

# Proposed Rules

Federal Register

Vol. 62, No. 228

Wednesday, November 26, 1997

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. 97-NM-230-AD]

RIN 2120-AA64

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

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Airbus Model A300, A310, and A300-600 series airplanes. This proposal would require inspections to detect cracking of the aft door frame area, and repair, if necessary. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to detect and correct cracks in the aft door frame area, which could result in reduced structural integrity and rapid decompression of the airplane.

**DATES:** Comments must be received by December 26, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-230-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:** 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:

##### 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 97-NM-230-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. 97-NM-230-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

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 A300, A310, and A300-600

series airplanes. The DGAC advises that, during scheduled inspections of in-service airplanes, 18 cases of stress corrosion cracks have been found at and between rivet holes on the inner and outer door frame flanges of frames 73A and 75A, and on the inner and outer flanges of the longeron at stringer 11. Such stress corrosion cracking, if not detected and corrected in a timely manner, could result in reduced structural integrity and possible rapid decompression of the airplane.

##### Explanation of Relevant Service Information

Airbus has issued Service Bulletins A300-53-303 (for Model A300 series airplanes); A310-53-2079 (for Model A310 series airplanes); and A300-53-6056 (for Model A300-600 series airplanes), all dated February 23, 1996. These service bulletins describe procedures for inspections to detect cracking of the aft door frame area, and repair, if necessary. In each of the referenced service bulletins, inspection procedures are provided for multiple locations around the aft door frame area. There are 7 locations specified for Model A300 and A310 series airplanes, and 3 locations specified for Model A300-600 series airplanes. Accomplishment of a permanent repair, as specified in these service bulletins, eliminates the need for the repetitive eddy current inspections for the area in which the permanent repair is accomplished.

The DGAC classified these service bulletins as mandatory and issued French airworthiness directive (CN) 96-135-199(B), dated July 17, 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 21.29) 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.

### **Explanation of Requirements of Proposed 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, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously, except as discussed below.

### **Differences Between the Proposal and the related Service Bulletin**

The proposed rule would differ from the Airbus service bulletins described previously in that, unlike certain repair times specified in the referenced service bulletins, this proposed AD would not permit further flight with cracks detected in the aft door frame area. Depending on the extent and location of the cracking, the service bulletins, in certain circumstances, provide for continued flight without immediate repair of the damaged area. The FAA has determined that, due to the safety implications and consequences associated with such cracking, all locations in the aft door frame area that are found to be cracked must be repaired prior to further flight.

Additionally, for cracks found in certain locations, the service bulletins specify that operators should contact Airbus for possible repair solutions. Unlike the procedures described in the service bulletins, this proposed AD would require that any repairs other than those specifically identified in the service bulletins be accomplished in accordance with a method approved by the FAA.

### **Cost Impact**

The FAA estimates that 49 Airbus Model A300 and A310 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 25 work hours per airplane to accomplish the proposed inspections, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed inspections on U.S. operators of Model A300 and A310 series airplanes is estimated to be \$73,500, or \$1,500 per airplane.

The FAA estimates that 51 Airbus Model A300-600 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 18 work hours per airplane to accomplish the proposed inspections, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the

proposed inspections on U.S. operators of Model A300-600 series airplanes is estimated to be \$55,080, or \$1,080 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.

### **Regulatory Impact**

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 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

**Airbus Industrie:** Docket 97-NM-230-AD.

**Applicability:** Model A300, A310, and A300-600 airplanes on which Airbus Modification 6924 has not been installed; 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 (d) 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 cracks in the aft door frame area, which could result in reduced structural integrity and possible rapid decompression of the aircraft, accomplish the following:

(a) Prior to the accumulation of 10 years since date of manufacture, or within 12 months after the effective date of this AD, whichever occurs later: Except as provided by paragraphs (b) and (c) of this AD, accomplish a high frequency eddy current inspection to detect stress corrosion cracks in the aft door frame area, and perform the applicable corrective actions, in accordance with Airbus Service Bulletin A300-53-303, dated February 23, 1996 (for Model A300 series airplanes); A310-53-2079, dated February 23, 1996 (for Model A310 series airplanes); or A300-53-6056, dated February 23, 1996 (for Model A300-600 series airplanes); subsequently referred to as the applicable service bulletin. Thereafter, repeat the inspection at intervals not to exceed 5 years, in all areas not repaired permanently in accordance with the applicable service bulletin.

(b) If any crack is found during an inspection required by paragraph (a) of this AD, and the applicable service bulletin specifies to contact Airbus for an appropriate action: Prior to further flight, repair in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate.

(c) If any crack is found during an inspection required by paragraph (a) of this AD, and the applicable service bulletin specifies a compliance time other than "prior to further flight" for accomplishment of the repair: Accomplish the repair prior to further flight in accordance with the procedures specified in the applicable service bulletin.

(d) 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 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.

(e) 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.

**Note 3:** The subject of this AD is addressed in French airworthiness directive (CN) 96-135-199(B), dated July 17, 1996.

Issued in Renton, Washington, on November 19, 1997.

**Stewart R. Miller,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 97-31022 Filed 11-25-97; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-NM-189-AD]

RIN 2120-AA64

#### Airworthiness Directives; Dassault Model Mystere Falcon 200 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Dassault Model Mystere Falcon 200 series airplanes. This proposal would require reducing the life limit of the polyurethane foam used in the fuselage fuel tanks. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to ensure replacement of the polyurethane foam in the fuselage fuel tanks when it has reached its maximum life limit; polyurethane foam that is not replaced in a timely manner could result in fuel contamination or increased risk of explosion in the fuselage fuel tank.

**DATES:** Comments must be received by December 26, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-189-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 Dassault Falcon Jet, Teterboro Airport, P.O. Box 2000, South Hackensack, New Jersey 07606. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** 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:

##### 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 97-NM-189-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. 97-NM-189-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

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 all Dassault Model Mystere Falcon 200 series airplanes. The DGAC advises that studies of aging airplanes conducted by Dassault have shown that, after 8 years, the characteristics of the polyurethane foam material used in the fuselage fuel tanks are no longer acceptable. The airplane maintenance manual originally called for replacement of the polyurethane foam within 10 years. However, based on the Dassault study, the life limit of the foam should be reduced to 8 years. If not replaced in a timely manner, the polyurethane foam could degrade and result in fuel contamination or increased risk of explosion in the fuselage fuel tank.

##### Explanation of Related French Airworthiness Directive

The DGAC issued French airworthiness directive (CN) 96-078-021(B), dated April 10, 1996, in order to assure the continued airworthiness of these airplanes in France. The French airworthiness directive requires replacement of the polyurethane foam of the fuselage tanks at intervals not to exceed 8 years.

##### FAA's Conclusions

This airplane model is manufactured in France and is 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.

##### Explanation of Requirements of Proposed 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, the proposed AD would require reducing the life limit of the polyurethane foam used in the fuselage fuel tanks. The action would be required to be accomplished in accordance with procedures specified in the airplane maintenance manual.

##### Cost Impact

The FAA estimates that 20 Dassault Model Mystere Falcon 200 series airplanes of U.S. registry would be