

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 98-NM-302-AD; Amendment 39-10944; AD 98-26-03]

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 modification and re-identification of the evacuation slide systems at left and right-hand emergency exits 2 and 3. 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 the evacuation slides during flight, which could result in damage to the empennage, or inability of airplane occupants to use certain exit doors during an emergency.

DATES: Effective December 31, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 31, 1998.

Comments for inclusion in the Rules Docket must be received on or before January 15, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-302-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 two operators of Model A321 series airplanes reported the loss of an evacuation slide during flight. The loss of the slide was attributed to a leak of pressurized cabin air into the inflation line of the evacuation slide, which resulted in detachment of the door to the container in which the slide was stored ("blow out door"). Deployment or separation from the airplane of an evacuation slide during flight could result in damage to the empennage, or inability of airplane occupants to use certain exit doors during an emergency.

Other Relevant Rulemaking

On January 3, 1997, the FAA issued AD 97-01-09, amendment 39-9880 (62 FR 2009, January 15, 1997), which requires repetitive inspections to detect cracking and delamination of the doors that contain the left and right emergency evacuation slides, and repair or replacement, if necessary. That AD requires accomplishment of the actions specified in Airbus Service Bulletin A320-25-1167, dated June 24, 1996, which, among other things, includes procedures for modification of the escape slide system, which constitutes terminating action for the repetitive inspection requirements in that AD.

Explanation of Relevant Service Information

Airbus has issued Service Bulletin A320-25-1199, dated March 25, 1998, which describes procedures for modification and re-identification of the emergency evacuation slide systems at left- and right-hand emergency exits number 2 and 3. The modification includes replacement of the pressure check valve and the O-ring on the aspirator with new or serviceable components. (Airbus Service Bulletin A320-25-1199, dated March 25, 1998, references Air Cruisers Service Bulletin S.B. 005-25-07, dated September 2, 1997, as an additional source of service information for accomplishment of the modification and re-identification.) Accomplishment of the action specified in the Airbus service bulletin is intended to adequately address the identified unsafe condition.

The DGAC classified the Airbus service bulletin as mandatory and issued French airworthiness directive 98-292-117(B), dated July 29, 1998, 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 § 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 the evacuation slides during flight, which could result in damage to the empennage, or inability of airplane occupants to use certain exit doors during an emergency. This AD requires accomplishment of the actions specified in the Airbus service bulletin described previously.

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 approximately 8 work hours (4 doors at 2 hours each) to accomplish the required modification, 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 the modification proposed by this AD would be \$480 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 98-NM-302-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:

98-26-03 Airbus Industrie: Amendment 39-10944. Docket 98-NM-302-AD.

Applicability: Model A321 series airplanes, except those on which Airbus Modification 27036 has been installed; or on which the action described in Airbus Industrie Service Bulletin A320-25-1199, dated March 25, 1998, 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 (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 the loss of the evacuation slides during flight, which could result in damage to the empennage, or inability of airplane occupants to use certain exit doors during an emergency; accomplish the following:

(a) Within 36 months after the effective date of this AD: Accomplish the modification and re-identification of the evacuation slide systems at left- and right-hand emergency exits 2 and 3, in accordance with Airbus Service Bulletin A320-25-1199, dated March 25, 1998.

(b) The modification required by paragraph (b) of AD 97-01-09, amendment 39-9880 (reference Airbus Service Bulletin A320-25-1167, dated June 24, 1996), must be accomplished prior to or simultaneously with the modification required by this AD.

Note 2: Airbus Service Bulletin A320-25-1199, dated March 25, 1998, references Air Cruisers Service Bulletin S.B. 005-25-07, dated September 2, 1997, as an additional source of service information for accomplishment of the modification and re-identification of the evacuation slide systems specified in this AD.

(c) As of the effective date of this AD, no person shall install on any airplane, an evacuation slide system having part number 62292-101, 62292-102, 62293-101, 62293-102, 62292-103, 62292-104, 62293-103, or 62293-104.

(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 §§ 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.

(f) The actions shall be done in accordance with Airbus Service Bulletin A320-25-1199, dated March 25, 1998. 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 98-292-117(B), dated July 29, 1998.

(g) This amendment becomes effective on December 31, 1998.

Issued in Renton, Washington, on December 8, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-33103 Filed 12-15-98; 8:45 am]

BILLING CODE 4910-13-U