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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### 7 CFR Parts 210, 215, 220, 235 and 245

RIN 0584-AC01

#### School Nutrition Programs: Nondiscretionary Technical Amendments; Correction

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects the preamble and amendatory language of the final rule published in the **Federal Register** of September 20, 1999, regarding School Nutrition Programs: Nondiscretionary Technical Amendments. This correction revises an incorrect citation.

**DATES:** Effective on October 20, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mary Jane Whitney, 703-305-2620.

**SUPPLEMENTARY INFORMATION:** The Food and Nutrition Service published a document in the **Federal Register** (64 FR 50735) on September 20, 1999. This final regulation contains an incorrect citation. This correction revises an incorrect citation.

#### Correction

In final rule FR document 99-24297, beginning on page 50735, in the issue of Monday, September 20, 1999, make the following corrections:

On page 50738 in the first column, first paragraph, line 2, the reference reading "paragraph (k)" is corrected to read "paragraph (l)".

On page 50742, in the third column, under the section titled § 220.13, amendatory instruction 6., "paragraph (k)" is corrected to read "paragraph (l)".

Dated: October 5, 1999.

**Samuel Chambers, Jr.,**  
Administrator, Food and Nutrition Service.  
[FR Doc. 99-26682 Filed 10-12-99; 8:45 am]  
BILLING CODE 3410-30-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NM-193-AD; Amendment 39-11362; AD 99-21-17]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A321 Series Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A321 series airplanes. This action requires reinforcement of the fuselage structure between frames 62 and 64. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent the loss of structural integrity of the rear part of the fuselage structure in the event of an undetected tail scrape during landing or takeoff.

**DATES:** Effective October 28, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 28, 1999.

Comments for inclusion in the Rules Docket must be received on or before November 12, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-193-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

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:

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:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A321 series airplanes. The DGAC advises that fourteen cases of tail scrapes during take-off and landing have been reported. These cases were caused by mishandling or abnormal operation of the airplane. Nevertheless, tail scrapes of the rear part of the fuselage with the ground can affect the structural integrity of the airplane. This condition, if not corrected, could result in undetected loss of structural integrity of the airplane, which could precipitate a structural failure during subsequent operation.

#### Explanation of Relevant Service Information

Airbus has issued Service Bulletin A320-53-1130, Revision 01, dated July 8, 1998, which describes procedures for reinforcement of the fuselage structure between frames 62 and 64 to avoid structural damage in the event of a fuselage tail scrape with the ground. The reinforcement involves rotating probe inspections to detect cracking of existing fastener holes, and repairs, if necessary; replacement of lower frame sections between frame 62 and frame 64 with new reinforced lower frame sections; and installation of new supports for the hydraulic pipes between frame 62 and frame 64. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 1999-051-125(B), dated February 10, 1999, in order to assure the continued airworthiness of these airplanes in France.

**FAA's Conclusions**

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 21.19) 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.

**Explanation of Requirements of the Rule**

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, this AD is being issued to prevent the loss of structural integrity of the rear part of the fuselage structure in the event of an undetected tail scrape during landing or takeoff. This AD requires accomplishment of the actions specified in the service bulletin described previously.

**Differences Between Rule and Service Bulletin**

Operators should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this AD requires the repair of those conditions to be accomplished in accordance with a method approved by either the FAA, or the DGAC (or its delegated agent). In light of the type of repair that would be required to address the identified unsafe condition, and in consonance with existing bilateral airworthiness agreements, the FAA has determined that, for this AD, a repair approved by either the FAA or the DGAC would be acceptable for compliance.

**Cost Impact**

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S.

Register in the future, it would require up to approximately 350 work hours to accomplish the required reinforcement, at an average labor rate of \$60 per work hour. Required parts would be supplied free of charge by the airplane manufacturer. Based on these figures, the cost impact of this AD would be \$21,000 per airplane.

**Determination of Rule's Effective Date**

Since this AD action does not affect any airplane that is currently on the U.S. Register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

**Comments Invited**

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 99-NM-193-AD." The postcard will be date stamped and returned to the commenter.

**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:

**99-21-17 Airbus Industrie:** Amendment 39-11362. Docket 99-NM-193-AD.

*Applicability:* Model A321 series airplanes, certificated in any category; except those on which Airbus Modification 25791 has been incorporated in production, or on which Airbus Service Bulletin A320-53-1130, dated June 17, 1997, or Revision 01, dated July 8, 1998, has been accomplished in service.

**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 the loss of structural integrity of the rear part of the fuselage structure in the event of an undetected tail scrape during landing or takeoff, accomplish the following:

(a) Except as required by paragraph (b) of this AD: Within six years after the effective date of this AD, accomplish all specified actions, including the reinforcement of the fuselage structure between frames 62 and 64, rotating probe inspections, and repairs, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320-53-1130, Revision 01, dated July 8, 1998.

**Note 2:** Accomplishment of the reinforcement actions, in accordance with Airbus Service Bulletin A320-53-1130, dated June 17, 1997, is acceptable for compliance with the requirements of paragraph (a) of this AD.

(b) Where Airbus Service Bulletin A320-53-1130, dated June 17, 1997, and Revision 01, dated July 8, 1998, state that the manufacturer should be contacted for the repair of certain conditions detected during the reinforcement procedure, such repairs must be accomplished prior to further flight in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the DGAC (or its delegated agent).

#### Alternative Methods of Compliance

(c) 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 3:** 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

(d) 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

(e) Except as provided by paragraph (b) of this AD, the actions shall be done in accordance with Airbus Service Bulletin A320-53-1130, Revision 01, dated July 8,

1998. 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 4:** The subject of this AD is addressed in French airworthiness directive 1999-051-125(B), dated February 10, 1999.

(f) This amendment becomes effective on October 28, 1999.

Issued in Renton, Washington, on September 30, 1999.

**D.L. Riggins,**

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

[FR Doc. 99-26083 Filed 10-12-99; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-137-AD; Amendment 39-11367; AD 99-21-22]

RIN 2120-AA64

#### Airworthiness Directives; Short Brothers Model SD3-30, SD3-60, SD3 SHERPA, and SD3-60 SHERPA Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Short Brothers Model SD3-30, SD3-60, SD3 SHERPA, and SD3-60 SHERPA series airplanes, that requires a visual inspection to detect corrosion of the shear decks and ribs of the left and right stub wings; follow-on corrective actions, if necessary; and drilling of new drain holes in the lower shear decks. 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 corrosion of the stub wing shear decks and ribs, which could result in cracking or failure of the stub wing structure.

**DATES:** Effective November 17, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 17, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from Short Brothers, Airworthiness & Engineering Quality, P.O. Box 241, Airport Road, Belfast BT3 9DZ, Northern Ireland. 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 all Short Brothers Model SD3-30, SD3-60, SD3 SHERPA, and SD3-60 SHERPA series airplanes was published in the **Federal Register** on June 23, 1999 (64 FR 33439). That action proposed to require a one-time borescope inspection to detect corrosion of the shear decks and ribs of the left and right stub wings, follow-on corrective actions, if necessary; and drilling of new drain holes in the lower shear decks.

#### 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 Revise Inspection Method

One commenter suggests that the proposed AD be revised to include instructions to remove the main landing gear (MLG) forward pintle pin (which requires removal of the wheel lever assemblies) and to steam clean the areas identified by the referenced service bulletin. The commenter also suggests that all reference to use of a borescope be deleted to prevent misinterpretation. The commenter states that the proposed AD dictates a different inspection method than the referenced manufacturer's service bulletin, since it does not reference removing the MLG or steam cleaning the area, and requires a borescope inspection. Such a method may actually degrade safety, since without removal of the MLG forward pintle pins, thorough cleaning and subsequent inspection of the area cannot be accomplished. The commenter states that most technicians