

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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

##### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-12-22 Airbus:** Amendment 39-9274. Docket 95-NM-61-AD.

**Applicability:** Model A340-211, -212, -311, and -312 series airplanes; as listed in Airbus Service Bulletin A340-78-4002, Revision 2, dated October 14, 1994; on which Modification No. 42445 has not been installed; 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 use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent loss of the use of the thrust reversers as a result of the problems associated with fatigue cracking in their cowling structure, accomplish the following:

(a) Except as required by paragraph (b) of this AD: Prior to the accumulation of 4,000 total flight cycles or within 48 months after

the effective date of this AD, whichever occurs later, install the reinforcement modification on the structure of the left- and right-hand thrust reverser cowls in accordance with Airbus Service Bulletin A340-78-4002, Revision 2, dated October 14, 1994.

(b) This paragraph applies to the right-hand cowl of the thrust reverser installed on the affected airplane having manufacturer's serial number (MSN) 011: Prior to the accumulation of 900 total flight cycles or within 12 months after the effective date of this AD, whichever occurs later, install the reinforcement modification on the structure of the right-hand cowl of the thrust reverser unit, serial number 3062, in accordance with Airbus Service Bulletin A340-78-4002, Revision 2, dated October 14, 1994.

(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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(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 installation of the modification shall be done in accordance with Airbus Service Bulletin A340-78-4002, Revision 2, dated October 14, 1994. 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.

(f) This amendment becomes effective on June 29, 1995.

Issued in Renton, Washington, on June 6, 1995.

**Darrell M. Pederson,**

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

[FR Doc. 95-14317 Filed 6-13-95; 8:45 am]

**BILLING CODE 4910-13-U**

#### 14 CFR Part 39

[Docket No. 95-NM-62-AD; Amendment 39-9273; AD 95-12-21]

#### Airworthiness Directives; Airbus Model A340-211 and -311 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 A340-211 and -311 series airplanes. This action requires the installation of doublers on certain stringers located in the center fuselage. This amendment is prompted by the results of the manufacturer's full-scale fatigue test which indicate that fatigue cracking can occur at these stringer locations. The actions specified in this AD are intended to prevent reduced structural integrity of the fuselage due to the problems associated with fatigue cracks in the subject stringers.

**DATES:** Effective June 29, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 29, 1995.

Comments for inclusion in the Rules Docket must be received on or before August 14, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-62-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:** Stephen Slotte, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; fax (206) 227-1320.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A340-211 and -311 series airplanes. The DGAC

advises that the results of a full-scale fatigue test, conducted by Airbus Industrie, indicate that fatigue cracks were found on stringer 39 at frame 53-2 (left and right sides). These stringers are located in the center fuselage area of the airplane. Such fatigue cracking, if not detected and corrected in a timely manner, could result in reduced structural integrity of the fuselage.

Airbus Industrie has issued Service Bulletin A340-53-4009, dated August 2, 1994, which describes procedures for installing a doubler on stringer 39 at frame 53-2 (left and right sides). This doubler is intended to reinforce the frame, and prevent the initiation and propagation of damage due to fatigue cracking in this area. The DGAC classified this service bulletin as mandatory and issued French Airworthiness Directive (CN) 94-209-010(B), dated September 14, 1994, in order to assure the continued airworthiness of these airplanes in France.

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.

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 prevent reduced structural integrity of the fuselage due to the problems associated with fatigue cracking at stringer 39. This AD requires the installation of a doubler on stringer 39 at frame 53-2 (left and right sides). The actions are required to be accomplished in accordance with the service bulletin described previously.

There currently are no Model A340-211 and -311 series airplanes 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 to accomplish the required actions, at an average labor charge of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to operators. Based on these figures, the total cost impact of this AD would be \$480 per airplane.

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, 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 95-NM-62-AD." The postcard will be date stamped and returned to the commenter.

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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-12-21 Airbus:** Amendment 39-9273. Docket 95-NM-62-AD.

*Applicability:* Model A340-211 and -311 series airplanes; as listed in Airbus Service Bulletin A340-53-4009, dated August 2, 1994; 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 use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different

actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of the fuselage due to the problems associated with fatigue cracks at stringer 39, accomplish the following:

(a) Prior to the accumulation of 1,700 flight cycles after the effective date of this AD, or within 36 months after the effective date of this AD, whichever occurs first, install a doubler on stringer 39 at frame 53-2, left and right sides, in accordance with Airbus Service Bulletin A340-53-4009, dated August 2, 1994.

(b) 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, Standardization Branch, ANM-113, 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, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) 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.

(d) The installation shall be done in accordance with Airbus Service Bulletin A340-53-4009, dated August 2, 1994. 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.

(e) This amendment becomes effective on June 29, 1995.

Issued in Renton, Washington, on June 6, 1995.

**Darrell M. Pederson,**

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

[FR Doc. 95-14318 Filed 6-13-95; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 94-SW-27-AD; Amendment 39-9276; AD 95-06-03]

#### Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters

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

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

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 95-06-03 which was sent previously to all known U.S. owners and operators of Robinson Helicopter Company (Robinson) Model R22 helicopters by individual letters. This AD requires an inspection and modification of the main rotor (M/R) gearbox. This amendment is prompted by a report of an incident involving a Model R22 helicopter in which the two M/R mast spanner nuts (nuts) became loose, resulting in failure of the M/R mast support structure. The actions specified by this AD are intended to prevent M/R separation and subsequent loss of control of the helicopter.

**DATES:** Effective on June 29, 1995, to all persons except those persons to whom it was made immediately effective by priority letter AD 95-06-03, issued on March 8, 1995, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before August 14, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94-SW-27-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth Bumann, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Blvd., Lakewood, California 90712, telephone (310) 627-5265, fax (310) 627-5210.

**SUPPLEMENTARY INFORMATION:** On March 8, 1995, the FAA issued priority letter AD 95-06-03, applicable to Robinson R22 helicopters, which requires, within 25 hours time-in-service (TIS) after the effective date of this AD, removal and disassembly of the M/R gearbox; measurement of the break-loose torque value of the upper spanner nut; replacement of the lock washers; increasing the torque values of the two spanner nuts; reassembly and reinstallation of the M/R gearbox; and verification of the M/R balance in

accordance with the applicable maintenance manual. That action was prompted by an incident reported by the Civil Aviation Authority (CAA) of New Zealand involving failure of the main rotor (M/R) mast support structure. An investigation revealed that the two M/R mast spanner nuts (nuts) became loose and allowed the M/R shaft to pull through the retention bearing in the M/R gearbox. As the loads transferred from the M/R gearbox bearing to the top of the mast, the rivets that attach the mast bearing outer housing to the M/R shaft sheared, resulting in failure of the M/R mast support structure.

Prior to June 15, 1992, the M/R gearbox assembly, P/N A006-1 Revisions A through Z, may have been assembled with paint on the clamping surface of the M/R shaft, preventing a good clamping surface for the nuts. Two earlier incidents in Australia prompted the Commonwealth of Australia CAA to issue CAA AD/R22/35, dated September 1992, to inspect the nuts for looseness and increase the nut torque values. The FAA did not issue an AD at that time due to inconclusive information from the two isolated incidents. The compliance procedure of this AD differs from CAA AD/R22/35 by requiring replacement of the lock washer, part number (P/N) A269-1, located between the mast bearing and the upper nut, with a different lock washer, P/N A269-2. The torque values on both nuts have also been increased. The FAA has determined that under-torqued nuts may become loose and create an unsafe condition. Due to the criticality of ensuring that the nuts are properly torqued, this AD is being issued immediately to correct an unsafe condition. That condition, if not corrected, could result in M/R separation and subsequent loss of control of the helicopter.

Since the unsafe condition described is likely to exist or develop on other Robinson Model R22 helicopters of the same type design, the FAA issued priority letter AD 95-06-03 to prevent M/R separation and subsequent loss of control of the helicopter. The AD requires, within 25 hours time-in-service (TIS), removal and disassembly of the M/R gearbox; measurement of the break-loose torque value of the upper spanner nut; replacement of the lock washers; increasing the torque values of the two spanner nuts; reassembly and reinstallation of the M/R gearbox; and verification of the M/R balance in accordance with the applicable maintenance manual.

Since the issuance of that AD, the FAA has received information that Robinson Helicopter Company may not