

**FAA AD Differences**

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Sarjapur Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

**Related Information**

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2008-0139, dated July 24, 2008; Diamond Aircraft Industries GmbH Mandatory Service Bulletin No. MSB-42-058, dated May 21, 2008; and Diamond Aircraft Industries GmbH Work Instruction WI-MSB-42-058, dated March 12, 2008, for related information.

Issued in Kansas City, Missouri, on September 10, 2008.

**James E. Jackson,**

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

[FR Doc. E8-21701 Filed 9-16-08; 8:45 am]

**BILLING CODE 4910-13-P**

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

[Docket No. FAA-2008-0979; Directorate Identifier 2008-NM-079-AD]

**RIN 2120-AA64**

**Airworthiness Directives; Airbus Model A300-600 Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Further to initial qualification tests of the spoiler actuators currently installed in position No. 3 to 7 on A300-600 and A300-600ST aircraft fleet, a life limit [of 55,750 flight hours] has been defined by the actuator manufacturer. Initially, this life limit had no repercussions, as it was situated well beyond the initial Design Service Goal (DSG) of the aircraft. However, due to the Extended Service Goal (ESG) activities, the spoiler actuator life limit can be reached in service, and therefore the spoiler actuators must be replaced before exceeding this limit.

In order to mitigate the risk to have aircraft on which the three hydraulic circuits would be impacted by affected spoiler actuators, which could result in the loss of controllability of the aircraft, this Airworthiness Directive (AD) requires actions to ensure that at least the level of safety of one hydraulic circuit will be restored within an acceptable timeframe.

\* \* \* \* \*

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by October 17, 2008.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The

street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2008-0979; Directorate Identifier 2008-NM-079-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2008-0058, dated March 20, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Further to initial qualification tests of the spoiler actuators currently installed in position No. 3 to 7 on A300-600 and A300-600ST aircraft fleet, a life limit [of 55,750 flight hours] has been defined by the actuator manufacturer. Initially, this life limit had no repercussions, as it was situated well beyond the initial Design Service Goal (DSG) of the aircraft. However, due to the Extended Service Goal (ESG) activities, the spoiler actuator life limit can be reached in service, and therefore the spoiler actuators must be replaced before exceeding this limit.

In order to mitigate the risk to have aircraft on which the three hydraulic circuits would be impacted by affected spoiler actuators, which could result in the loss of controllability of the aircraft, this Airworthiness Directive (AD) requires actions to ensure that at least the level of safety of one hydraulic circuit will be restored within an acceptable timeframe.

EASA AD 2007-0245, issued on 05 September 2007 as an interim action, is superseded by the present [EASA] AD.

Corrective actions include replacing the spoiler actuator with a serviceable unit. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Airbus has issued Service Bulletins A300-27-6060, including Appendix 01, dated February 18, 2008, and A300-27A6062, including Appendix 01, dated July 6, 2007. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the proposed AD.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 135 products of U.S. registry. We also estimate that it would take about 8 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$32,000 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for

these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$4,406,400, or \$32,640 per product.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

*For the reasons discussed above, I certify 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator,

the FAA proposes to amend 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. The FAA amends § 39.13 by adding the following new AD:

**Airbus:** Docket No. FAA-2008-0979; Directorate Identifier 2008-NM-079-AD.

#### Comments Due Date

- (a) We must receive comments by October 17, 2008.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to Airbus Model A300-600 airplanes, all serial numbers, certificated in any category; on which Smith spoiler actuators having part number (P/N) P376A0002-05, -06, -07, or -09, or P/N P725A0001-00 are installed.

#### Subject

- (d) Air Transport Association (ATA) of America Code 27: Flight controls.

#### Reason

- (e) The mandatory continuing airworthiness information (MCAI) states:

Further to initial qualification tests of the spoiler actuators currently installed in position No. 3 to 7 on A300-600 and A300-600ST aircraft fleet, a life limit [of 55,750 flight hours] has been defined by the actuator manufacturer. Initially, this life limit had no repercussions, as it was situated well beyond the initial Design Service Goal (DSG) of the aircraft. However, due to the Extended Service Goal (ESG) activities, the spoiler actuator life limit can be reached in service, and therefore the spoiler actuators must be replaced before exceeding this limit.

In order to mitigate the risk to have aircraft on which the three hydraulic circuits would be impacted by affected spoiler actuators, which could result in the loss of controllability of the aircraft, this Airworthiness Directive (AD) requires actions to ensure that at least the level of safety of one hydraulic circuit will be restored within an acceptable timeframe.

EASA AD 2007-0245, issued on 05 September 2007 as an interim action, is superseded by the present [EASA] AD. Corrective actions include replacing the spoiler actuator with a serviceable unit.

#### Actions and Compliance

- (f) Unless already done: Within 700 flight hours after the effective date of this AD, do the following actions.

- (1) Identify the total flight hours accumulated on each spoiler actuator at positions 3 through 7 on the left- and right-hand sides of the airplane (FIN 22CP/23CP, 24CP/25CP, 26CP/27CP, 60CP/61CP and

62CP/63CP), in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300-27A6062, dated July 6, 2007.

(2) For airplanes on which the status of any spoiler actuator is unknown (unknown number of accumulated flight hours, unknown date of manufacture and/or unknown serial number) the actuator must be considered as having exceeded 55,750 total flight hours.

(3) For airplanes on which all three hydraulic circuits have a spoiler actuator that has accumulated or exceeds 55,000 total flight hours: Before the accumulation of 55,750 total flight hours or within 700 flight hours after the effective date of this AD, whichever occurs later, on at least one hydraulic circuit, interchange the spoiler actuator with a serviceable unit from another hydraulic circuit, or replace the spoiler actuator with a serviceable unit, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300-27-6060, dated February 18, 2008.

(4) For airplanes on which the actions required by paragraph (f)(1) of this AD, and, as applicable, paragraph (f)(3) of this AD have been accomplished, each airplane must continue to have at least one hydraulic circuit fitted with spoiler actuators that do not exceed 55,750 total flight hours.

**Note 1:** For the purposes of this AD, a serviceable unit is a unit that has accumulated less than 55,750 flight hours.

(5) The operator must not interchange or replace spoiler actuators on more than two hydraulic circuits at the same time. This will mitigate the risk of having a malfunction on the three hydraulic systems at the same time.

#### FAA AD Differences

**Note 2:** This AD differs from the MCAI and/or service information as follows:

(1) This AD does not include the reporting requirement specified in paragraph (1) of the MCAI. The MCAI carried this requirement forward from European Aviation Safety Agency (EASA) Airworthiness Directive 2007-0245, dated September 5, 2007. We previously determined that no action was required on our part regarding EASA AD 2007-0245.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from

a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI EASA Airworthiness Directive 2008-0058, dated March 20, 2008; and Airbus Service Bulletins A300-27-6060, dated February 18, 2008; and A300-27A6062, dated July 6, 2007; for related information.

Issued in Renton, Washington, on September 9, 2008.

**Michael J. Kaszycki,**

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

[FR Doc. E8-21724 Filed 9-16-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-0980; Directorate Identifier 2008-NM-008-AD]

**RIN 2120-AA64**

#### Airworthiness Directives; Airbus Model A330 Airplanes, and Model A340-200 and A340-300 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) that applies to certain Airbus Model A330, A340-200, and A340-300 series airplanes. The existing AD currently requires repetitive inspections of a certain bracket that attaches the flight deck instrument panel to the airplane structure; related investigative and corrective actions if necessary; and replacement of the existing bracket with a titanium-reinforced bracket, which ends the repetitive inspections in the existing AD. This proposed AD would add requirements only for airplanes on which the existing bracket was replaced with a titanium-reinforced bracket in accordance with the existing AD. The additional requirement is a one-time

inspection to determine if certain fasteners are broken or cracked, and corrective actions if necessary. This proposed AD results from a report that incorrect torque values could damage the bracket. We are proposing this AD to prevent a cracked bracket. Failure of this bracket, combined with failure of the horizontal beam, could result in collapse of the left part of the flight deck instrument panel, and consequent reduced controllability of the airplane.

**DATES:** We must receive comments on this proposed AD by October 17, 2008.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1138; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2008-0980; Directorate Identifier