

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:

99-23-15 Dornier Luftfahrt GmbH:

Amendment 39-11411. Docket 99-NM-207-AD.

Applicability: Model 328-100 series airplanes, serial numbers 3005 through 3093 inclusive and 3095 through 3111 inclusive; certificated in any category.

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 (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 ensure that passengers are properly instructed to extinguish their cigarettes and fasten their seat belts when required, and to prevent consequent passenger injury should a hard landing or in-flight turbulence be experienced, accomplish the following:

Panel Replacement

(a) Within 120 days after the effective date of this AD, replace the existing flight attendant panel 19VE with a new or modified panel, part number 328-0100, Amendment D, and modify the wiring associated with it; in accordance with Dornier Service Bulletin SB-328-33-271, dated September 17, 1998.

Spares

(b) As of the effective date of this AD, no person shall install on any airplane a flight attendant panel 19VE, unless it has been modified in accordance with Dornier Service Bulletin SB-328-33-271, dated September 17, 1998.

Alternative Methods of Compliance

(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.

Special Flight Permits

(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.

Incorporation by Reference

(e) The actions shall be done in accordance with Dornier Service Bulletin SB-328-33-271, dated September 17, 1998. 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 Fairchild Dornier, Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. 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 German airworthiness directive 1999-053, dated February 25, 1999.

(f) This amendment becomes effective on December 17, 1999.

Issued in Renton, Washington, on November 3, 1999.

D.L. Rigglin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-29326 Filed 11-10-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-184-AD; Amendment 39-11412; AD 99-23-16]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330 and A340 series airplanes, that requires repetitive detailed visual inspections to detect cracking of the vertical flange of the inboard Z-stiffeners of the centerline panel of the fuselage belly fairing; and corrective actions, if necessary. This amendment also provides for optional terminating action for the repetitive inspections. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The

actions specified by this AD are intended to detect and correct fatigue cracking of the vertical flange of the inboard Z-stiffeners of the centerline panel of the fuselage belly fairing, which could result in reduced structural integrity of the belly fairing.

DATES: Effective December 17, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 17, 1999.

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) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A330 and A340 series airplanes was published in the **Federal Register** on September 10, 1999 (64 FR 49110). That action proposed to require repetitive detailed visual inspections to detect cracking of the vertical flange of the inboard Z-stiffeners of the centerline panel of the fuselage belly fairing; and corrective actions, if necessary. That action also proposed to provide for optional terminating action for the repetitive inspections.

Comments

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

One commenter, an operator, states that it will have the terminating modification incorporated prior to delivery of its airplanes.

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 as proposed.

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 1 work hour to accomplish the required inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$60 per airplane, per inspection cycle.

Should an operator elect to accomplish the optional terminating action provided by this AD, it would require approximately 7 work hours to accomplish the optional terminating action, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$2,350 per airplane. Based on these figures, the cost impact of the optional terminating action is estimated to be \$2,770 per airplane.

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:

99-23-16 Airbus Industrie: Amendment 39-11412. Docket 99-NM-184-AD.

Applicability: Model A330 and A340 series airplanes; except those airplanes on which Airbus Modification 42605, or Airbus Service Bulletin A330-53-3019 (for Model A330 series airplanes) or A340-53-4028 (for Model A340 series airplanes) has 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 detect and correct fatigue cracking of the vertical flange of the inboard Z-stiffeners of the centerline panel of the fuselage belly fairing, which could result in reduced structural integrity of the belly fairing, accomplish the following:

Repetitive Detailed Visual Inspections

(a) Prior to the accumulation of 5,500 total flight cycles, or within 500 flight hours after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracking of the vertical flange of the inboard Z-stiffeners of the centerline panel of the fuselage belly fairing, in accordance with Airbus Service Bulletin A330-53-3020 (for Model A330 series airplanes) or A340-53-4029 (for Model A340 series airplanes); each dated November 30, 1995; as applicable.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc. may be used. Surface cleaning and elaborate access procedures may be required."

(1) If no cracking is detected, repeat the inspection thereafter at intervals not to exceed 5,500 flight cycles, until the requirements of paragraph (b) of this AD are accomplished.

Corrective Actions

(2) If any cracking is detected during any inspection required by this AD, prior to further flight, modify the vertical flange of both inboard Z-stiffeners of the centerline panel of the fuselage belly fairing and re-inspect the modified area to determine if cracking has been eliminated, in accordance with Airbus Service Bulletin A330-53-3019 (for Model A330 series airplanes) or A340-53-4028 (for Model A340 series airplanes); each dated November 30, 1995; as applicable.

(i) If all cracking is not eliminated after accomplishment of the modification, prior to further flight, repair in accordance with a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Direction Générale de l'Aviation Civile (DGAC) (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM-116, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

(ii) If all cracking is eliminated after the accomplishment of the modification, no further action is required by this AD.

Optional Terminating Action

(b) Modification of the vertical flange of both inboard Z-stiffeners of the centerline panel of the fuselage belly fairing in accordance with Airbus Service Bulletin A330-53-3019 (for Model A330 series airplanes) or A340-53-4028 (for Model A340 series airplanes); each dated November 30, 1995; as applicable; constitutes terminating action for the requirements of this AD.

Alternative Methods of Compliance

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

Special Flight Permits

(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.

Incorporation by Reference

(e) The inspections and modification shall be done in accordance with Airbus Service Bulletin A330-53-3020, dated November 30, 1995; Airbus Service Bulletin A340-53-4029, dated November 30, 1995; Airbus Service Bulletin A330-53-3019, dated November 30, 1995; and Airbus Service Bulletin A340-53-4028, dated November 30, 1995; as applicable. 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 4: The subject of this AD is addressed in French airworthiness directives 96-056-029 (B) and 96-057-042 (B); each dated March 13, 1996.

(f) This amendment becomes effective on December 17, 1999.

Issued in Renton, Washington, on November 3, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-227-AD; Amendment 39-11409; AD 99-23-13]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 727-200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Boeing Model 727-200 series airplanes, that requires repetitive inspections to detect cracks in certain areas between the upper and lower sills of the number 1 cargo door, and repair, if necessary. This amendment is prompted by reports indicating that fatigue cracks were found in certain structures adjacent to the number 1 cargo door cutout at the forward and aft doorway frames. The actions specified by this AD are intended to detect and

correct such fatigue cracking, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

DATES: Effective December 17, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 17, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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:

Walter Sippel, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2774; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all Boeing Model 727-200 series airplanes was published in the **Federal Register** on July 15, 1998 (63 FR 38123). That action proposed to require repetitive inspections to detect cracks in certain areas between the upper and lower sills of the number 1 cargo door, and repair, if necessary.

Explanation of Changes Made to the Proposal

The FAA has revised this final rule to clarify the inspection requirement contained in the proposed AD. Whereas the proposal specified a close visual inspection, as recommended in Boeing Service Bulletin 727-53A0219, Revision 1, dated May 8, 1997, the FAA has revised this final rule to clarify that its intent is to require a detailed visual inspection. Additionally, a note has been added to the final rule to define that inspection.

In addition, in the notice of proposed rulemaking (NPRM), the FAA stated that this AD is considered interim action until final action is identified, at which time the FAA may consider further rulemaking. Since the issuance of the NPRM, the FAA has determined that no further action is required at this time. No modification to address the unsafe condition is currently available, and the FAA finds that the inspections required

by this AD are adequate for continued safe operation.

Also, throughout the proposed rule, the FAA referred to Boeing Service Bulletin 727-53A0219, Revision 1, as an "alert" service bulletin. The reference to this service bulletin as an alert is erroneous. The original issue of the service bulletin is considered an alert service bulletin; however, the FAA does not consider Revision 1 an alert. Therefore, this final rule refers to Boeing Service Bulletin 727-53A0219, Revision 1, as "the service bulletin."

Comments

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

Support for the Proposal

One commenter supports the proposed rule.

Request to Allow Inspection of Each Frame Separately

One commenter states that it does not agree that a high frequency eddy current (HFEC) inspection of both forward and aft frames should be required within 3,000 flight cycles if a repair has only been accomplished on one frame or the other. The commenter makes no specific request; however, the FAA infers that the commenter is requesting to be allowed to inspect forward and aft frames at separate intervals, if only one of the frames has been repaired.

The FAA concurs with the commenter's request. There is no technical reason to require inspections of repaired and non-repaired frames at the same time. Therefore, the FAA has determined that it would be more appropriate to allow inspection of the forward or aft frame at the threshold corresponding to its configuration repaired or non-repaired rather than requiring that forward and aft frames both be inspected at the threshold for repaired structure if repair has been accomplished on one or the other. As proposed, paragraph (c) of this AD already allows for repeat inspections of repaired structure to be accomplished separately, at a different interval than non-repaired structure. Therefore, only paragraphs (a)(1), (a)(2), and (a)(3) of the final rule have been revised accordingly.

Request to Include Instructions for Inspection

One commenter requests that either the service bulletin or the proposed AD be revised to include instructions for the inspections to be performed at 3,000 flight cycles. The commenter states that