

Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

#### Special Flight Permits

(j) 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

(k) Unless otherwise specified in this AD, the actions shall be done in accordance with Boeing Service Bulletin 747-36-2111, dated February 20, 1992; Boeing Service Bulletin 747-28-2162, dated July 30, 1992; Boeing Special Attention Service Bulletin 2 747-28-2230, dated September 30, 1999; Boeing Service Letter 747-SL-28-052-B, dated August 30, 1998; Boeing Service Bulletin 747-36-2118, dated January 28, 1993; Boeing Service Bulletin 747-54-2137, dated February 6, 1992; and Boeing Service Bulletin 747-54-2122, Revision 4, dated August 29, 1991, as revised by Notice of Status Change 747-54-2122 NSC 2, dated May 14, 1992, and Information Notice 747-54-2122 IN 03, dated August 19, 1999; 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

#### Effective Date

(l) This amendment becomes effective on September 12, 2003.

Issued in Renton, Washington, on July 31, 2003.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 03-19981 Filed 8-7-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-16-AD; Amendment 39-13260; AD 2003-16-07]

**RIN 2120-AA64**

#### Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A319, A320, and A321 series airplanes equipped with certain cockpit lateral fixed windows manufactured by PPG Aerospace. This amendment requires detailed repetitive inspections of the cockpit lateral fixed windows to detect moisture ingress and delamination, and follow-on/corrective actions, as applicable. This AD also provides for an optional terminating action for the repetitive inspections. The actions specified by this AD are intended to prevent moisture ingress and delamination of the cockpit lateral fixed windows, which could result in the loss of the outer glass ply, and consequent damage to the airplane and injury to people or damage to property on the ground. This action is intended to address the identified unsafe condition.

**DATES:** Effective September 12, 2003. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 12, 2003.

**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 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:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; 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 A319, A320, and A321 series airplanes equipped with certain cockpit lateral fixed windows manufactured by PPG Aerospace was published in the **Federal Register** on April 11, 2003 (68 FR 17757). That action proposed to require detailed repetitive inspections of the cockpit lateral fixed windows to detect moisture ingress and delamination, and follow-on/corrective actions, as applicable. That action also proposed an optional terminating action for the repetitive inspections.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. A single comment which concurred with the proposed AD was submitted.

#### Conclusion

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed. However, the language in the Summary and the Supplementary Information sections of this preamble has been revised to clarify that "detailed repetition inspections" rather than "a detailed inspection," are required until the optional terminating action is accomplished.

#### Changes to 14 CFR Part 39/Effect on the AD

On July 10, 2002, the FAA issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's airworthiness directives system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. However, for clarity and consistency in this final rule, we have retained the language of the NPRM regarding that material.

#### Cost Impact

After the proposed AD was issued, we reviewed the figures we use to calculate the labor rate to do the required actions. To account for various inflationary costs in the airline industry, we find it appropriate to increase the labor rate used in these calculations from \$60 per work hour to \$65 per work hour. The economic impact information below has been revised to reflect this increase in the specified hourly labor rate.

The FAA estimates that 36 Airbus Model A319, A320, and A321 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the detailed inspections to identify moisture ingress of certain identified cockpit

lateral fixed windows, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$4,680, or \$130 per airplane, per inspection cycle.

The cost impact figure discussed above is 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. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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:

**2003-16-07 Airbus:** Amendment 39-13260. Docket 2002-NM-16-AD.

**Applicability:** Model A319, A320, and A321 series airplanes, certificated in any category, equipped with PPG Aerospace cockpit lateral fixed windows having part number (P/N) NP-165313-1 or NP-165313-2, and having a serial number (S/N) below 95001H0001 (PPG Aerospace manufacturing date before January 1, 1995).

**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 prevent moisture ingress and delamination of the cockpit lateral fixed windows, which could result in the loss of the outer glass ply and consequent damage to the airplane and injury to people or damage to property on the ground, accomplish the following:

#### Repetitive Inspections and Replacement, if Necessary

(a) Within 500 flight hours after the effective date of this AD, perform a detailed inspection to detect urethane degradation or delamination of the outer glass ply; per the Accomplishment Instructions of Airbus Service Bulletin A320-56-1009, Revision 01, including Appendix 01, dated July 4, 2002.

**Note 2:** For the purposes of this AD, a detailed 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 urethane degradation or delamination is found: Accomplish the actions specified in paragraph (a)(1)(i) or (a)(1)(ii) of this AD.

(i) Repeat the inspection required by paragraph (a) of this AD thereafter at intervals not to exceed 500 flight hours, until the replacement specified in paragraph (a)(1)(ii) of this AD has been accomplished; or

(ii) Within 500 flight hours after the inspection required by paragraph (a) of this AD: Replace the cockpit lateral fixed windows with new windows having P/N NP-165313-1 or NP-165313-2, and S/N 95001H0001 or above (PPG Aerospace manufacturing date January 1, 1995, or after); or with new windows having P/N NP-165313-3 or NP-165313-4; per the Accomplishment Instructions of the service bulletin. Accomplishment of the replacement terminates the requirements of this AD.

(2) If any urethane degradation is found: Within 50 flight hours after the inspection required by paragraph (a) of this AD, accomplish the replacement specified in paragraph (a)(1)(ii) of this AD.

(3) If any delamination is found: Before further flight, measure the length of the delamination per the Accomplishment Instructions of the service bulletin.

(i) If the length of the delamination is less than or equal to 1.0 inch (25.4 millimeters (mm)): Accomplish the actions specified in paragraph (a)(1)(i) or (a)(1)(ii) of this AD.

(ii) If the length of the delamination is greater than 1.0 inch (25.4 mm): Within 50 flight hours after the inspection required by paragraph (a) of this AD, accomplish the actions specified in paragraph (a)(1)(ii) of this AD.

**Note 3:** The Airbus service bulletin references PPG Aerospace Service Bulletin NP-165313-56-001, dated May 15, 2001, as an additional source of service information for accomplishing the applicable actions required by this AD.

#### Actions Accomplished per Previous Issue of Service Bulletin

(b) Actions accomplished before the effective date of this AD, per Airbus Service Bulletin A320-56-1009, dated August 30, 2001, are considered acceptable for compliance with the actions required by this AD.

#### Information Collection

(c) Although the service bulletin referenced in this AD specifies to submit information to the manufacturer, this AD does not include such a requirement.

#### Alternative Methods of Compliance

(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, 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 4:** 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

(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.

#### **Incorporation by Reference**

(f) Unless otherwise specified, the actions shall be done in accordance with Airbus Service Bulletin A320-56-1009, Revision 01, including Appendix 01, dated July 4, 2002. 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 5:** The subject of this AD is addressed in French airworthiness directive 2001-632(B), dated December 26, 2001.

#### **Effective Date**

(g) This amendment becomes effective on September 12, 2003.

Issued in Renton, Washington, on July 31, 2003.

**Ali Bahrami,**

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

[FR Doc. 03-19982 Filed 8-7-03; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 2001-NM-117-AD; Amendment 39-13261; AD 2003-16-08]

**RIN 2120-AA64**

**Airworthiness Directives; Boeing Model 747-100, -100B, -100B SUD, -200B, -200C, -200F, -300, -400, -400D, and -400F Series Airplanes; and Model 747SR Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747-100, -100B, -100B SUD, -200B, -200C, -200F, -300, -400, -400D, and -400F series airplanes; and Model 747SR series airplanes. For certain airplanes, this AD requires repetitive inspections of the clevis bushings on the inboard and outboard sequence carriages of the wing foreflap for bushing migration, and corrective action if necessary; replacement of existing bushings with

new bushings, which terminates the repetitive inspections; and replacement of the bushing markers with new markers, if necessary, to indicate the correct bushing orientation. For certain other airplanes, this AD requires a one-time inspection to determine whether the bushings are in the correct orientation, and follow-on actions. The actions specified by this AD are intended to prevent the loss of an inboard trailing edge foreflap during flight, and subsequent damage to the airplane in flight. This action is intended to address the identified unsafe condition.

**DATES:** Effective September 12, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 12, 2003.

**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:** Gary Oltman, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6443; fax (425) 917-6590.

**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 Boeing Model 747-100, -100B, -100B SUD, -200B, -200C, -200F, -300, -400, -400D, and -400F series airplanes; and Model 747SR series airplanes; was published in the **Federal Register** on January 4, 2002 (67 FR 544). For certain airplanes, that action proposed to require repetitive inspections of the clevis bushings on the inboard and outboard sequence carriages of the wing foreflap for bushing migration, and corrective action if necessary; replacement of existing bushings with new bushings, which would terminate the repetitive inspections; and replacement of the bushing markers with new markers, if necessary, to indicate the correct bushing orientation. For certain other airplanes, that action proposed to require a one-time inspection to determine whether the

bushings are in the correct orientation, and follow-on actions.

#### **Explanation of Relevant Service Information**

The proposed AD cited Boeing Service Bulletin 747-57-2166, Revision 5, dated May 13, 1993, as the appropriate source of service information for accomplishment of the proposed requirements. Since the proposed AD was issued, Boeing has further revised the service bulletin; however, Revision 6, dated January 16, 2003, adds no new requirements.

#### **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.

#### **Request To Withdraw Proposed AD**

One operator disagrees that the proposed AD is necessary or justified. The operator questions the need for additional rulemaking in light of existing regulatory actions that address a similar incident and unsafe condition. The operator notes that inspection of the bushings that are the subject of the proposed AD is also required by AD 92-27-04, amendment 39-8437 (57 FR 59801, December 16, 1992), as corrected (58 FR 8693, February 17, 1993). In addition, the operator considers the incident described in the proposed AD (involving a foreflap separating from and colliding with an airplane in flight) to be the same situation addressed by AD 99-05-02, amendment 39-11051 (64 FR 9906, March 1, 1999). The operator further suggests that the proposed requirement to permanently install markers would subject the markers to considerable wear and, in combination with other related ADs, could have long-term and costly effects on operations and maintenance. Moreover, the operator doubts that incorrect markers would still be installed on airplanes after 8 years in service, asserting that the manufacturer has purged all stocks of incorrect markers.

The FAA does not concur with the request to withdraw the proposed AD. In the incident that led to this rulemaking, the foreflap departed the airplane during flight and collided with the fuselage, resulting in a 5½-foot by 3-foot hole in the fuselage—despite the prior accomplishment of the requirements of AD 92-27-04 on that airplane. This incident illustrates the danger of large pieces of airplane structure departing the airplane. AD 99-05-02 was issued to correct certain conditions with certain shims and