

**Note 2:** Accomplishment of the initial inspection or initial replacement of the nosewheel steering control cables prior to the effective date of this AD in accordance with British Aerospace Alert Service Bulletin ATP-A32-90, dated March 21, 1998, is considered acceptable for compliance with the initial inspection or initial replacement required by this AD.

(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 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.

(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.

Issued in Renton, Washington, on October 5, 1998.

**Darrell M. Pederson,**

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

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BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-NM-215-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A320 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 A320 series airplanes, that currently requires modification of the trimmable horizontal stabilizer (THS). This action would add requirements for a one-time inspection of the flexible hoses of the elevator return lines on the THS to detect installation of incorrect clamps, or missing clamps or bonding leads; and for replacement of the clamps or bonding leads with new parts, if necessary. This proposal is prompted by

issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent leakage from hydraulic pipe fittings in the THS, which could result in failure of the THS and consequent reduced controllability of the airplane.

**DATES:** Comments must be received by November 16, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-215-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 98-NM-215-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. 98-NM-215-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

On August 11, 1995, the FAA issued AD 95-17-12, amendment 39-9342 (60 FR 43519, August 22, 1995), applicable to certain Airbus Model A320 series airplanes, to require modification of the trimmable horizontal stabilizer (THS). That action was prompted by a report of leakage from some of the hydraulic pipe fittings after a lightning strike. The requirements of that AD are intended to prevent such leakage from hydraulic pipe fittings, which could result in the loss of the pilot's ability to control the moveable surfaces of the THS.

#### Actions Related to Previous Rule

In relation to the actions required by AD 95-17-12, the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that incorrect clamps were installed on certain Airbus Model A320 series airplanes, in accordance with Airbus Service Bulletin A320-29-1058, dated July 16, 1993. (That service bulletin was referenced in AD 95-17-12 as the appropriate source of service information for modification of the trimmable horizontal stabilizer.) The clamps referenced in that service bulletin were made for rigid hoses and not for correction of leakage in the flexible hoses, as required by AD 95-17-12. As a result of these findings, Airbus issued All Operator Telex (AOT) 29-10, dated June 15, 1994, which identified the correct clamps to use with the flexible hoses. The AOT also excluded a number of airplanes from the affected list because the correct clamps had been incorporated during production. Upon further investigation, however, the manufacturer discovered that incorrect clamps were installed on some of the airplanes that had been excluded.

Consequently, Airbus issued AOT 29-10, Revision 01, dated September 23, 1994, to provide procedures for inspection for installation of incorrect clamps on those airplanes that were identified as having been modified

during production. Subsequent investigation revealed that some of the airplanes modified in accordance with Revision 01 of the AOT were missing the clamps or bonding leads required for proper electrical contact with the flexible hoses of the elevator return lines.

#### Explanation of Relevant Service Information

Airbus has issued AOT 29-10, Revision 02, dated February 13, 1995, which describes procedures for a one-time inspection of the flexible hoses of the elevator return lines on the THS to detect installation of incorrect clamps, and missing clamps or bonding leads. That AOT also describes procedures for replacement of the clamps or bonding leads with new parts, if necessary.

Airbus also has issued Service Bulletin A320-29-1058, Revision 1, dated November 28, 1994, which updates the original issue of the service bulletin by specifying new, correct clamps for accomplishment of Airbus Modification 23556.

Accomplishment of the actions specified in the service information is intended to adequately address the identified unsafe condition. The DGAC classified this service information as mandatory and issued French airworthiness directive 93-123-046(B)R1, dated May 10, 1995, 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 21.29) 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 Proposed 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, the proposed AD would supersede AD 95-17-12 to continue to require modification of the THS. In addition, this proposed AD would add requirements for a one-time inspection of the flexible hoses of the elevator

return lines on the THS to detect installation of incorrect clamps, and missing clamps or bonding leads; and for replacement of the clamps or bonding leads with new parts, if necessary. The actions would be required to be accomplished in accordance with the service information described previously.

#### Cost Impact

There are approximately 126 airplanes of U.S. registry that would be affected by this proposed AD.

The modification that is currently required by AD 95-17-12, takes approximately 13 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts are provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the currently required modification on U.S. operators is estimated to be \$98,280, or \$780 per airplane.

The inspection that is proposed in this AD action would take approximately 5 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed inspection of this AD on U.S. operators is estimated to be \$37,800, or \$300 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or 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 removing amendment 39-9342 (60 FR 43519, August 22, 1995), and by adding a new airworthiness directive (AD), to read as follows:

**Airbus Industrie:** Docket 98-NM-215-AD. Supersedes AD 95-17-12, Amendment 39-9342.

**Applicability:** Model A320 series airplanes; serial numbers 002 through 008 inclusive, 010 through 014 inclusive, 016 through 078 inclusive, 080 through 104 inclusive, 106 through 363 inclusive, 365 through 384 inclusive, 386 through 411 inclusive, 413 through 433 inclusive, 435 through 457 inclusive, 459 through 467 inclusive, and 469 through 472 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 (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 leakage from hydraulic pipe fittings in the trimmable horizontal stabilizer (THS), which could result in failure of the THS and consequent reduced controllability of the airplane, accomplish the following:

(a) For airplanes on which Airbus Modification 22621 and Airbus Modification 23556 have not been installed: Within 3,500 flight hours after September 21, 1995 (the effective date of AD 95-17-12), modify the THS in accordance with Airbus Service

Bulletin A320-29-1058, dated July 16, 1993, or Revision 1, dated November 28, 1994, and Airbus Service Bulletin A320-27-1041, Revision 2, dated April 20, 1994. After the effective date of this AD, only Revision 1 of Airbus Service Bulletin A320-29-1058 shall be used.

(b) For airplanes other than those identified in paragraph (a) of this AD: Within 3,500 flight hours after the effective date of this AD, modify the THS in accordance with Airbus Service Bulletin A320-29-1058, Revision 1, dated November 28, 1994, and Airbus Service Bulletin A320-27-1041, Revision 2, dated April 20, 1994.

(c) Within 500 flight hours after the effective date of this AD, perform a one-time inspection of the flexible hoses of the elevator return lines on the THS to detect installation of incorrect clamps, or missing clamps or bonding leads, in accordance with Airbus All Operator Telex (AOT) 29-10, Revision 02, dated February 13, 1995.

(1) If the correct clamps are installed, and there are no missing clamps or bonding leads, no further action is required by paragraph (b) of this AD.

(2) If any incorrect clamp is installed, prior to further flight, replace the incorrect clamp with the correct clamp; and, if any bonding lead is missing, prior to further flight, install a new bonding lead, in accordance with the AOT.

(3) If any clamp or bonding lead is missing, prior to further flight, install new parts in accordance with the AOT.

(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 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.

(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 3:** The subject of this AD is addressed in French airworthiness directive 93-123-046(B)R1, dated May 10, 1995.

Issued in Renton, Washington, on October 5, 1998.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 98-27596 Filed 10-14-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-ASO-17]

#### Proposed Establishment of Class E2 Airspace; Atlanta Dekalb-Peachtree Airport, GA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class E2 airspace at Atlanta, GA, for the Dekalb-Peachtree Airport. An automated weather observing system transmits the required weather observations continuously to The William B. Hartsfield, Atlanta International Airport Traffic Control Tower, the controlling facility for the airport, when the Dekalb-Peachtree Airport Traffic Control Tower is closed. Therefore, the airport now meets the criteria for Class E2 surface area airspace. The Class E2 airspace would consist of that airspace extending upward from the surface to but not including 700 feet within a 4-mile radius of Dekalb-Peachtree Airport.

**DATES:** Comments must be received on or before November 16, 1998.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 98-ASO-17, Manager, Airspace Branch, ASO-520, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Regional Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

**FOR FURTHER INFORMATION CONTACT:** Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 98-ASO-17." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination in the Office of the Regional Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Manager, Airspace Branch, ASO-520, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

##### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish Class E2 airspace at Atlanta Dekalb-Peachtree Airport, GA. An automated weather observing system transmits the required weather observations continuously to The William B. Hartsfield, Atlanta International Airport Traffic Control Tower, the controlling facility for the airport when the Dekalb-Peachtree Airport Traffic Control Tower is closed. Therefore, the airport now meets the criteria for Class E2 surface area airspace when the Dekalb-Peachtree Airport Traffic Control Tower is closed. Class E2 airspace designations for airspace surface areas are published in Paragraph 6002 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR