

does not meet the requirements of this subpart must be promptly safeguarded or removed from the United States. If the article is not promptly safeguarded or removed from the United States, it may be seized, destroyed, or otherwise disposed of in accordance with section 10 of the Plant Quarantine Act (7 U.S.C. 164a) and sections 105 and 107 of the Federal Plant Pest Act (7 U.S.C. 150dd and 150ff).

Done in Washington, DC, this 16th day of August 1999.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99-21754 Filed 8-20-99; 8:45 am]

BILLING CODE 3410-34-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-29-AD; Amendment 39-11259; AD 99-17-11]

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, that requires repetitive inspections to detect wear of the inboard flap trunnions, and to detect wear or debonding of the protective half-shells; and corrective actions, if necessary. 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 chafing and resultant wear damage on the inboard flap drive trunnions or on the protective half-shells, which could result in failure of the trunnion primary load path; this would adversely affect the fatigue life of the secondary load path and could lead to loss of the flap.

DATES: Effective September 27, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of September 27, 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 A319, A320, and A321 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on September 15, 1998 (63 FR 49309). That action proposed to require repetitive inspections to detect wear of the inboard flap trunnions; and replacement, if necessary. That action also proposed to require repetitive inspections to detect wear or debonding of the protective half-shells, and corrective actions, if necessary.

Comments Received

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 Approve Terminating Modification

Two commenters request that the modification described in Airbus Service Bulletin A320-27-1117, dated July 31, 1997, be considered as terminating action for the repetitive inspections required by the proposed AD. One commenter states that the manufacturer has completed its in-service evaluation of this service bulletin and has determined that the modification is an appropriate terminating action. Another commenter, the manufacturer, notes that this modification solution, Airbus Modification 26495, has been installed on airplanes in production beginning with manufacturer's serial number (MSN) 789.

The FAA concurs with the commenter's request. Since issuance of the supplemental NPRM, the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has advised the FAA that accomplishment of the modification

described in A320-27-1117 would effectively eliminate the need to perform the repetitive inspections, and has issued French airworthiness directive 1996-271-092(B) R2, dated February 24, 1999, to reflect this finding. The FAA has determined that such a modification constitutes appropriate terminating action for the repetitive inspections required by this AD, and has revised the applicability of the final rule and added a new paragraph (e) to the final rule to provide for accomplishment of Airbus Modification 26495 in production, or Airbus Service Bulletin A320-27-1117, dated July 31, 1997, or Revision 01, dated June 25, 1999, as an optional terminating action for the requirements of this AD.

Service Bulletin Revisions

Airbus has issued the following Service Bulletin revisions: A320-27-1108, Revision 02, dated April 17, 1998, and Revision 03, dated June 25, 1999; and A320-27-1097, Revision 02, dated June 25, 1999. These later revisions of the service bulletins describe certain administrative changes, and delete the repair previously recommended if wear marks are found on the flap trunnions. In lieu of the repair, the service bulletin revisions specify accomplishment of the modification described in A320-27-1117. The FAA has determined that the actions required by this AD may be accomplished in accordance with these later revisions of the service bulletins, and has revised the final rule to include them as appropriate sources of service information.

Conclusion

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 with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

The FAA estimates that 132 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$7,920, or \$60 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.

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:

99-17-11 Airbus Industrie: Amendment 39-11259. Docket 96-NM-29-AD.

Applicability: Model A319, A320, and A321 series airplanes; except airplanes on which Airbus Modification 26495 has been installed in production, or on which Airbus Service Bulletin A320-27-1117, dated July 31, 1997, or Revision 01, dated June 25, 1999, 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 (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 detect and correct chafing and resultant wear damage on the inboard flap drive trunnions or on the protective half-shells, which could result in failure of the trunnion primary load path, adversely affect the fatigue life of the secondary load path, and lead to loss of the flap; accomplish the following:

Inspections/Corrective Actions

(a) For airplanes on which a protective half-shell has been installed over area 1 of the left or right inboard flap trunnion: Perform a detailed visual inspection of the protective half-shell (area 1) to detect wear or debonding, and perform a detailed visual inspection of the trunnion (area 2) to detect wear at the time specified in paragraph (a)(1), (a)(2), or (a)(3) of this AD, as applicable; in accordance with Airbus Service Bulletin A320-27-1108, Revision 01, dated July 15, 1997, Revision 02, April 17, 1998, or Revision 03, June 25, 1999.

(1) For Model A319 and Model A320 series airplanes on which Airbus Modification 22841 has been installed: Inspect prior to the accumulation of 2,500 flight hours after the incorporation of the modification, or within 500 flight hours after the effective date of this AD, whichever occurs later.

(2) For Model A321 series airplanes on which Airbus Modification 23926 has been installed, or on which the repair specified in Airbus Service Bulletin A320-27-1097, dated October 5, 1996, or Revision 01, dated July 15, 1997, has been accomplished; and for Model A320 series airplanes on which the repair specified in Airbus Service Bulletin A320-27-1066, Revision 3, dated October 30, 1996, or Revision 4, dated July 15, 1997, has been accomplished: Inspect prior to the accumulation of 5,000 flight hours after incorporation of the repair or modification, or within 500 flight hours after the effective date of this AD, whichever occurs later.

(3) For Airbus Model A320 series airplanes on which Airbus Modification 22881 has been accomplished, and on which Airbus Modification 22841 or the modification specified in Airbus Service Bulletin A320-27-1050 has not been accomplished: Inspect within 500 flight hours after the effective date of this AD.

(b) For airplanes on which no protective half-shell is installed over area 1 of the left or right inboard flap trunnion: Within 500 flight hours after the effective date of this AD,

perform a detailed visual inspection of areas 1 and 2 of the inboard flap trunnion to detect wear on the trunnion, in accordance with Airbus Service Bulletin A320-27-1066, Revision 4, dated July 15, 1997 (for Model A320 series airplanes); or A320-27-1097, Revision 01, dated July 15, 1997, or Revision 02, dated June 25, 1999 (for Model A321 series airplanes).

(c) Except as provided by paragraph (d) of this AD: Following the accomplishment of any inspection required by either paragraph (a) or (b) of this AD, perform the follow-on repetitive inspections and/or corrective actions, as applicable, in accordance with Airbus Service Bulletin A320-27-1066, Revision 4, dated July 15, 1997 (for Model A320 series airplanes); A320-27-1097, Revision 01, dated July 15, 1997, or Revision 02, dated June 25, 1999 (for Model A321 series airplanes); or A320-27-1108, Revision 01, dated July 15, 1997, Revision 02, dated April 17, 1998, or Revision 03, dated June 25, 1999 (for Model A319, A320, and A321 series airplanes); as applicable; at the compliance times specified in the applicable service bulletin.

(d) If the applicable service bulletin specifies to contact Airbus for an appropriate action, 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 (or its delegated agent).

Optional Terminating Action

(e) Accomplishment of the modification described in Airbus Service Bulletin A320-27-1117, dated July 31, 1997, or Revision 01, dated June 25, 1999, constitutes terminating actions for the requirements of this AD. Following accomplishment of the modification, no further action is required by this AD.

Alternative Methods of Compliance

(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, International Branch, ANM-116. Operators shall submit 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

(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.

Incorporation by Reference

(h) Except as provided by paragraph (d) of this AD, the actions shall be done in accordance with Airbus Service Bulletin A320-27-1108, Revision 01, dated July 15,

1997; Airbus Service Bulletin A320-27-1108, Revision 02, dated April 17, 1998; Airbus Service Bulletin A320-27-1108, Revision 0303, dated June 25, 1999; Airbus Service Bulletin A320-27-1066, Revision 4, dated July 15, 1997; Airbus Service Bulletin A320-27-1097, Revision 01, dated July 15, 1997; and/or Airbus Service Bulletin A320-27-1097, Revision 0202, dated June 25, 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 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 3: The subject of this AD is addressed in French airworthiness directives 96-271-092(B) R1, dated October 8, 1997, and 1996-271-092(B) R2, dated February 24, 1999.

(i) This amendment becomes effective on September 27, 1999.

Issued in Renton, Washington, on August 10, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-21365 Filed 8-20-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-129-AD; Amendment 39-11260; AD 99-17-12]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Model BAe 146 and Model Avro 146-RJ Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain British Aerospace Model BAe 146 and Model Avro 146-RJ series airplanes, that requires a one-time measurement to determine the thickness of the outer links of the side stays of the main landing gear (MLG), and corrective actions, if necessary. This amendment also provides for replacement of a thin outer link with a new or serviceable part in lieu of certain follow-on 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 prevent cracking of the

outer links of the side stays of the MLG, which could result in failure of a side stay, and consequent collapse of the landing gear.

DATES: Effective September 27, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 27, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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 British Aerospace Model BAe 146 and Model Avro 146-RG series airplanes was published in the **Federal Register** on September 8, 1998 (63 FR 47445). That action proposed to require a one-time measurement to determine the thickness of the outer links of the side stays of the main landing gear (MLG), and corrective actions, if necessary. That action also proposed to provide for replacement of a thin outer link with a new or serviceable part in lieu of certain follow-on inspections.

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 Allow Flight With Cracks

One commenter, the manufacturer, requests that the proposal be revised to allow flight with certain specified cracking limits. The commenter points out that, although the inspection for cracking is easily accomplished, the replacement of a cracked part is difficult (necessitates acquisition of the replacement part and takes about 12 hours of elapsed time for the installation). The commenter states that a side stay with a 1 millimeter (mm) crack in the outer links of the side stays of the MLG was returned to the

commenter, and was then subjected to fatigue testing by applying 20,000 cycles of the test spectra, where 1 cycle of test spectra was equivalent to 1 flight. The crack grew to 30 mm in length. The side stay was then tested to 130 percent and finally to 165 percent of limit load without failure (i.e., in excess of ultimate load). The commenter notes that, based on those fatigue testing results, the United Kingdom Civil Aviation Authority (CAA) granted approval for continued revenue service with cracking detected up to 19.05 mm, and required inspections to detect cracking at intervals of 70 landings, up to a maximum of 500 landings.

The FAA concurs with the commenter's request in this case. Since the outer link of the main landing gear side stay is readily inspectable for cracking during the normal operation of the airplane, the FAA has determined that cracking could be discovered at a remote site, but that acquiring parts and accomplishing the repair would be difficult. In addition, the FAA has determined that the commenter has provided a conservative demonstration that the airplane can retain FAA-certificated strength requirements for a limited period of time until the cracked part is replaced. Therefore, continued flight of the airplane may be permitted when cracking exists that is within the limits described in the service bulletin, provided that visual inspections for cracking and eventual replacement of the cracked part are performed at the times specified in the final rule. The FAA has revised paragraph (a)(2)(ii)(B) of the final rule and added a new paragraph (a)(2)(ii)(C) to the final rule that reflect these changes.

Request to Revise the Unsafe Condition

This same commenter notes that while the proposal states that cracking of the outer links of the side stays of the MLG could "result in increased braking distance during landing and consequent runway overrun," the actual unsafe condition is that the cracking could result in failure of the side stay, which would result in collapse of the main landing gear.

The FAA infers that the commenter is requesting that the unsafe condition be revised. The FAA acknowledges that, although the proposal describes one possible unsafe outcome of a main landing gear collapse, other unsafe outcomes are possible. The FAA concurs that, in this case, the commenter's suggested revision is preferable to the proposal's description in that it is a more precise statement of the actual consequence of cracking of the outer links of the side stays of the