

There are approximately 1,119 Model DC-9-80 series airplanes and Model MD-88 airplanes of the affected design in the worldwide fleet. The FAA estimates that 609 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$73,080, or \$120 per airplane.

The cost impact figure discussed above is 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 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

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

McDonnell Douglas: Docket 95-NM-221-AD.

*Applicability:* Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) series airplanes, and Model MD-88 airplanes; as listed in McDonnell Douglas Service Bulletin MD80-32-277, Revision 01, dated February 23, 1996; 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 (f) 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 of the main landing gear (MLG) pistons, which could result in failure of the pistons and subsequent damage to the airplane structure or injury to airplane occupants, accomplish the following:

(a) Perform a one-time dye penetrant and magnetic particle inspection to detect cracking of the MLG pistons, in accordance with McDonnell Douglas Service Bulletin MD80-32-277, Revision 01, dated February 23, 1996, at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Prior to the accumulation of 4,000 total landings on the MLG piston.

(2) Within 1,500 landings or 12 months after the effective date of this AD, whichever occurs first.

(b) If no cracking is found, no further action is required by this AD.

(c) If any cracking is found that is within the limits specified in McDonnell Douglas Service Bulletin MD80-32-277, Revision 01, dated February 23, 1996, prior to further flight, repair in accordance with the service bulletin.

(d) If any cracking is found that is outside the limits specified in McDonnell Douglas Service Bulletin MD80-32-277, Revision 01, dated February 23, 1996, prior to further flight, replace the MLG piston with a new or serviceable part in accordance with the service bulletin.

(e) As of the effective date of this AD, no person shall install an MLG piston having part number 5935347-1 through 5935347-509 inclusive on any airplane unless that piston has been inspected in accordance with McDonnell Douglas Service Bulletin MD80-32-277, Revision 01, dated February 23, 1996, and found to be crack-free; or unless

it is repaired or modified in accordance with the service bulletin.

(f) 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, Los Angeles Aircraft Certification Office (ACO), 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, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(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 April 9, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-9236 Filed 4-12-96; 8:45 am]

**BILLING CODE 4910-13-U**

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

[Docket No. 95-NM-216-AD]

#### **Airworthiness Directives; Airbus Model A320 Series Airplanes**

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

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

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to certain Airbus Model A320 series airplanes, that currently requires a one-time inspection to detect cracking of the floor beams and the side box-beams between frames 42 and 43, and repair of cracks. It also requires modification of the pressure floor. That AD was prompted by the results of a full-scale fatigue test. This action would add a new improved modification requirement for the pressure floor at section 15 of the fuselage. The actions specified by the proposed AD are intended to prevent reduced structural integrity of the fuselage.

**DATES:** Comments must be received by May 28, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-216-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:** Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; 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 95-NM-216-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. 95-NM-216-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

On July 9, 1993, the FAA issued AD 93-14-04, amendment 39-8628 (58 FR

39440, July 23, 1993), applicable to certain Airbus Model A320 series airplanes, to require a one-time inspection to detect cracking of the floor beams and the side box-beams between frames 42 and 43, and repair of cracks. It also requires modification of the pressure floor. That action was prompted by the results of a full-scale fatigue test, which indicated that fatigue cracking can occur in those areas. The requirements of that AD are intended to prevent reduced structural integrity of the fuselage due to problems associated with fatigue cracking.

Since the issuance of that AD, Airbus has issued Revision 1 of Service Bulletin A320-53-1024, dated March 31, 1994. This service bulletin is essentially identical to the original version of the service bulletin (which was referenced in AD 93-14-04), but contains certain editorial changes. This service bulletin permits further flight with cracks in various areas around the fastener/bolt holes, provided that those cracks do not exceed certain limits. The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified this service bulletin as mandatory and issued French airworthiness directive 92-205-033(B)R1, dated June 22, 1994, in order to assure the continued airworthiness of these airplanes in France.

In addition, Airbus has issued Revision 3 of Service Bulletin A320-53-1023, dated March 18, 1994. This service bulletin describes new improved procedures for modification of the pressure floor at section 15 of the fuselage. The modification involves the following actions:

1. Removing components of the free-fall extension system of the main landing gear and removing specified fasteners from various areas;
2. Cleaning the fastener holes;
3. Performing an eddy current (rotary probe) non-destructive test inspection of the fastener holes;
4. Drilling/Reaming the fasteners holes;
5. Cold expanding the crack-free fastener holes;
6. Installing new fittings with the oversize fasteners; and
7. Installing the bell crank assembly and the pulley of the free-fall extension system of the main landing gear.

Implementation of the new improved modification will positively address the unsafe condition identified as reduced structural integrity of the fuselage.

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.

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 AD 93-14-04 to continue to require a one-time eddy current and detailed visual inspection to detect cracks of various areas around the fastener/bolt holes of the pressure floor. However, this proposal would add a new improved modification of the pressure floor at section 15 of the fuselage. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Operators should note that, unlike the procedures described in Airbus Service Bulletin A320-53-1024, Revision 1, dated March 31, 1994, this proposed AD would not permit further flight with cracking detected in various areas around the fastener/bolt holes. The FAA has determined that, due to the safety implications and consequences associated with such cracking, all areas around the fastener/bolt holes that are found to be cracked must be repaired prior to further flight. The repair would be required to be accomplished in accordance with a method approved by the FAA.

Furthermore, the FAA has determined that long term continued operational safety will be better assured by design changes to remove the source of the problem, rather than by repetitive inspections. Long term inspections may not be providing the degree of safety assurance necessary for the transport airplane fleet. This, coupled with a better understanding of the human factors associated with numerous continual inspections, has led the FAA to consider placing less emphasis on inspections and more emphasis on design improvements. The proposed modification requirement is in consonance with these considerations.

There are approximately 24 Airbus Model A320 series airplanes of U.S. registry would be affected by this proposed 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 on U.S. operators of the inspections currently required is estimated to be \$53,280, or \$2,220 per airplane.

The new modification that is proposed in this AD action would take approximately 241 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$5,603 per airplane. Based on these figures, the cost impact on U.S. operators of the proposed modification requirements of this AD is estimated to be \$481,512, or \$20,063 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or 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 39-8628 (58 FR 39440, July 23, 1993), and by adding a new airworthiness directive (AD), to read as follows:

Airbus Industrie: Docket 95-NM-216-AD. Supersedes AD 93-14-04, Amendment 39-8628.

*Applicability:* Model A320 series airplanes, manufacturer's serial numbers 002 through 008 inclusive, 010 through 078 inclusive, and 080 through 107 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 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 prevent reduced structural integrity of the fuselage, accomplish the following:

(a) Prior to the accumulation of 12,000 total landings, or 6 months after August 23, 1993 (the effective date of AD 93-14-04, amendment 39-8628), whichever occurs later, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD, in accordance with Airbus Industrie Service Bulletin A320-53-1024, dated September 23, 1992, or Revision 1, dated March 31, 1994. As of the effective date of this new AD, only Revision 1 of this service bulletin shall be used.

(1) Conduct an eddy current inspection to detect cracking around the fastener/bolt holes at the top horizontal flange of the floor beams and side box-beams, at the two sides of the pressure floor, and at the vertical integral stiffener of the side box-beams; and

(2) Conduct a detailed visual inspection to detect cracking around the fastener/bolt holes at the fillet radius and riveted area of the top outboard flange of the side box-beams, and at the flange-corner radius of the slanted inboard flange of the side box-beam and fittings.

(b) If any crack is detected during the inspections required by paragraph (a) of this AD, prior to further flight, repair the crack in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(c) Modify the pressure floor at section 15 of the fuselage in accordance with Airbus

Service Bulletin A320-53-1023, Revision 3, dated March 18, 1994, at the time specified in either paragraph (c)(1) or (c)(2) of this AD, as applicable. Accomplishment of the modification terminates the requirements of this AD.

(1) For airplanes on which the modification specified in Airbus Service Bulletin A320-53-1023, dated September 23, 1992, as amended by Service Bulletin Change Notice 0A, dated January 20, 1993; Revision 1, dated March 23, 1993; or Revision 2, dated October 22, 1993; has been accomplished: Modify prior to the accumulation of 24,000 total landings, or 6 months after the effective date of this AD, whichever occurs later.

(2) For all other airplanes not subject to paragraph (c)(1) of this AD: Modify prior to the accumulation of 18,000 total landings, or 6 months after the effective date of this AD, whichever occurs later.

(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, 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.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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.

Issued in Renton, Washington, on April 9, 1996.

Darrell M. Pederson,

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

[FR Doc. 96-9235 Filed 4-12-96; 8:45 am]

BILLING CODE 4910-13-U

### 14 CFR Part 39

[Docket No. 95-NM-255-AD]

#### Airworthiness Directives; Beech Model 400, 400A, MU-300-10, and 2000 Airplanes, and Model 200, B200, 300, and B300 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 Beech Model 400, 400A, MU-300-10, and 2000 airplanes, and Model 200, B200, 300, and B300 series airplanes. This proposal would require replacement of outflow/safety valves