

(e) The installation shall be done in accordance with McDonnell Douglas MD-80 Service Bulletin MD80-32-276, dated March 31, 1995; or McDonnell Douglas MD-80 Service Bulletin MD80-32-276, Revision 1, dated October 17, 1995. The modification shall be done in accordance with McDonnell Douglas MD-80 Service Bulletin MD80-32-278, dated March 31, 1995; or McDonnell Douglas MD-80 Service Bulletin MD80-32-278, Revision 1, dated September 6, 1995. 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on February 26, 1996.

Issued in Renton, Washington, on January 5, 1996.

Darrell M. Pederson,  
*Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.*  
[FR Doc. 96-475 Filed 1-25-96; 8:45 am]

BILLING CODE 4910-13-P

#### 14 CFR Part 39

[Docket No. 95-NM-250-AD; Amendment 39-9487; AD 96-02-02]

#### Airworthiness Directives; Airbus Model A330 and A340 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 A330 and A340 series airplanes. This action requires installation of locking plates at the guide bushings in the area of the spigot bolt for certain aft flap track attachments. This amendment is prompted by reports of these guide bushings migrating out of position and resulting in a partial transfer of loads from the main attachment spigot bolt to two fail-safe bolts. Since the fail-safe bolts can withstand such loads for only a limited time, they can eventually fail and allow the wing flap to separate from the airplane. The actions specified in this AD are intended to prevent separation of the wing flap, which can lead to reduced controllability of the

airplane and injury to persons or damage to property on the ground.

**DATES:** Effective February 12, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 12, 1996.

Comments for inclusion in the Rules Docket must be received on or before March 26, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-250-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:** Charles Huber, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2589; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Generale 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 A330 and A340 series airplanes. The DGAC advises that operators have reported finding guide bushings in the area of the spigot bolt for the aft wing flap attachment at tracks 2 through 5 that have migrated out of position. Such bushing migration was found on one flight test airplane and on two in-service airplanes. When migration of the guide bushing takes place, it can result in a partial transfer of loads from the main attachment spigot bolt to two fail-safe bolts. Although the flaps are still operable in this condition, the fail-safe bolts are able to withstand the loads only for a limited period of time. If the bolts were to fail, the flap then could separate from the airplane. This condition, if not corrected, could result in reduced controllability of the airplane, and possible injury to persons or damage to property on the ground.

Airbus has issued Service Bulletins A330-57-3028 (for Model A330 series airplanes), and A340-57-4032 (for Model A340 series airplanes), both dated June 6, 1995. These service

bulletins describe procedures for installing locking plates at the bushings in the area of the spigot bolt for the flap track attachment at flap tracks 2 through 5, left-hand and right-hand. Installation of these locking plates will preclude the possibility of migration of the bushings, and ensure the correct function of the aft track attachment. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive (CN) 95-124-012(B) (applicable to Model A330 series airplanes), and CN 95-125-023(B) (applicable to Model A340 series airplanes), both dated June 21, 1995, 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 registered in the United States, this AD is being issued to prevent migration of the guide bushings at the aft wing flap attachments. This AD requires the installation of locking plates at the flap track attachments on flap tracks 2 through 5, left-hand and right-hand. The actions are required to be accomplished in accordance with the service bulletins described previously.

None of the Model A330 or A340 series 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 40 work hours to accomplish the required actions, at an average labor charge of \$60 per work hour. Required parts would be furnished by the manufacturer at no cost

to operators. Based on these figures, the cost impact of this AD would be \$2,400 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-250-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 USC 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

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

96-02-02 Airbus: Amendment 39-9487. Docket 95-NM-250-AD.

*Applicability:* Model A330-301, 0321, -322, -341, and -342 series airplanes; and Model A340-211, -212, -311, and -312 series airplanes; on which Airbus Modification 43328 or 43479 has not 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 use the authority provided in paragraph (b) of this AD 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 migration of the guide bushings in the area of the spigot bolt for the aft flap track attachments, accomplish the following:

(a) Prior to the accumulation of 3,500 total flight cycles, install locking plates at the guide bushings at flap track attachments 2 through 5, left-hand and right-hand, in accordance with Airbus Service Bulletin A330-57-3028 (for Model A330 series airplanes) or A340-57-4032 (for Model A340 series airplanes), both dated June 6, 1995, as applicable.

(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 A330-57-3028 (for Model A330 series airplanes), dated June 6, 1995; or Airbus Service Bulletin A340-57-4032 (for Model A340 series airplanes), dated June 6, 1995; as applicable. 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 February 12, 1996.

Issued in Renton, Washington, on January 11, 1996.

Darrell M. Pederson,

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

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#### **14 CFR Part 39**

**[Docket No. 95-NM-66-AD; Amendment 39-9488; AD 96-02-03]**

### **Airworthiness Directives; Airbus Model A310 Series Airplanes**

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