

which could propagate and result in reduced structural integrity of the fuselage.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Repetitive Inspections

(f) At the applicable times in paragraph (f)(1) or (f)(2) of this AD: Do high-frequency eddy current inspection for cracks of the inboard lower flange and radius of the left-hand and right-hand outboard floor beams at

FR48. Do all inspections in accordance with the Accomplishment Instructions of the applicable service bulletin in Table 1 of this AD. Doing the action in paragraph (h) of this AD terminates the repetitive inspection requirements of this paragraph.

(1) For Airbus Model A330–301, –321, –322, –341, and –342 airplanes: Do the first inspection before the accumulation of 8,400 flight cycles since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness, or within 6 months after the effective date of this AD, whichever occurs later; and repeat the

inspection thereafter at intervals not to exceed 3,860 total flight cycles or 15,050 flight hours, whichever occurs earlier.

(2) For Airbus Model A340–211, –212, –213, –311, –312, and –313 airplanes: Do the first inspection before the accumulation of the earlier of 9,200 flight cycles or 70,000 flight hours since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness, or within 6 months after the effective date of this AD, whichever occurs later; and repeat the inspection thereafter at intervals not to exceed 3,070 flight cycles.

TABLE 1.—SERVICE BULLETINS

For airbus model—	Airbus service bulletin—
A330–301, –321, –322, –341, and –342 airplanes	A330–53–3014, Revision 05, dated June 20, 2003.
A340–211, –212, –213, –311, –312, and –313 airplanes	A340–53–4022, Revision 05, dated June 16, 2003.

Related Investigative and Corrective Actions

(g) If any crack is found during any inspection required by paragraph (f) of this AD: Do the applicable actions in paragraph (g)(1) and (g)(2) of this AD.

(1) For cracks at the radius: Before further flight, repair the crack according to a method approved by either the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the Direction Générale de l'Aviation Civile (DGAC) (or its delegated agent).

(2) For cracks at the flange: Before further flight, measure the total length of the crack and do the applicable action in paragraph (g)(2)(i) and (g)(2)(ii) of this AD.

(i) If the crack is less than 12 mm (0.472 inch) in length: Before further flight, stop-drill the crack and, within 500 flight cycles after stop-drilling the crack, do the action in paragraph (h) of this AD.

(ii) If the crack is greater than or equal to 12 mm (0.472 inch) in length: Before further flight, repair the crack according to a method approved by either the Manager, International Branch, ANM–116; or the Direction Générale de l'Aviation Civile (DGAC) (or its delegated agent).

Optional Terminating Action

(h) Installing a stainless steel doubler in accordance with Airbus Service Bulletin A330–53–3013, Revision 03, December 23, 1999; or Airbus Service Bulletin A340–53–4021, Revision 05, dated January 27, 2003; as applicable; terminates the repetitive inspection requirements of paragraph (f) of this AD. If any crack is found during this installation while doing the rotating probe inspection of the fastener holes: Before further flight, repair the crack according to a method approved by either the Manager, International Branch, ANM–116; or the DGAC (or its delegated agent).

No Reporting Required

(i) Although the Accomplishment Instructions of the service bulletins identified in Table 1 of this AD describe procedures for reporting certain information to the manufacturer, this AD would not require those actions.

Alternative Methods of Compliance (AMOCs)

(j) The Manager, International Branch, ANM–116, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

Related Information

(k) French airworthiness directives 2001–506(B) and 2001–507(B), both dated October 17, 2001, also address the subject of this AD.

Material Incorporated by Reference

(l) You must use the service information identified in Table 2 of this AD to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Room PL–401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741–6030, or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

TABLE 2.—MATERIAL INCORPORATED BY REFERENCE

Service Bulletin	Revision level	Date
A330–53–3013	03	December 23, 1999.
A330–53–3014	05	June 20, 2003.
A340–53–4021	05	January 27, 2003.
A340–53–4022	05	June 16, 2003.

Issued in Renton, Washington, on September 9, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–18522 Filed 9–20–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2005–20347; Directorate Identifier 2004–NM–226–AD; Amendment 39–14284; AD 2005–19–19]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–300, –400, –500, –600, –700, –700C, –800 and –900 Series Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Boeing Model 737–300, –400, –500, –600, –700, –700C, –800 and –900 series airplanes. This AD requires installing an updated version of the operational program software (OPS) and certain other software in the flight management computers (FMCs); and doing configuration checks to ensure that certain software is properly installed and doing other specified actions. This AD also requires reinstalling software, if necessary. This AD results from one operator reporting FMC map shifts on several Model 737–400 series airplanes with dual FMCs, using OPS version U10.4A. We are issuing this AD to prevent the FMC from displaying the

incorrect actual navigation performance value to the flightcrew, which could prevent adequate alerting of a potential navigation error. This condition could result in a near miss with other airplanes or terrain, or collision if other warning systems also fail.

DATES: Effective October 26, 2005.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of October 26, 2005.

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC.

Contact Boeing Commercial Airplanes, PO Box 3707, Seattle, Washington 98124-2207, for service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Sam Slentz, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6483; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the **ADDRESSES** section.

Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to certain Boeing Model 737-300, -400, -500, -600, -700, -700C, -800 and -900 series airplanes. That NPRM was published in the **Federal Register** on February 15, 2005 (70 FR 7687). That NPRM proposed to require installing an updated version of the operational program software (OPS) in the flight management computers (FMCs), and doing other specified actions. That action also proposed to require reinstalling software, if necessary.

Comments

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

Support for the Proposed AD

Two commenters support the proposed AD.

Request To Revise Applicability

Two commenters request that we revise the applicability of the NPRM so that it applies to Boeing Model 737-300, -400, -500, -600, -700, -700C, -800 and -900 series airplanes equipped with two certain FMCs having part numbers (P/Ns) 171497-05-01 or 176200-01-01, installed with OPS versions U10.3, U10.4, U10.4A, or U10.5. One commenter, the airplane manufacturer, states that, although the airplanes identified in the effectivity of Boeing Alert Service Bulletins 737-34A1801 and 737-34A1821, both dated July 15, 2004, have at least one of the affected FMCs installed, not all of those airplanes have two of the affected FMCs installed. The commenter states that these airplanes also may not have the affected version of FMC OPS software installed.

In addition, the same commenter states that, for Model 737-600, -700, -700C, -800 and -900 series airplanes, it began delivering airplanes with OPS version U10.5A on airplanes with line numbers 1529 and higher. The airplane manufacturer, therefore, also requests that we include affected line numbers 1 through 1528 in the applicability of the NPRM.

According to the second commenter, the changes in Boeing Alert Service Bulletin 737-34A1821 are only applicable to airplanes equipped with FMCs, which are 4 modular concept units (MCU) wide, installed with OPS version 10.0 and newer. The commenter states that many of the airplanes identified in the effectivity of Boeing Alert Service Bulletin 737-34A1821 have FMCs that are 8 MCU wide and are installed with earlier versions of OPS, such as U5 and U7.5. The commenter also states that, for airplanes with 8-MCU FMCs, operators would have to upgrade the hardware from 8 MCU to 4 MCU and install new operational program configuration (OPC) software, before they could comply with the installation of OPS version U10.5A.

We partially agree. By referencing the airplanes identified in Boeing Alert Service Bulletins 737-34A1801 and 737-34A1821 in the applicability of the NPRM, we inadvertently applied the proposed AD to more airplanes than necessary. Furthermore, it was not our intention to require concurrent hardware and software changes as the second commenter points out. We have revised paragraph (c) of this AD to clarify that it applies to Model 737-300,

-400, -500, -600, -700, -700C, -800 and -900 series airplanes, certificated in any category; equipped with two certain FMCs having P/N 171497-05-01 or 176200-01-01; installed with OPS version U10.3, U10.4, U10.4A, or U10.5.

We cannot, however, include the line numbers of certain affected airplanes in the applicability of this AD. Although the commenter has provided the correct line numbers for the affected airplanes in this AD, we have determined, in coordination with the manufacturer, that we should not use line numbers in the applicability of an AD. In the past, using line numbers has caused errors in the effectivity of the service bulletin, and consequently in the applicability of the AD. Therefore, we have not added line numbers of certain airplanes to the applicability of this AD.

Request To Exclude Certain Actions

One commenter requests that we exclude the proposed requirement to maintain an onboard software media binder with the latest version of OPS. The commenter states this proposed requirement, which is referenced in paragraph (f) of the NPRM as one of the “* * * other specified actions * * *,” could be interpreted as creating a regulatory requirement to keep a media binder onboard an affected airplane. The commenter also states that several operators have removed onboard media binders because they create an administrative burden.

We agree that the requirement to replace the existing OPS disk set in the airplane's software media binder with the new OPS disk set is not necessary for ensuring that the unsafe condition of this AD is adequately addressed. Therefore, we have deleted the requirement to do the other specified actions from paragraph (f) of this AD. Instead, we have added new paragraphs (f)(1) and (f)(2) to this AD, which specify installing certain software and doing certain configuration checks for adequately addressing the unsafe condition. We have also specified these actions in the Summary paragraph of this AD.

Request To Use an Alternative Method of Compliance (AMOC)

One commenter, the airplane manufacturer, requests that we allow the option of installing OPS version U10.6, in accordance with Boeing Service Bulletin 737-34-1768 (for Model 737-600, -700, -700C, -800, and -900 series airplanes) or Boeing Service Bulletin 737-34-1879 (for Model 737-300, -400, and -500 series airplanes), as applicable. The commenter states that version U10.6 is based on version

U10.5a and also prevents the FMC from displaying the incorrect actual navigation performance value to the flightcrew. The commenter further states that version U10.6 is the latest certified version of FMC OPS software, and that it is currently installed in production on Model 737-300, -400, -500, -600, -700, -700C, -800 and -900 series airplanes.

We agree to allow operators the option of installing OPS version U10.6 to address the unsafe condition of this AD. Since issuance of the NPRM, we have reviewed Boeing Service Bulletin 737-34-1768 and Boeing Service Bulletin 737-34-1879, both dated August 11, 2005. These service bulletins describe procedures for installing OPS version U10.6 having P/N 549849-016 and certain other software in the left and right FMCs, and doing configuration checks to ensure that certain software is properly installed. For Model 737-300, -400, and -500 series airplanes, the certain other

software includes the software options operational program configuration (OPC) software that was originally installed before installation of OPS version U10.6 and the navigational database (NDB) software. For Model 737-600, -700, -700C, -800, and -900 series airplanes, the certain other software includes the applicable OPC software, the new compatible model/engine database (MEDB) software, and the NDB software.

For certain Model 737-600, -700, -700C, -800, and -900 series airplanes, Boeing Service Bulletin 737-34-1768 also describes procedures for installing common display system (CDS) OPC software in the left and right display electronic units. Operators should note that this is additional work, which is not required if an operator installs OPS version U10.5a in accordance with Boeing Alert Service Bulletin 737-34A1801, dated July 15, 2004. We have determined that accomplishing the actions specified in the applicable

service information adequately addresses the unsafe condition of this AD. Therefore, we have added a new paragraph (h) to this AD and re-lettered the subsequent paragraphs accordingly.

Conclusion

We have carefully reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Costs of Compliance

There are about 3,482 airplanes of the affected design in the worldwide fleet. This AD affects about 1,312 airplanes of U.S. registry. The following table provides the estimated costs for U.S. operators to comply with this AD.

ESTIMATED COSTS

Boeing model	Work hours	Average labor rate per hour	Parts	Cost per airplane
737-300, -400, and -500 series airplanes	1	\$65	\$15	\$80
737-600, -700, -700C, -800, and -900 series airplanes	2	65	15	145

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 have determined that this AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 airworthiness directive (AD):

2005-19-19 Boeing: Amendment 39-14284.
Docket No. FAA-2005-20347;
Directorate Identifier 2004-NM-226-AD.

Effective Date

- (a) This AD becomes effective October 26, 2005.

Affected ADs

- (b) None.

Applicability

(c) This AD applies to Boeing Model 737-300, -400, -500, -600, -700, -700C, -800 and -900 series airplanes, certificated in any category; equipped with two Smiths Industries Aerospace Flight Management Computers (FMCs) having part number 171497-05-01 or 176200-01-01; installed with operational program software (OPS) version U10.3, U10.4, U10.4A, or U10.5.

Unsafe Condition

(d) This AD was prompted by one operator reporting FMC map shifts on several Model 737-400 series airplanes with dual FMCs, using OPS version U10.4A. We are issuing this AD to prevent the FMC from displaying the incorrect actual navigation performance value to the flightcrew, which could prevent adequate alerting of a potential navigation error. This condition could result in a near miss with other airplanes or terrain, or collision if other warning systems also fail.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Install Updated Version of OPS

(f) Within 180 days after the effective date of this AD, do the actions specified in paragraphs (f)(1) and (f)(2) of this AD, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737-34A1801, dated July 15, 2004 (for Model 737-600, -700, -700C, -800 and -900 series airplanes); or Boeing Alert Service Bulletin 737-34A1821, dated July 15, 2004 (for Model 737-300, -400, and -500 series airplanes); as applicable. Where the service bulletin specifies a configuration check, certificated maintenance personnel must perform the configuration check.

(1) Install the updated version of the OPS, the compatible model/engine database (MEDB) software if applicable, the current version of the navigational database (NDB) software, and the software options database (OPC) in the left and right FMCs.

(2) Do configuration checks of the left and right FMCs to ensure that the updated version of the OPS, compatible version of the MEDB software if applicable, and OPC software is correctly installed.

Reinstall Software, if Necessary

(g) If the incorrect software version of the OPS, MEDB software if applicable, or OPC software is found installed on any FMC during any configuration check required by paragraph (f) of this AD: Before further flight, reinstall the software, as applicable. Do the reinstallation of any software in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737-34A1801, dated July 15, 2004; or Boeing Alert Service Bulletin 737-34A1821, dated July 15, 2004; as applicable.

Optional Installation of OPS Version U10.6

(h) Doing the applicable actions specified in paragraphs (h)(1) and (h)(2) of this AD, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 737-34-1768, dated August 11, 2005 (for Model 737-600, -700, -700C, -800, and -900 series airplanes); or Boeing Service Bulletin 737-34-1879, dated August 11, 2005 (for Model 737-300, -400, and -500 series airplanes), as applicable, is acceptable for compliance with the corresponding requirements of paragraphs (f) and (g) of this AD.

(1) Install version U10.6 of the OPS software, the applicable OPC software, the new compatible MEDB software if applicable,

and the NDB software in the left and right FMCs; install the common display system (CDS) OPC software in the left and right display electronic units if applicable; and do configuration checks to ensure that certain software is properly installed. Where the service bulletin specifies a configuration check, certificated maintenance personnel must perform the configuration check.

(2) If the incorrect software version of the OPS, OPC software, CDS OPC software if applicable, or MEDB software if applicable, is found installed during any configuration check required by paragraph (h)(1) of this AD: Before further flight, reinstall the software, as applicable. Do the reinstallation of any software in accordance with the applicable service bulletin.

Alternative Methods of Compliance (AMOCs)

(i) The Manager, Seattle Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

Material Incorporated by Reference

(j) You must use Boeing Alert Service Bulletin 737-34A1801, dated July 15, 2004; or Boeing Alert Service Bulletin 737-34A1821, dated July 15, 2004, as applicable, to perform the actions that are required by this AD, unless the AD specifies otherwise. The optional actions, if accomplished, must be performed in accordance with Boeing Service Bulletin 737-34-1768, dated August 11, 2005; or Boeing Service Bulletin 737-34-1879, dated August 11, 2005, as applicable. The Director of the Federal Register approved the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on September 12, 2005.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-18523 Filed 9-20-05; 8:45 am]

BILLING CODE 4910-13-P

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

[Docket No. FAA-2005-21344; Directorate Identifier 2004-NM-190-AD; Amendment 39-14283; AD 2005-19-18]

RIN 2120-AA64

Airworthiness Directives; Short Brothers Model SD3 Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is superseding an existing airworthiness directive (AD), which applies to all Short Brothers Model SD3-30 and SD3-60 airplanes equipped with certain fire extinguishers. That AD currently requires replacement of the covers for fire extinguisher adapter assemblies that are installed on certain bulkheads with new covers that swivel to lock the extinguishers in place; and replacement of nozzles and triggers on these fire extinguishers with better fitting nozzles and stronger triggers. The existing AD also currently requires the installation of new fire extinguisher point placards and a revision of the airplane flight manual (AFM) to instruct the flightcrew in the use of the new covers for these adapter assemblies. This new AD also requires modification of the fire extinguishing point adapter assembly of the forward and aft baggage bays as applicable. This new AD also adds airplanes to the applicability. For these new airplanes, this new AD requires a revision to the AFM for instructions on using the new fire extinguisher adapter. This AD results from reports of individuals experiencing fire extinguishant blowback when the extinguishant discharges through the fire extinguishing point adapters. We are issuing this AD to prevent fire extinguishant blowback, which could result in injury to a person using the fire extinguisher in the event of a fire.

DATES: Effective October 26, 2005.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of October 26, 2005.

The Director of the Federal Register previously approved the incorporation by reference of certain other publications, as listed in the regulations, as of June 8, 1998 (63 FR 24387, May 4, 1998).

ADDRESSES: You may examine the AD docket on the Internet at <http://>