

exceed 1,000 flight cycles on the straight fuse pin.

(2) If any cracking is detected, prior to further flight, accomplish the requirements of either paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Replace the cracked straight fuse pin with a new straight fuse pin, P/N 311N5067-1. Prior to the accumulation of 3,800 total flight cycles on that newly installed straight fuse pin, perform an eddy current inspection to detect cracking in that straight fuse pin, in accordance with the service bulletin. Repeat the inspection thereafter at intervals not to exceed 1,000 flight cycles on that newly installed straight fuse pin. Or

(ii) Replace the cracked straight fuse pin with a new 15-5PH fuse pin, P/N 311N5217-1. Prior to the accumulation of 14,000 total flight cycles on that newly installed 15-5PH fuse pin, perform an eddy current inspection to detect cracking in that newly installed 15-5PH fuse pin, in accordance with the procedures described in the service bulletin. Repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on that newly installed 15-5PH fuse pin.

(b) For airplanes equipped with refinished straight fuse pins, P/N 311N5067-1: Prior to the accumulation of 1,000 total flight cycles on the refinished straight fuse pin, perform an eddy current inspection to detect cracking in the refinished straight fuse pins, in accordance with Boeing Service Bulletin 757-54A0019, Revision 5, dated March 17, 1994.

(1) If no cracking is detected, repeat the inspection thereafter at intervals not to exceed 1,000 flight cycles on the refinished straight fuse pin.

(2) If any cracking is detected, prior to further flight, accomplish the requirements of either paragraph (b)(2)(i), (b)(2)(ii), or (b)(2)(iii) of this AD, in accordance with the service bulletin.

(i) Replace the cracked refinished straight fuse pin with a crack-free refinished straight fuse pin, P/N 311N5067-1. Prior to the accumulation of 1,000 total flight cycles on that newly installed refinished straight fuse pin, perform an eddy current inspection to detect cracking in that newly installed refinished straight fuse pin, in accordance with the procedures described in the service bulletin. Repeat this inspection thereafter at intervals not to exceed 1,000 flight cycles on the newly installed refinished straight fuse pin. Or

(ii) Replace the cracked refinished straight fuse pin with a new straight fuse pin, P/N 311N5067-1. Prior to the accumulation of 3,800 total flight cycles on that newly installed straight fuse pin, perform an eddy current inspection to detect cracking in that newly installed straight fuse pin, in accordance with the service bulletin. Repeat the inspection thereafter at intervals not to exceed 1,000 flight cycles on that newly installed straight fuse pin. Or

(iii) Replace the cracked refinished straight fuse pin with a new 15-5PH fuse pin, P/N 311N5217-1. Prior to the accumulation of 14,000 total flight cycles on that newly installed 15-5PH fuse pin, perform an eddy current inspection to detect cracking in that newly installed 15-5PH pin, in accordance

with the procedures described in the service bulletin. Repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on that newly installed 15-5PH fuse pin.

(c) For airplanes equipped with bulkhead fuse pins, P/N 311N5211-1: Within 3,000 flight cycles after the effective date of this AD, replace the bulkhead fuse pins with 15-5PH fuse pins, P/N 311N5217-1, in accordance with Boeing Service Bulletin 757-54A0019, Revision 5, dated March 17, 1994, and accomplish the requirements of paragraph (d) of this AD.

(d) For airplanes equipped with 15-5PH fuse pins: Prior to the accumulation of 14,000 total flight cycles on the 15-5PH fuse pins, perform an eddy current inspection to detect cracking in those 15-5PH fuse pins, in accordance with the procedures described in Boeing Service Bulletin 757-54A0019, Revision 5, dated March 17, 1994.

(1) If no cracking is detected, repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on the 15-5PH fuse pin.

(2) If any cracking is detected, accomplish the requirements of both paragraphs (d)(2)(i) and (d)(2)(ii) of this AD.

(i) Prior to further flight, replace any cracked 15-5PH fuse pin with a new 15-5PH fuse pin, P/N 311N5217-1, in accordance with the procedures described in the service bulletin. And

(ii) Prior to the accumulation of 14,000 total flight cycles on that newly installed 15-5PH fuse pin, perform an eddy current inspection to detect cracking in that newly installed 15-5PH fuse pin, in accordance with the procedures described in the service bulletin. Repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on that newly installed 15-5PH fuse pin.

(e) Fuse pins must be of the same type on the same strut. For example, a steel fuse pin having P/N 311N5067-1 may not be installed on the same strut that has a corrosion-resistant steel (CRES) fuse pin having P/N 311N5217-1 installed on that strut. However, fuse pins on one strut may differ from those on another strut, provided the fuse pins are not of mixed types on the same strut.

(f) 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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(g) 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.

(h) The inspections and replacements shall be done in accordance with Boeing Service Bulletin 757-54A0019, Revision 5, dated March 17, 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

(i) This amendment becomes effective on April 10, 1996.

Issued in Renton, Washington, on March 1, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-5369 Filed 3-8-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 94-NM-71-AD; Amendment 39-9534; AD 96-05-08]

Airworthiness Directives; Boeing Model 757 Series Airplanes Equipped With Rolls Royce Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 757 series airplanes, that currently requires repetitive inspections to detect cracking in the midspar fuse pins and replacement of certain fuse pins. This amendment adds requirements to inspect straight fuse pins and replace any cracked straight fuse pins with either new corrosion-resistant steel fuse pins or like pins; replace bulkhead fuse pins with new corrosion-resistant steel fuse pins; and repetitively inspect newly installed fuse pins. This amendment is prompted by the development of new corrosion-resistant steel fuse pins. The actions specified by this AD are intended to prevent cracking of the midspar fuse pins, which may lead to separation of the strut and engine from the wing of the airplane.

DATES: Effective April 10, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 10, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle,

Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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:

Carrie Sumner, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2778; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 93-16-08, amendment 39-8665 (58 FR 45041, August 26, 1993), which is applicable to certain Boeing Model 757 series airplanes, was published as a supplemental notice of proposed rulemaking in the Federal Register on May 18, 1995 (60 FR 26697). That action proposed to add a requirement to inspect straight fuse pins and replace any cracked straight fuse pins with either new corrosion-resistant steel fuse pins or like pins; replace bulkhead fuse pins with new corrosion-resistant steel fuse pins; and repetitively inspect newly installed fuse pins.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter, an affected operator, requests that the applicability of the proposed rule be revised to exclude any new airplanes that are delivered with the new, improved fuse pins already installed. This commenter presents two reasons for this request:

1. The commenter recently received airplanes that were already equipped with the new (15-5PH) mid spar fuse pins. These particular airplanes are not included in the effectivity listing of the Boeing service bulletin that was referenced in the proposed rule. Since applicability of the proposed rule would include all Model 757's equipped with Rolls Royce engines, the commenter's airplanes would be subject to the requirements of the AD, even though these airplanes were not listed in the referenced service bulletin.

2. New airplanes delivered with the new fuse pins will be inspected, and any replacement of fuse pins can be made, under the regular maintenance program.

The FAA does not concur with the commenter's request.

As for Item 1, the applicability of an AD takes precedence over the effectivity listing of a service bulletin. Further, the inspection and replacement procedures outlined in the referenced Boeing service bulletin can be accomplished on any Model 757, and are not specifically tailored only to airplanes specified in the effectivity listing of the service bulletin.

As for Item 2, the FAA is not aware of any current maintenance program requirement that includes the inspection and replacement of 15-5PH fuse pins at the intervals set forth in this AD. The FAA established the intervals based on the manufacturer's analysis and testing, which demonstrated that the 15-5PH fuse pin has a fatigue threshold of 14,000 flight cycles. This identified threshold is applicable to all 15-5PH fuse pins, regardless of whether or not the airplane on which they are installed is listed in the referenced Boeing service bulletin. If the fuse pins are not replaced or inspected at the times required by this AD, the safety concerns associated with fracture of the fuse pins will still exist. The FAA considers issuance of this AD to be necessary, since AD's are the means by which the accomplishment of procedures and adherence to specific necessary compliance times are made mandatory.

This same commenter contends that the manufacturer should revise the referenced Boeing service bulletin to include procedures for eddy current inspections of the 15-5PH fuse pins, as well as instructions for removal and replacement of those pins. The revised service bulletin should also include a listing of all applicable airplanes. The commenter requests that the proposed rule be changed to reference the revised service bulletin.

The FAA does not concur that a change to the rule is necessary. As for the procedures for inspections, the referenced Boeing service bulletin specifies that they can be found in the 757 Nondestructive Test (NDT) Manual, Part 6, Subject 54-40-01, Figure 1 (this is noted on page 16 of the Boeing service bulletin). As for removal and replacement procedures, Figure 4 of the referenced Boeing service bulletin displays a detail of the 15-5PH fuse pin installation that can be used in accomplishing those actions. As for the listing of applicable airplanes, while it may be convenient for operators to have all affected airplanes listed in the service bulletin, the FAA reiterates that the applicability statement of an AD takes precedence over the effectivity listing of any service bulletin. The FAA does intend to recommend to Boeing

that, whenever it plans to revise Service Bulletin 757-54A0020, the procedures for inspection, removal, and replacement of the 15-5PH fuse pins be included.

One commenter requests that paragraph (a)(2)(ii) of the proposal be revised to indicate that installation of the new 15-5PH fuse pins constitutes terminating action for the inspections of the older style fuse pins. This commenter asserts that the new pins have not yet been shown to be unsafe in-service. Further, once the new 15-5PH pins are installed, they can be regularly inspected under the operator's FAA-approved maintenance program.

The FAA does not concur. As indicated earlier, the manufacturer has demonstrated, by analysis supported by tests, that the 15-5PH fuse pin has a fatigue threshold of 14,000 flight cycles. In fact, in Revision 5 of Boeing Service Bulletin 757-54A0020, which was referenced in the proposed AD, the manufacturer recommends that all 15-5PH fuse pins be replaced with new pins after 14,000 flight cycles. As an option, at 14,000 flight cycles, the 15-5PH fuse pins may be examined for cracks and, if no cracking is evident, they may be continually reexamined at 3,500 flight cycle intervals. The FAA has determined that this inspection schedule is both appropriate and warranted to address the unsafe condition that arises from the consequences of fractured fuse pins. Also, as indicated earlier, the FAA is not aware of any current maintenance program requirement that includes the inspection and replacement of 15-5PH fuse pins at the intervals set forth in this AD. The FAA finds that the issuance of this AD is necessary in order to ensure that the accomplishment of the procedures and the adherence to specific compliance times are achieved.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

There are approximately 306 Model 757 series airplanes equipped with Rolls Royce engines of the affected design in the worldwide fleet. The FAA estimates that 119 airplanes of U.S. registry will be affected by this proposed AD.

The inspections that were previously required by AD 93-16-08, and retained in this new AD, take approximately 8 work hours per fuse pin; there are 4 fuse pins per airplane. The average labor rate is approximately \$60 per work hour. Based on these figures, the current cost impact of these inspections on U.S. operators is estimated to be \$228,480, or \$1,920 per airplane, per inspection

cycle. However, since the integrity and strength of the new steel fuse pins permit longer inspection intervals, the cost impact of these inspections will be lessened, since the inspections are not required to be performed as frequently as they were previously required under AD 93-16-08.

The replacement that is required by this new AD will take approximately 56 work hours per fuse pin, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operator. Based on these figures, the cost impact of the replacement action on U.S. operators is estimated to be \$1,599,360, or \$13,440 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 removing amendment 39-8665 (58 FR 45041, August 26, 1993), and by adding a new airworthiness directive (AD), amendment 39-9534, to read as follows:

96-05-08 Boeing: Amendment 39-9534.

Docket 94-NM-71-AD. Supersedes AD 93-16-08, Amendment 39-8665.

Applicability: Model 757 series airplanes equipped with Rolls Royce engines, 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 request approval for an alternative method of compliance in accordance with paragraph (f) 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.

Note 2: Inspections accomplished prior to the effective date of this amendment in accordance with the procedures described in Boeing Service Bulletin 757-54A0020, Revision 4, dated May 27, 1993; Revision 3, dated March 26, 1992; or Revision 2, dated October 31, 1991; are considered acceptable for compliance with the applicable inspection specified in this amendment.

To prevent cracking of the midspar fuse pins, which may lead to separation of the strut and engine from the wing of the airplane, accomplish the following:

(a) For airplanes equipped with straight fuse pins, part number (P/N) 311N5067-1: Prior to the accumulation of 5,000 total flight cycles on the straight fuse pin, perform an eddy current inspection to detect cracking in those fuse pins, in accordance with Boeing Service Bulletin 757-54A0020, Revision 5, dated March 17, 1994.

(1) If no cracking is detected, repeat the inspection thereafter at intervals not to exceed 1,500 flight cycles on the straight fuse pin.

(2) If any cracking is detected, prior to further flight, accomplish the requirements of either paragraph (a)(2)(i) or (a)(2)(ii) of this AD.

(i) Replace the cracked straight fuse pin with a new straight fuse pin, P/N 311N5067-1, and prior to the accumulation of 5,000 total flight cycles on the newly installed straight fuse pin, perform an eddy current inspection, in accordance with the service

bulletin. Repeat the inspection thereafter at intervals not to exceed 1,500 flight cycles on the newly installed straight fuse pin. Or

(ii) Replace the cracked straight fuse pin with a new 15-5PH fuse pin, P/N 311N5217-1, and prior to the accumulation of 14,000 total flight cycles on the newly installed 15-5PH fuse pin, perform an eddy current inspection to detect cracking in the newly installed pin, in accordance with the procedures described in the service bulletin. Repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on the newly installed fuse pin.

(b) For airplanes equipped with refinished straight fuse pins, P/N 311N5067-1: Perform an eddy current inspection to detect cracking in those fuse pins at intervals not to exceed 1,500 flight cycles on the refinished fuse pins, in accordance with Boeing Service Bulletin 757-54A0020, Revision 5, dated March 17, 1994.

(1) If no cracking is detected, repeat the inspection thereafter at intervals not to exceed 1,500 flight cycles on the refinished straight fuse pin.

(2) If any cracking is detected, prior to further flight, accomplish the requirements of either paragraph (b)(2)(i), (b)(2)(ii), or (b)(2)(iii) of this AD, in accordance with the service bulletin.

(i) Replace the cracked refinished straight fuse pin with a crack-free refinished straight fuse pin, P/N 311N5067-1, and perform an eddy current inspection to detect cracking in the refinished straight fuse pin at intervals not to exceed 1,500 flight cycles, in accordance with the procedures described in the service bulletin. Or

(ii) Replace the cracked refinished straight fuse pin with a new straight fuse pin, P/N 311N5067-1, and prior to the accumulation of 5,000 total flight cycles on the newly installed straight fuse pin, perform an eddy current inspection, in accordance with the service bulletin. Repeat the inspection thereafter at intervals not to exceed 1,500 flight cycles on the newly installed straight fuse pin. Or

(iii) Replace the cracked refinished straight fuse pin with a new 15-5PH fuse pin, P/N 311N5217-1, and prior to the accumulation of 14,000 total flight cycles on the newly installed 15-5PH fuse pin, perform an eddy current inspection to detect cracking in the newly installed pin, in accordance with the procedures described in the service bulletin. Repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on the newly installed fuse pin.

(c) For airplanes equipped with bulkhead fuse pins, P/N 311N5211-1: Within 3,000 flight cycles after the effective date of this AD, replace the bulkhead fuse pins with 15-5PH fuse pins, P/N 311N5217-1, in accordance with Boeing Service Bulletin 757-54A0020, Revision 5, dated March 17, 1994, and accomplish the requirements of paragraph (d) of this AD.

(d) For airplanes equipped with 15-5PH fuse pins: Prior to the accumulation of 14,000 total flight cycles on the 15-5PH fuse pins, perform an eddy current inspection to detect cracking in those fuse pins, in accordance with the procedures described in Boeing Service Bulletin 757-54A0020, Revision 5, dated March 17, 1994.

(1) If no cracking is detected, repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on the fuse pin.

(2) If any cracking is detected, accomplish the requirements of paragraphs (d)(2)(i) and (d)(2)(ii) of this AD.

(i) Prior to further flight, replace any cracked 15-5PH fuse pin with a new 15-5PH fuse pin, P/N 311N5217-1, in accordance with the procedures described in the service bulletin. And

(ii) Prior to the accumulation of 14,000 total flight cycles on the newly installed 15-5PH fuse pin, perform an eddy current inspection to detect cracking in the newly installed pin, in accordance with the procedures described in the service bulletin. Repeat the inspection thereafter at intervals not to exceed 3,500 flight cycles on the newly installed fuse pin.

(e) Fuse pins must be of the same type on the same strut. For example, a steel fuse pin having P/N 311N5067-1 may not be installed on the same strut that has a corrosion-resistant steel (CRES) fuse pin having P/N 311N5217-1 installed on that strut. However, fuse pins on one strut may differ from those on another strut, provided the fuse pins are not of mixed types on the same strut.

(f) 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, Seattle Aircraft Certification Office (ACO), 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, Seattle ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(g) 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.

(h) The actions shall be done in accordance with Boeing Service Bulletin 757-54A0020, Revision 5, dated March 17, 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

(i) This amendment becomes effective on April 10, 1996.

Issued in Renton, Washington, on March 1, 1996.

Darrell M. Pederson,
Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.
[FR Doc. 96-5367 Filed 3-8-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 95-NM-156-AD; Amendment 39-9535; AD 96-05-09]

Airworthiness Directives; Airbus Model A300, A300-600, A310, A330, and A340 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), that is applicable to all Airbus Model A300, A300-600, A310, A330, and A340 series airplanes. The existing AD currently requires an inspection of the sliding side windows in the cockpit to identify suspect windows; and either deactivation of the sliding window defogging system; installation of thermo-sensitive indicators; or replacement of the window. This amendment adds a requirement to replace suspect windows with serviceable windows, which, when accomplished, terminates the requirements of the AD. The actions specified by this amendment are intended to prevent rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage due to fracture of the window as a result of thermal stress created by overheating of the wires of the heating element in a localized area.

DATES: Effective April 10, 1996.

The incorporation by reference of Airbus All Operators Telex 30-01, Revision 2, dated listed in the regulations is approved by the Director of the Federal Register as of April 10, 1996.

The incorporation by reference of Airbus All Operators Telex 30-01, dated December 22, 1994, listed in the regulations, was approved previously by the Director of the Federal Register as of February 14, 1994 (60 FR 5564, January 30, 1995).

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Beilonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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) 227-2146; fax (206) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding, amendment 39-9125 (60 FR 5564, January 30, 1995), which is applicable to all Airbus Model A300, A300-600, A310, A330, and A340 series airplanes, was published as a Notice of Proposed Rulemaking (NPRM) in the Federal Register on October 26, 1995 (60 FR 54820). That NPRM proposed to continue to require certain actions previously required by AD 95-01-51, specifically:

1. the inspection of the sliding side windows in the cockpit to identify the part number of the windows; and

2. if suspect windows are installed, either deactivation of the sliding window defogging system; or installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the defogging system, if necessary; or replacement of the window.

The NPRM also proposed to require the eventual replacement of suspect windows with serviceable windows. This replacement of the windows would constitute terminating action for the requirements of the AD.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposal.

The Air Transport Association (ATA) of America, on behalf of its two member operators that are subject to this AD, requests that the FAA withdraw the proposal. This commenter indicates that these two U.S. operators have already replaced the subject cockpit sliding windows with approved alternative parts on all of their affected airplanes. Additionally, the commenter states that the part numbered windows that prompted the airworthiness concern are no longer manufactured or available for purchase. For these reasons, this commenter contends that the proposed rule is not warranted.

The FAA does not concur with the commenter's request. The FAA has received no documentation verifying that all affected U.S.-registered airplanes have been modified in accordance with the actions required by this rule. Regardless of whether or not all current U.S.-registered airplanes have been modified, the FAA has received no data or other evidence to verify that all affected airplanes, worldwide, have been modified. Without this AD, an