue to require inspections to detect cracking of the floor beams and the side box-beams, and repair of cracks. The action also proposed to add a one-time inspection to verify proper clearance between the fasteners of the reinforcement bracket and the bellcrank of the free-fall extension system of the main landing gear (MLG) and its associated tie rod attachment nut. In addition, the action proposed to add a requirement for a new improved modification of the pressure floor.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter requests that paragraph (c)(1)(ii) of the supplemental NPRM be revised to include an option to rework the bellcrank just like paragraph (c)(1)(iii)(B) of the supplemental NPRM. The commenter points out that the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has included this rework option in its revised French airworthiness directive (CN) 96-053-77(B)R1, dated June 5, 1996.

The FAA concurs. The FAA has reviewed the subject French airworthiness directive, and has revised

paragraph (c)(1)(ii) of this final rule to include an option to rework the bellcrank lever and fasteners, and reinstall the reinforcement bracket fasteners, which is identical to the requirements of paragraph (c)(1)(iii)(B) of the AD.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 24 Airbus Model A320 series airplanes of U.S. registry that will be affected by this AD.

The inspections that are currently required by AD 93-14-04 take approximately 37 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required inspections on U.S. operators is estimated to be \$53,280, or \$2,220 per airplane.

The new inspection that is required by this AD action will take approximately 11 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the new inspection required by this AD on U.S. operators is estimated to be \$15,840, or \$660 per airplane.

The new modification that is required by this AD action will take approximately 142 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the modification required by this AD on U.S. operators is estimated to be \$204,480, or \$8,520 per airplane.

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

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