

# Proposed Rules

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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. 96-NM-194-AD]

RIN 2120-AA64

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

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

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to certain Airbus Model A310 and A300-600 series airplanes, that would have required replacement of the rudder trim switch in the flight compartment with a new switch having a longer shaft; modification of wiring in panel 408VU; and replacement of the rudder trim control knob with a new knob, as necessary. This new action revises the proposed rule by requiring replacement of the control knob with an improved new knob. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this new proposed AD are intended to prevent inadvertent and uncommanded rudder trim activation, which could result in yaw and roll excursions and consequent reduced controllability of the airplane. **DATES:** Comments must be received by November 1, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 96-NM-194-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:

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:

##### 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 96-NM-194-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-114, Attention: Rules Docket No. 96-NM-194-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Airbus Model A310 and A300-600 series airplanes, was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on February 12, 1998 (63 FR 7076). That supplemental NPRM would have required replacement of the rudder trim switch in the flight compartment with a new switch having a longer shaft; modification of wiring in panel 408VU; and replacement of the control knob with a new knob, as necessary. That supplemental NPRM was prompted by reports of in-flight uncommanded rudder trim activation due to inadvertent activation of the rudder trim switch, failure of the switch, or incorrect installation of the switch. That condition, if not corrected, could result in uncommanded yaw/roll excursions and consequent reduced controllability of the airplane.

#### Comments

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

#### Request To Include Inspection Requirement

One commenter, the manufacturer, suggests that the proposed AD be revised to include an inspection to ensure appropriate clearance between the rudder trim knob and panel 408VU, following installation of a new rudder trim switch in accordance with Airbus Service Bulletins A310-27-2084 and A300-27-6037, both dated February 12, 1997 (Reference Airbus Modification 11662). The commenter states that in-service retrofits have shown that this modification may not be sufficient to provide the required clearance if all parts involved are at their tolerance limits. This condition may exist even following replacement of the rudder trim knob with a modified knob as described in Airbus Service Bulletins A310-27-2058 and A300-27-6022, and for this reason, an additional inspection for adequate clearance was included in those service bulletins.

The commenter notes that a decision has been made to replace the rudder

trim knob with an improved new knob as described in new Airbus Service Bulletins A310-27-2087 and A300-27-6042 (Reference Airbus Modification 11874) described below. Following accomplishment of this replacement, adequate clearance is expected to be provided for all parts tolerances. The knob replacement is anticipated to be mandated by issuance of a new French airworthiness directive following issuance of the service bulletins. The commenter suggests the supplemental NPRM be revised to include the additional inspection for adequate clearance until all airplanes have been retrofitted with this final solution, which is expected to require up to 15 months.

The FAA does not concur. In light of the information from the manufacturer regarding inadequate clearance in certain cases following installation of the rudder trim switch, the FAA has determined that replacement of the rudder trim control knob with a new knob, even with a subsequent inspection for clearance, would not fully correct the identified unsafe condition. However, as noted by the commenter, replacement of the rudder trim control knob with an improved new knob is expected to provide adequate clearance in all cases between panel 408VU and the rudder trim control knob. Therefore, the FAA considers that the appropriate course of action is to require such replacement in this AD. In order to allow sufficient time for operators to comply with the new requirement, the replacement of the knob with an improved new knob would be required within 10 months after the effective date of this AD.

#### Explanation of Relevant Service Information

Airbus has issued Service Bulletins A300-27-6037 (for Model A300-600 series airplanes) and A310-27-2084 (for Model A310 series airplanes), both Revision 01, both dated September 29, 1998. The original service bulletins, dated February 12, 1997, are cited in paragraph (a)(1) of the previous supplemental NPRM as the appropriate sources of service information for accomplishment of replacement of the rudder trim switch in the flight compartment with a new switch having a longer shaft and modification of wiring in panel 408VU. Revision 01 of these service bulletins is essentially identical to the original service bulletins, except that certain procedures are clarified and maintenance manual references are revised.

Airbus also has issued new Service Bulletins A310-27-2087, dated October

2, 1998, and Revision 01, dated February 17, 1999 (for Model A310 series airplanes); and A300-27-6042, dated October 2, 1998, and Revision 01, dated February 17, 1999 (for Model A300-600 series airplanes). These service bulletins describe procedures for replacement of the rudder trim control knob with an improved new knob.

Accomplishment of the actions specified in the service bulletins is intended to adequately address the identified unsafe condition. The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified these service bulletins as mandatory and issued French airworthiness directive 1999-012-275(B), dated January 13, 1999, in order to assure the continued airworthiness of these airplanes in France.

#### Conclusion

The FAA concludes that the previous supplemental NPRM must be revised to require replacement of the rudder trim knob with an improved new knob, in accordance with the new service bulletins described previously. Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment. The FAA also has revised the applicability of this supplemental NPRM to exclude airplanes on which Airbus Modification 11874 has been accomplished.

#### Cost Impact

The FAA estimates that 90 airplanes of U.S. registry would be affected by this proposed AD.

Replacement of the rudder trim switch and modification of the wiring would take approximately 7 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of this action on U.S. operators is estimated to be \$37,800, or \$420 per airplane.

Replacement of the rudder trim control knob would take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of this action on U.S. operators is estimated to be \$5,400, or \$60 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 96-NM-194-AD.

**Applicability:** Model A310 and A300-600 series airplanes, certificated in any category; except those on which Airbus Modification 11874 [reference Airbus Service Bulletin A310-27-2087 (for Model A300 series airplanes) or A300-27-6042 (for Model A300-600 series airplanes), both dated October 2, 1998] has been accomplished.

**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 inadvertent and uncommanded rudder trim activation, which could result in yaw and roll excursions and consequent reduced controllability of the airplane, accomplish the following:

#### Corrective Actions

(a) Within 90 days after the effective date of this AD, replace the rudder trim switch, part number (P/N) 097-023-00, in the flight compartment, with a new switch, P/N 097-023-01; and modify the wiring in panel 408VU; in accordance with Airbus Service Bulletin A310-27-2084, Revision 01 (for Model A310 series airplanes), or A300-27-6037, Revision 01 (for Model A300-600 series airplanes); both dated September 29, 1998; as applicable.

**Note 2:** Accomplishment of the actions required by paragraph (a) of this AD in accordance with Airbus Service Bulletin A310-27-2084 (for Model A310 series airplanes), or A300-27-6037 (for Model A300-600 series airplanes), both dated February 12, 1997; as applicable; is acceptable for compliance with that paragraph.

(b) Within 10 months after the effective date of this AD, replace the rudder trim control knob on the rudder trim switch with an improved new knob in accordance with Airbus Service Bulletin A310-27-2087, Revision 01 (for Model A310 series airplanes); or A300-27-6042, Revision 01 (for Model A300-600 series airplanes); both dated February 17, 1999; as applicable.

**Note 3:** Accomplishment of the actions required by paragraph (b) of this AD in accordance with Airbus Service Bulletin A310-27-2087 (for Model A310 series airplanes), or A300-27-6042 (for Model A300-600 series airplanes); both dated October 2, 1998; as applicable; is acceptable for compliance with that paragraph.

#### Spares

(c) As of the effective date of this AD, no person shall install in the flight compartment of any airplane a rudder trim switch having P/N 097-023-00.

#### 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.

(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 5:** The subject of this AD is addressed in French airworthiness directives 97-111-219(B), dated May 7, 1997, and 1999-012-275(B), dated January 13, 1999.

Issued in Renton, Washington, on September 28, 1999.

**D. L. Riggins,**

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

[FR Doc. 99-25770 Filed 10-4-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-303-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A300, A310, A300-600 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 A300, A310, and A300-600 series airplanes, that currently requires a one-time operational test and repetitive functional tests of the free fall control mechanism of the landing gear to ensure proper release of the main landing gear (MLG), and corrective action, if necessary. It also requires eventual modification of the free fall control mechanism of the landing gear, which constitutes terminating action for the repetitive functional tests. That amendment was prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. This proposed AD would require, for certain airplanes, that the modification of the free fall control mechanism of the landing gear be accomplished in accordance with a corrected version of the manufacturer's

service bulletin. The actions specified by this proposal are intended to prevent malfunction of the free fall control mechanism of the landing gear, which could result in the inability to extend the MLG in the event of failure of the hydraulic extension system.

**DATES:** Comments must be received by November 4, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-303-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.

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**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.

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