

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-NM-94-AD]

RIN 2120-AA64

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

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

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to certain Airbus Model A320 series airplanes, that would have required repetitive inspections to verify proper installation of the plain bushings of the upper and lower connection links on the forward and aft passenger/crew doors, and correction of discrepancies. That AD also would have required replacement of the shouldered bushing on the locking mechanism with a new oversized bushing, which would have terminated the repetitive inspection requirements. That proposal was prompted by a report that, during an emergency evacuation of in-service airplanes, the left aft passenger/crew door jammed against the fuselage structure in a nearly closed position due to bushing migration. This action revises the proposed rule by expanding the applicability of the proposed rule to include additional airplanes; and adding new repetitive inspections and a terminating modification for those new airplanes. The actions specified by this proposed AD are intended to prevent jamming of the passenger/crew door, which could delay or impede the evacuation of passengers during an emergency.

**DATES:** Comments must be received by March 17, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport

Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-94-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) 227-2141; fax (206) 227-1100.

#### 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 94-NM-94-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. 94-NM-94-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Airbus Model A320 and Model A321 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the Federal Register on August 30, 1994 (59 FR 44670). That NPRM would have required repetitive detailed visual inspections to verify proper installation of the plain bushings of the upper and lower connection links on the forward and aft passenger/crew doors, and correction of discrepancies. That NPRM also would have required replacement of the shouldered bushing on the locking mechanism with a new oversized bushing, which would have terminated the repetitive inspection requirements. That NPRM was prompted by a report that, during an emergency evacuation of in-service airplanes, the left aft passenger/crew door jammed against the fuselage structure in a nearly closed position due to bushing migration. That condition, if not corrected, could delay or impede the evacuation of passengers during an emergency.

#### Actions Prompting This Supplemental Proposal

Several commenters who responded to the original notice pointed out that the applicability of the proposed AD should be revised to include Airbus Model A320 and Model A321 series airplanes, on which Airbus Modification 22422 (reference Airbus Service Bulletin A320-52-1027) was installed during production. The unsafe condition (i.e., bushing migration) addressed by the proposal has also occurred on these airplanes, and Airbus has issued service information that contains new procedures for addressing the unsafe condition on these airplanes.

#### Explanation of New Relevant Service Information

Since issuance of the NPRM, Airbus has issued All Operators Telex (AOT)

52-07, dated July 28, 1994, and Service Bulletin A320-52-1066, dated March 6, 1995. These service documents describe procedures for performing repetitive detailed visual inspections to verify proper installation of the plain bushings of the upper and lower connection links.

Airbus also has issued Service Bulletin A320-52-1064, Revision 1, dated September 8, 1995, which describes procedures for modification of the frame segment bushings. The modification involves replacing the plain bushing with a shouldered bushing on the frame used for attachment of the connection links. Accomplishment of the modification would eliminate the need for the repetitive detailed visual inspections.

The effectivity listing of these service documents includes certain additional Airbus Model A320 and Model A321 series airplanes that are subject to the unsafe condition. (These airplanes were not identified in the applicability of the original NPRM.)

The Direction Générale de l'Aviation Civile (DGAC), which the airworthiness authority for France, classified these service documents as mandatory and issued French airworthiness directive 95-004-062(B)R1, dated May 10, 1995, in order to assure the continued airworthiness of these airplanes in France.

#### FAA's Action

In light of this new information, the FAA has revised the applicability of the proposal to include the additional airplanes listed in the new Airbus service documents. For these additional airplanes, the FAA also has revised the proposal to include new requirements for accomplishing the procedures specified in those service bulletins. The actions that were proposed in the originally-issued NPRM for the other affected airplanes are retained in this supplemental NPRM.

In addition, the FAA has increased the labor rate used in the cost impact calculations, below, from \$55 per work hour to \$60 per work hour. The \$60 figure more accurately represents the current labor rate in the aviation industry.

#### Conclusion

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

#### Cost Impact

The FAA estimates that 94 Airbus Model A320 and Model A321 series airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 6 work hours per airplane to accomplish the proposed detailed visual inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the modification proposed AD on U.S. operators is estimated to be \$33,840, or \$360 per airplane, per inspection cycle.

For certain airplanes, it would take approximately 72 work hours per airplane to accomplish the proposed modification, at an average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the modification proposed AD on U.S. operators is estimated to be \$406,080, or \$4,320 per airplane.

For certain other airplanes, it would take approximately 53 work hours per airplane to accomplish the proposed modification, at an average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the modification proposed AD on U.S. operators is estimated to be \$298,920, or \$3,180 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.

#### 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 adding the following new airworthiness directive:

Airbus Industrie: Docket 94-NM-94-AD.

*Applicability:* Model A320 and Model A321 series airplanes; on which Airbus Modification 22422 (reference Airbus Service Bulletin A320-52-1027) has been installed, or Airbus Modification 24497 (reference Airbus Service Bulletin A320-52-1064) has not been installed; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 request approval for an alternative method of compliance in accordance with paragraph (e) 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 jamming of the passenger/crew door, which could delay or impede the evacuation of passengers during an emergency, accomplish the following:

(a) For Model A320 series airplanes on which Airbus Modification 22422 (reference Airbus Service Bulletin A320-52-1027) has not been accomplished: Within 450 flight hours after the effective date of this AD, perform a detailed visual inspection to verify proper installation of the plain bushings of the upper and lower connection links on the forward and aft passenger/crew doors, in

accordance with Airbus Service Bulletin A320-52-1047, dated April 25, 1994.

(1) If all bushings are installed properly, repeat the inspection thereafter at intervals not to exceed 900 flight hours until the modification required by paragraph (c) of this AD is accomplished.

(2) If any bushing has migrated, prior to further flight, remove the passenger/crew door and visually inspect the bushing to detect damage, in accordance with the service bulletin.

(i) If the bushing housings are not damaged, prior to further flight, reinstall the bushing in accordance with the service bulletin. Repeat the detailed visual inspections of the bushings thereafter at intervals not to exceed 450 flight hours until the modification required by paragraph (b) of this AD is accomplished.

(ii) If any bushing housing is damaged, prior to further flight, ream the door structure and install an oversize shouldered bushing, in accordance with the service bulletin. If the damage is not completely removed after reaming, prior to further flight, repair the bushing housing in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(b) For Model A320 and Model A321 series airplanes; on which Airbus Modification 22422 (reference Airbus Service Bulletin A320-52-1027) has been installed, and Airbus Modification 24497 (reference Airbus Service Bulletin A320-52-1064) has not been installed: Within 450 flight hours after the effective date of this AD, perform a detailed visual inspection to verify proper installation of the plain bushings of the upper and lower connection links (2 bushings per door), in accordance with Airbus All Operators Telex AOT 52-07, dated July 28, 1994, or Airbus Service Bulletin A320-52-1066, dated March 6, 1995.

(1) If the bushings are installed properly, repeat the detailed visual inspection thereafter at intervals not to exceed 900 flight hours.

(2) If any bushing is found to be improperly installed, prior to further flight, modify the frame segment bushings in accordance with Airbus Service Bulletin A320-52-1064, Revision 1, dated September 8, 1995. Accomplishment of the modification constitutes terminating action for the requirements of this AD.

(c) For Model A320 series airplanes on which Airbus Modification 22422 (reference Airbus Service Bulletin A320-52-1027) has not been accomplished: Within 3,500 flight hours after the effective date of this AD, replace the shouldered bushing on the locking mechanism with a new oversized bushing (Kit No. 521027A02), in accordance with Airbus Service Bulletin A320-52-1027, Revision 2, dated February 18, 1993, or Revision 3, dated December 10, 1993. Accomplishment of this modification constitutes terminating action for the repetitive inspection requirements of paragraph (a) of this AD.

(d) For Model A320 and Model A321 series airplanes on which Airbus Modification 22422 (reference Airbus Service Bulletin A320-52-1027) has been installed, and

Airbus Modification 24497 (reference Airbus Service Bulletin A320-52-1064) has not been installed: Within 15 months after the effective date of this AD, modify the frame segment bushing in accordance with Airbus Service Bulletin A320-52-1064, Revision 1, dated September 8, 1995. Accomplishment of the modification constitutes terminating action for the repetitive detailed visual inspection requirements of paragraph (b) of this AD.

(e) 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.

(f) 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 19, 1997.

James V. Devany,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 97-4556 Filed 2-24-97; 8:45 am]

**BILLING CODE 4910-13-U**

#### 14 CFR Part 71

[Airspace Docket No. 96-AWP-34]

#### Proposed Revision of Class D and Class E Airspace; Los Angeles, CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws the Notice of Proposed Rulemaking (NPRM) to revise the Class D and Class E airspace areas at Los Angeles Hawthorne Municipal Airport, CA. The NPRM is being withdrawn as a result of the complexity of the air traffic procedures and operations in this area. Further analysis is necessary to reduce the complexity and incorporate appropriate changes into the airspace design.

**DATES:** The proposed rule is withdrawn as of February 25, 1997.

**FOR FURTHER INFORMATION CONTACT:** William Buck, Airspace Specialist, Operations Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation

Administration, Docket No. 96-AWP-34, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6556.

#### SUPPLEMENTARY INFORMATION:

##### The Proposed Rule

On January 8, 1997, a Notice of Proposed Rulemaking was published in the Federal Register to revise the Class D and Class E airspace areas at Los Angeles Hawthorne Municipal Airport, CA (62 FR 1063). During airspace reclassification, the Hawthorne Airport Traffic Area (ATA) and the Los Angeles ATA were combined to form the Hawthorne Class D airspace. Action was initiated to redesign the Los Angeles Hawthorne Municipal Airport surface areas to reduce the complexity of air traffic procedures within this area.

##### Conclusion

The proposed action would have resulted in a reduction of the surface areas for the Los Angeles Hawthorne Municipal Airport, CA. The proposal would not have reduced the complexity of the air traffic procedures and operations in this area. Further analysis is necessary to incorporate appropriate changes into the airspace design.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

##### Withdrawal of Proposed Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 96-AWP-34, as published in the Federal Register on January 8, 1997 (62 FR 1063), is hereby withdrawn.

Issued in Los Angeles, California, on February 5, 1997.

Leonard A. Mobley,

*Acting Manager, Air Traffic Division, Western-Pacific Region.*

[FR Doc. 97-4579 Filed 2-24-97; 8:45 am]

**BILLING CODE 4910-13-M**

#### 14 CFR Part 71

[Airspace Docket No. 97-AEA-14]

#### Proposed Establishment of Class E Airspace, Kutztown, PA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would establish Class E Airspace at Kutztown, PA. The development of a new Standard Instrument Approach Procedure (SIAP) at Kutztown Airport based on the VHF Omni-Directional Radio Range (VOR) and Global Positioning System (GPS)