

Issued in Renton, Washington, on February 5, 1997.

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

[FR Doc. 97-3433 Filed 2-11-97; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-252-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A320 and A321 Series Airplanes

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

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

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to all Airbus Model A320 series airplanes, that currently requires revising the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to instruct the flight crew to maintain a flap setting of "Configuration Full" (CONF FULL) during landing. That AD was prompted by a report of severe control difficulties which occurred on approach with the flaps locked in CONF FULL and the landing gear down. This action would add a requirement for installation of a new, improved flight warning computer (FWC), which, when accomplished, would constitute terminating action for the AFM limitation. This action also would revise the applicability of the existing AD to include additional airplanes that are subject to the addressed unsafe condition. The actions specified by the proposed AD are intended to prevent reduced controllability of the airplane during approach when the flaps are locked in CONF FULL.

**DATES:** Comments must be received by March 24, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-252-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule 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.

**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:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: Comments to Docket Number 96-NM-252-AD. The postcard will be date stamped and returned to the commenter.

#### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-252-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

On September 15, 1994, the FAA issued AD 94-20-02, amendment 39-9030 (59 FR 48563, September 22, 1994), applicable to all Airbus Model A320 series airplanes, to require revising the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to advise the flight crew to maintain "Configuration Full" (CONF FULL) during landing approaches. That

action was prompted by a report of severe control difficulties which occurred on approach with the flaps locked in CONF FULL and the landing gear down. The requirements of that AD are intended to prevent severely reduced controllability of the airplane during approach.

In the preamble to AD 94-20-02, the FAA indicated that the actions required by that AD were considered "interim action" and that further rulemaking action was being considered. The FAA now has determined that further rulemaking is indeed necessary, and this proposed AD follows from that determination.

#### Actions Since Issuance of Previous Rule

Since the issuance of AD 94-20-02, the FAA has determined that Airbus Model A321 series airplanes may be subject to the same unsafe condition addressed by AD 94-20-02. Since the FWC installed on those airplanes is similar in design to those installed on Model A320 series airplanes, the same problems encountered on the Model A320 could potentially occur on the Model A321 as well.

Additionally, since issuance of AD 94-20-02, Airbus has developed an improved flight warning computer (FWC) that positively addresses the control difficulties addressed by AD 94-20-02. Installation of the FWC will ensure adequate controllability of the airplane during approach with the flaps locked in CONF FULL and the landing gear down.

#### Explanation of Relevant Service Information

Airbus has issued Service Bulletin A320-31-1080, Revision 01, dated July 12, 1996, which describes procedures for installation of a new, improved FWC that defines a new standard common to Airbus Model A320 and A321 series airplanes. Among other actions, the service bulletin describes modifications that correct certain FWC parts and that implement predictive windshear function capability. The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified this service bulletin as mandatory and issued French airworthiness directive 96-079-079(B), dated April 10, 1996, in order to assure the continued airworthiness of these airplanes in France.

#### FAA's Conclusions

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation

Regulations (14 CFR 21.29) 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.

#### Explanation of Requirements of Proposed Rule

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, the proposed AD would supersede AD 94-20-02. It would continue to require revising the AFM of Model A320 series airplanes to instruct the flight crew to maintain CONF FULL during landing approaches for Airbus Model A320 series airplanes.

This proposal also would require the same AFM revision for Airbus Model A321 series airplanes.

Additionally, this proposal would require installation of a new, improved FWC on all airplanes as terminating action for the AFM limitations. The previously required AFM revision must be removed after the new, improved FWC has been installed. The installation would be required to be accomplished in accordance with the service bulletin described previously.

#### Cost Impact

There are approximately 109 Airbus Model A320 series airplanes of U.S. registry that would be affected by this proposed AD.

The actions that are currently required by AD 94-20-02 (revision of the AFM) take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the actions currently required on U.S. operators is estimated to be \$6,540, or \$60 per airplane.

The new actions that are proposed in this AD action (installation of new, improved FWC) would take approximately 3 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts would be provided to operators by the manufacturer at no cost. Based on these figures, the cost impact of the proposed requirements on U.S. operators of Model A320 series airplanes is estimated to be \$19,620, or \$180 per airplane.

The cost impact figures discussed above are based on assumptions that no

operator has yet accomplished any of the current or proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

None of the Model A321 series airplanes affected by this proposed action are on the U.S. Register. All of those airplanes that are included in the applicability of this proposal currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this proposed AD action. However, the FAA considers that inclusion of those airplanes in the applicability of this proposed rule is necessary to ensure that the unsafe condition is addressed in the event that any of these airplanes are imported and placed on the U.S. Register in the future.

#### Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

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

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. 106(g), 40113, 44701.

### § 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-9030 (59 FR 48563, September 22, 1994), and by adding a new airworthiness directive (AD), to read as follows:

Airbus Industrie: Docket 96-NM-252-AD. Supersedes AD 94-20-02, Amendment 39-9030.

*Applicability:* Model A320 and A321 series airplanes, on which Airbus Modification 24612 or Airbus Service Bulletin A320-31-1080 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 otherwise 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 (c) 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.

To prevent severely reduced controllability of the airplane during approach, accomplish the following:

(a) At the applicable time specified in either paragraph (a)(1) or (a)(2) of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the information specified in Airbus A320/A321 Flight Manual Temporary Revision 9.99.99/20, dated June 14, 1994.

Note 2: This may be accomplished by inserting a copy of Airbus A320/A321 Flight Manual Temporary Revision 9.99.99/20, dated June 14, 1994, in the AFM. When this temporary revision has been incorporated in the general revisions of the AFM, the general revisions may be inserted in the AFM, provided the information contained in the general revisions is identical to that specified in Temporary Revision 9.99.99/20.

(1) For Model A320 series airplanes: Revise the AFM within 10 days after October 7, 1994 (the effective date of AD 94-20-02, amendment 39-9030).

(2) For Model A321 series airplanes: Revise the AFM within 10 days after the effective date of this AD.

(b) Within 6 months after the effective date of this AD, install a new, improved flight warning computer (FWC) in accordance with Airbus Service Bulletin A320-31-1080, Revision 01, dated July 12, 1996. Prior to

further flight after accomplishing this installation, remove the AFM revision required by paragraphs (a) of this AD.

(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, Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Operations Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 3: 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.

Issued in Renton, Washington, on February 5, 1997.

Darrell M. Pederson,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 97-3434 Filed 2-11-97; 8:45 am]

BILLING CODE 4910-13-U

## 14 CFR Part 39

[Docket No. 96-NM-180-AD]

RIN 2120-AA64

### Airworthiness Directives; Raytheon Model BAe 125-1000A and Model Hawker 1000 Series Airplanes

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

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

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Raytheon Model BAe 125-1000A and Model Hawker 1000 series airplanes. This proposal would require various modifications to increase the size of certain existing pressure venting areas and to add additional venting areas. This proposal is prompted by results of a design review of the requirements for certification of the cabin pressurization system. The actions specified by the proposed AD are intended to prevent inadequate venting of cabin pressure in the event of rapid decompression, which could cause failure or deformation of certain structural members, and consequent reduced controllability of the airplane.

**DATES:** Comments must be received by March 24, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-180-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Raytheon Aircraft Company, Manager Service Engineering, Hawker Customer Support Department, P.O. Box 85, Wichita, Kansas 67201-0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 96-NM-180-AD." The postcard will be date stamped and returned to the commenter.

#### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-180-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The FAA has reviewed results of a design review of requirements for certification of the cabin pressurization system on Raytheon Model BAe 125 and Model Hawker 1000 series airplanes. The Civil Aviation Authority (the airworthiness authority for the United Kingdom) and the manufacturer (Raytheon) conducted the design review, and determined that the existing venting between certain structural members is inadequate to provide rapid equalization of the pressure differential between the two sides of these members when rapid decompression occurs on one side of the member. Inadequate venting of cabin pressure, if not corrected, could cause failure or deformation of certain structural members, and consequent reduced controllability of the airplane.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved the following Raytheon Service Bulletins:

1. Service Bulletin SB.21-151-25A683C, dated July 12, 1994 (Modification 25A683C), which describes procedures for installing a pressure relief flap in the rear luggage compartment of the bulkhead at frame 19. Installation of the pressure relief flap will limit the pressure differential across the rear luggage compartment in the event of rapid decompression of the airplane.

2. Service Bulletin SB.53-81-3661B, dated February 25, 1994 (Modification 253661B), which describes procedures to remove the fiberglass infill cover located outboard of the floor panels between frame 8 and frame 10B. This service bulletin also describes procedures to increase the existing size of the lightening holes in the rail web of the right-hand seat between frame 10B and frame 10D, and to add a third hole to increase the vent area. Additionally, the service bulletin describes procedures for installation of a new reinforcing plate for all three lightening holes. Accomplishment of this modification will ensure the structural integrity of the fuselage in the event of rapid decompression of the airplane.

3. Service Bulletin SB.53-76-3627A, dated February 25, 1994 (Modification