

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:

98-20-26 Airbus Industrie: Amendment 39-10792. Docket 98-NM-20-AD.

Applicability: Model A320-111, -211, and -231 series airplanes; as listed in Airbus Service Bulletin A320-53-1083, Revision 2, dated August 28, 1997; 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 (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 detect and correct fatigue cracking in the bolts and fittings of the frame-to-pressure-floor connection, which could result in reduced structural integrity of the airplane, accomplish the following:

(a) Prior to the accumulation of 20,000 total flight cycles, or within 60 days after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracked or missing bolts and fittings of the frame-to-pressure-floor connection at frames 43 and 44, in accordance with Airbus Service Bulletin A320-53-1083, Revision 2, dated August 28, 1997. If no crack is detected, repeat the detailed visual

inspection thereafter at intervals not to exceed 5,100 flight cycles.

(1) If any bolt is found to be cracked or missing during any inspection required by paragraph (a) of this AD, prior to further flight, replace the bolt with a new bolt in accordance with the service bulletin. Repeat the detailed visual inspection thereafter at intervals not to exceed 5,100 flight cycles.

(2) If any fitting is found to be cracked during any inspection required by paragraph (a) of this AD, prior to further flight, accomplish the actions specified in paragraph (b) of this AD for the cracked fitting and its corresponding bolts and fuselage frame, in accordance with Airbus Service Bulletin A320-53-1015, Revision 02, dated July 17, 1997.

(b) Reinforcement of the fitting in accordance with Airbus Service Bulletin A320-53-1015, Revision 02, dated July 17, 1997, constitutes terminating action for the requirements of this AD for the affected fitting.

Note 2: Reinforcement of the fitting accomplished prior to the effective date of this AD in accordance with Airbus Service Bulletin A320-53-1015, dated December 12, 1995, or Revision 1, dated July 25, 1995, is considered acceptable for compliance with the reinforcement specified in paragraphs (a)(2) and (b) of this AD.

(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, 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.

(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.

(e) The inspections shall be done in accordance with Airbus Service Bulletin A320-53-1083, Revision 2, dated August 28, 1997. The reinforcement, if accomplished, shall be done in accordance with Airbus Service Bulletin A320-53-1015, Revision 02, dated July 17, 1997. 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 97-316-110(B), dated October 22, 1997.

(f) This amendment becomes effective on October 27, 1998.

Issued in Renton, Washington, on September 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-25149 Filed 9-21-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-256-AD; Amendment 39-10791; AD 98-20-25]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 747-100 series airplanes. This action requires repetitive inspections to detect cracking of the outer chord of the Body Station (BS) 1480 upper and lower bulkhead and longeron splice fitting, and repair, if necessary. Alternatively, this action requires other repetitive inspections to detect cracking of the BS 1480 upper and lower bulkhead, bulkhead outer chord, web, skin, splice components, and lower bulkhead/stringer interface; and modification of the skin splice plate, the outer chord splice fitting, and the stringer interface of the lower bulkhead, if necessary. This amendment is prompted by a report indicating that fatigue cracking was found in the outer chord of the BS 1480 bulkhead at the overwing longeron splice, and that the longeron splice fitting was completely severed. The actions specified in this AD are intended to detect and correct fatigue cracking of the BS 1480 bulkhead outer chord and longeron splice fitting, which could result in reduced structural integrity of the fuselage and the inability to carry limit load.

DATES: Effective October 7, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 7, 1998.

Comments for inclusion in the Rules Docket must be received on or before November 23, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-256-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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: Bob Breneman, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2776; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report indicating that a six-inch fatigue crack was found in the outer chord of the Body Station (BS) 1480 bulkhead at the overwing longeron splice on a Boeing Model 747-100 series airplane. The report also indicated that the longeron splice fitting was completely severed. The effects of such fatigue cracking could severely reduce the capability of the overwing longeron to carry lateral load. Such fatigue cracking, if not corrected, could result in reduced structural integrity of the fuselage and the inability to carry limit load.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 747-53A2390, dated July 31, 1997, which describes procedures for repetitive inspections to detect cracking of the BS 1480 upper and lower bulkhead, bulkhead outer chord, web, skin, splice components, and lower bulkhead/stringer interface; and repair, if necessary. The alert service bulletin also describes, as part of a certain inspection plan, procedures for modification of the skin splice plate, outer chord splice fitting, and the stringer interface of the lower bulkhead. Accomplishment of the actions specified in the alert service bulletin is intended to adequately address the identified unsafe condition.

Explanation of the 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, this AD is being issued to detect and correct fatigue cracking of the BS 1480 bulkhead outer chord and longeron splice fitting, which could result in reduced structural integrity of the fuselage and the inability to carry limit load. This AD requires either repetitive detailed visual inspections to detect cracking of the outer chord of the BS 1480 upper and lower bulkhead and longeron splice fitting, and repair, if necessary; or accomplishment of certain actions specified in the alert service bulletin described previously, except as discussed below.

Differences Between Proposed Rule and Alert Service Bulletin

Operators should note that the alert service bulletin applies to all Boeing Model 747-100, -200, and -300 series airplanes. This AD only applies to Model 747-100 series airplanes, line positions 1 through 87 inclusive, which have a different configuration of the longeron splice fitting than later Model 747 series airplanes. The severe fatigue damage that prompted the FAA to mandate the actions required by this AD has only been observed on the longeron splice fitting and outer chord of the BS 1480 bulkhead of Model 747-100 series airplanes having line positions 1 through 87 inclusive. As discussed below, the FAA is currently considering requiring repetitive inspections and modification of the upper and lower bulkhead and overwing longeron at BS 1480 for all Boeing Model 747-100, -200, and -300 series airplanes.

In addition, although the alert service bulletin recommends accomplishing the inspection prior to the accumulation of 10,000 total flight cycles or within 1,000 flight cycles after the release of the alert service bulletin, whichever occurs later, the FAA has determined that such a compliance time would not address the identified unsafe condition in a timely manner. In developing an appropriate compliance time for this AD, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the inspection. In light of all of these factors, the FAA finds a compliance time of 10,000 total flight cycles or 45 days after the effective date of this AD, whichever occurs later, for initiating the required actions to be warranted, in that

it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety.

Operators also should note that, although the alert 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 the FAA.

Interim Action

This is considered to be interim action. The FAA is currently considering further rulemaking action to supersede this AD to require inspections and modification of the upper and lower bulkhead and overwing longeron at BS 1480 for all Boeing Model 747-100, -200, and -300 series airplanes. However, the planned compliance time for the initial inspection and installation of the modification is sufficiently long so that notice and opportunity for prior public comment will be practicable.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an 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 98-NM-256-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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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:

98-20-25 Boeing: Amendment 39-10791. Docket 98-NM-256-AD.

Applicability: Model 747-100 series airplanes, line positions 1 through 87 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 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 detect and correct fatigue cracking of the Body Station (BS) 1480 bulkhead outer chord and longeron splice fitting, which could result in reduced structural integrity of the fuselage and the inability to carry limit load, accomplish the following:

(a) Prior to the accumulation of 10,000 total flight cycles, or within 45 days after the effective date of this AD, whichever occurs later, accomplish either paragraph (a)(1) or (a)(2) of this AD.

(1) Perform a detailed visual inspection to detect cracking of the longeron splice fitting at BS 1480, the forward side of the outer chord of the BS 1480 bulkhead at the longeron splice fitting attachment bolts, and the aft side of the outer chord of the BS 1480 bulkhead within two inches above the outer chord splice fitting, on both the left and right sides of the airplane.

Note 2: Figure 5 of Boeing Alert Service Bulletin 747-53A2390, dated July 31, 1997, provides an exploded view of the structural components of the splice area for the purpose of parts identification. [However, paragraph (a)(1) of this AD does not require the inspection described in Figure 5.]

(i) If any cracking is detected, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

(ii) Repeat the detailed visual inspection thereafter at intervals not to exceed 250 flight cycles, until the initial inspection required by paragraph (a)(2) of this AD is accomplished.

(2) Perform detailed visual and eddy current inspections to detect cracking of the upper and lower bulkhead, bulkhead outer

chord, web, skin, splice components, and lower bulkhead/stringer interface, in accordance with Figures 5 and 8 of Boeing Alert Service Bulletin 747-53A2390, dated July 31, 1997. Additionally, for airplanes on which the inspection in "Plan B" of the service bulletin is accomplished, modify the skin splice plate, the outer chord splice fitting, and the stringer interface of the lower bulkhead, in accordance with the Accomplishment Instructions of the alert service bulletin. Accomplishment of these actions constitutes terminating action for the repetitive inspection requirements of paragraph (a)(1) of this AD.

(i) If any cracking is detected, prior to further flight, repair in accordance with the alert service bulletin, except as provided by paragraph (b) of this AD.

(ii) Repeat the inspections thereafter in accordance with the flight safety inspection program specified in Figures 1 and 3 of the alert service bulletin.

(b) Where the alert service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, repair in accordance with a method approved by the Manager, Seattle ACO; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

(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, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(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.

(e) Except as provided by paragraphs (a)(1)(i) and (b) of this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 747-53A2390, dated July 31, 1997. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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 October 7, 1998.

Issued in Renton, Washington, on September 15, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-25148 Filed 9-21-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-307-AD; Amendment 39-10788; AD 98-20-22]

RIN 2120-AA64

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

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A300, A310, and A300-600 series airplanes, that requires repetitive visual inspections to detect cracked or broken door stop fittings on the fuselage frame of the forward passenger doors, and replacement of any cracked or broken fitting with a new fitting. 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 cracked or broken door stop fittings of the forward passenger doors, which could result in failure of the door stop fittings, consequent reduced structural integrity of the door support structure, and sudden loss of cabin pressure in the passenger compartment.

DATES: Effective October 27, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 27, 1998.

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 all Airbus Model A300, A310, and A300-600 series airplanes was published in the **Federal Register** on July 7, 1998 (63 FR 36622). That action proposed to require repetitive visual inspections to detect cracked or broken door stop fittings on the fuselage frame of the forward passenger doors, and replacement of any cracked or broken fitting with a new fitting.

Comments Received

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

Request To Delete Proposed Immediate Replacement Requirement

One commenter requests that the FAA delete the requirement for immediate replacement of cracked or broken fittings [as required by paragraph (b) of the proposed AD]. The commenter states that the Master Minimum Equipment List (MMEL) compliance times referenced in Airbus Service Bulletin A300-53-6060 would be sufficient, since Airbus reports of single findings are rare. The commenter also states that it is not reasonable for the FAA to assume that a large number of fittings are on the verge of failure. The commenter states that allowing aircraft to operate under MMEL compliance times will enable it to schedule repairs in a manner which minimizes operational impact.

The FAA does not concur with the commenter's request to delete the requirement for immediate replacement of any cracked or broken door stop fittings. It is the FAA's policy to require repair of known cracks prior to further flight (except in certain cases of unusual need). This policy is based on the fact that such damaged airplanes do not conform to the FAA certificated type design, and therefore, are not airworthy until a properly approved repair is incorporated. Further, the FAA considers that deferral of the compliance time for accomplishment of repairs, as specified in the MMEL, is not appropriate in this case, since to accomplish the inspection the airplane would already be at a location where such repairs can be made. Therefore,

such repairs would be expected to have a minimal impact on operation of the airplane. No change to the final rule is necessary.

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 as proposed.

Cost Impact

The FAA estimates that 103 Model A300, A310, and A300-600 series 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 inspection, 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 \$12,360, or \$120 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.