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1-4, 6-16	2	Mar. 22, 1995.
5	Original ..	Sept. 14, 1994.

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.

(f) This amendment becomes effective on March 25, 1996.

Issued in Renton, Washington, on February 12, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-3613 Filed 2-22-96; 8:45 am]

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14 CFR Part 39

[Docket No. 95-NM-89-AD; Amendment 39-9522; AD 96-04-10]

Airworthiness Directives; Airbus Model A320-231 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A320-231 series airplanes, that requires modification of the fire wall of each engine. This amendment is prompted by a report of a fire in the engine of an in-service airplane due to the fire wall being improperly sealed during production. The actions specified by this AD are intended to prevent propagation of a fire through a gap (opening) in the fire wall in the event of an engine fire, as a result of improperly sealed fire wall.

DATES: Effective March 25, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 25, 1996.

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: Charles Huber, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2589, fax (206) 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 A320-231 series airplanes was published in the Federal Register on November 8, 1995 (60 FR 56270). That action proposed to require modification of the fire wall of each engine on these airplanes.

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

Two commenters support the proposal.

One commenter requests that the proposal be withdrawn. This commenter, International Aero Engines, states that its records indicate that all engines installed on affected airplanes worldwide have been modified already in accordance with the procedures that were proposed in the notice. In light of this, the commenter considers that an AD to require modification of the engines is unnecessary.

The FAA does not concur. This commenter did not provide specific data to the FAA to verify that all affected airplanes have been modified. Without that data, this AD is necessary to ensure that all airplanes currently on the U.S. Register, as well as any airplane later imported and placed on the U.S. Register, are modified in accordance with the AD. Further, it is the responsibility of the FAA to ensure that the configuration that resulted in the addressed unsafe condition is corrected and is not reintroduced into the U.S. fleet either through production, repair, or overhaul; this AD is the appropriate vehicle for doing that.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 108 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour.

Required parts will be supplied by the manufacturer at no cost to operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$12,960, or \$120 per airplane.

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 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:

96-04-10 Airbus Industrie: Amendment 39-9522. Docket 95-NM-89-AD.

Applicability: Model A320–231 series airplanes on which Airbus Modification 23929 (reference Airbus Service Bulletin A320–78–1009) 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 (b) 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 propagation of a fire through a gap (opening) in the fire wall as a result of an improperly sealed fire wall in the event of an engine fire, accomplish the following:

(a) Within 9 months after the effective date of this AD, modify the fire wall of each engine in accordance with Airbus Service Bulletin A320–78–1009, dated October 14, 1993.

(b) 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.

(c) 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.

(d) The modification shall be done in accordance with Airbus Service Bulletin A320–78–1009, dated October 14, 1993. 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.

(e) This amendment becomes effective on March 25, 1996.

Issued in Renton, Washington, on February 14, 1996.

Darrell M. Pederson,
*Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.*
[FR Doc. 96–3836 Filed 2–22–96; 8:45 am]
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14 CFR Part 39

[Docket No. 94–NM–215–AD; Amendment 39–9521; AD 96–04–09]

Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Fokker Model F28 Mark 0100 series airplanes, that requires an inspection to detect the presence of a drain hole in certain mounting frames of the auxiliary power unit (APU). If a drain hole is present, the AD requires an inspection to detect corrosion of the mounting frame, and eventual replacement of the mounting frame. This amendment is prompted by a report indicating that corrosion was found on a number of mounting frames of the APU. The actions specified by this AD are intended to prevent such corrosion, which could lead to failure of the frame and consequently render the APU inoperative and/or create a potential fire hazard.

DATES: Effective March 25, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 25, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. 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: Tim Dulin, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2141; fax (206) 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 all Fokker Model F28 Mark 0100 series airplanes was published in the Federal Register on December 20, 1994 (59 FR 65514). That action proposed to require an inspection to detect the presence of a drain hole in certain mounting frames of the auxiliary power unit (APU). If a drain hole is present, the action proposed to require an inspection to detect corrosion of the mounting frame, and eventual replacement of the mounting frame.

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

One commenter supports the proposal.

Another commenter requests that the FAA withdraw the proposal for what this commenter perceives as lack of justification. This commenter purports that corrosion of the APU frame will not result in a critical safety of flight condition. The commenter contends that, even if the subject frame were to fail completely, the APU cannot fall or lean enough to sever any fuel or electrical lines; therefore, the possibility that the failure of the mounting frame could become a potential fire hazard is simply conjecture. Based on these assertions, the commenter considers that no unsafe condition exists, and requests that the FAA review its justification for the proposed rule to ensure that it is sufficient to satisfy the requirements of part 39 of the Federal Aviation Regulations (FAR).

The FAA does not concur with either the commenter's request or assertions.

First, the FAA points out that the existing design of the drain hole on certain APU mounting frames allows the accumulation of moisture on the frame. These frames have been found to be particularly sensitive to corrosion caused by such moisture accumulation. Corrosion of these frames could cause them to fail, especially when exposed to higher loads during airplane touchdown.

Second, the Rijksluchtvaartdienst (RLD) (which is the airworthiness authority for the Netherlands) and the FAA, have determined that, if a mounting frame were to fail due to associated corrosion, the APU could be displaced and consequently sever APU fuel lines located in the adjacent area. The leaking fuel could then pose a fire hazard. This is the unsafe condition that this AD intends to prevent. In addition, the APU could be rendered inoperative because of the failure of its support assembly. If it were inoperative, electrical power may not be available