

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:

99-02-04 Airbus Industrie: Amendment 39-10993. Docket 98-NM-67-AD.

Applicability: Model A320 series airplanes, as listed in Airbus Service Bulletin A320-27-1096, Revision 01, dated January 14, 1998; and Model A321 series airplanes, as listed in Airbus Service Bulletin A320-27-1103, dated June 14, 1996; 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 (b) 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 failure of the slat and flap control computer (SFCC), which could result in uncommanded slat retraction during takeoff and consequent insufficient wing lift available to complete a successful takeoff, accomplish the following:

(a) Within 24 months after the effective date of this AD, modify the SFCC 1 and SFCC 2 in the aft electronics rack, in accordance with Airbus Service Bulletin A320-27-1096, dated March 14, 1996, or Revision 01, dated January 14, 1998 (for Model A320 series airplanes); or Airbus Service Bulletin A320-27-1103, dated June 14, 1996, or Revision 01, dated January 26, 1998 (for Model A321 series airplanes); as applicable.

Note 2: After accomplishment of the modification required by paragraph (a) of this AD, Temporary Revision No. 4.02.00/02 may be removed from the Airbus Model A320 and A321 Airplane Flight Manuals.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The modification shall be done in accordance with Airbus Service Bulletin A320-27-1096, dated March 14, 1996; Airbus Service Bulletin A320-27-1096, Revision 01, dated January 14, 1998; Airbus Service Bulletin A320-27-1103, dated June 14, 1996; or Airbus Service Bulletin A320-27-1103, Revision 01, dated January 26, 1998; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 4: The subject of this AD is addressed in French airworthiness directive 97-085-099(B), dated March 12, 1997.

(e) This amendment becomes effective on February 19, 1999.

Issued in Renton, Washington, on January 7, 1999.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-813 Filed 1-14-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-103-AD; Amendment 39-10992; AD 99-02-03]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A320 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A320 series airplanes, that requires installation of a rubber strip and replacement of connection sheets and the seal retainer on the avionics compartment access door with new parts; and installation of drip pans and additional drain gutters on the avionics racks. This amendment is prompted by

issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent the trickling of water into the avionics compartment, which could result in avionics computer and equipment malfunctions.

DATES: Effective February 19, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 19, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the 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: Norman B. Martenson, Manager, International Branch, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A320 series airplanes was published in the **Federal Register** on March 4, 1998 (63 FR 10572). That action proposed to require installation of a rubber strip and replacement of connection sheets and the seal retainer on the avionics compartment access door with new parts; and installation of drip pans and additional drain gutters on the avionics racks.

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

Request To Approve Alternate Method of Compliance

One commenter requests that Airbus Service Bulletin A320-25-1186, dated December 1, 1997, or subsequent revisions be approved as an alternate method of compliance with the requirements of paragraph (b) of the proposed rule. The commenter states that incorporation of Airbus Service Bulletin A320-25-1186 would provide a high level of safety by increasing the area and drainage in the 90VU avionics rack area, and would install the drain

pans over all portions of the 90VU rack as specified in Airbus Service Bulletin A320-24-1054.

The FAA has reviewed Airbus Service Bulletin A320-25-1186, dated December 1, 1997, and concurs with the commenter's request to approve it as an acceptable method of compliance with the requirements of paragraph (b) of this AD. The FAA has revised the final rule to add a note that reflects that approval.

However, the FAA cannot concur with the commenter's request to extend the approval to "subsequent revisions" of that service bulletin. The FAA does not reference service bulletins in an AD that have not yet been released. Office of the Federal Register (OFR) regulations require that either the service document contents be published as part of the actual AD language; or that the service document be submitted for approval by the OFR as "referenced" material, in which case it only may be referred to in the text of an AD. An AD may only refer to a service document that was submitted and approved by the OFR for "incorporation by reference." [In order for operators to use later revisions of a specifically referenced document in an AD, either the AD must be revised to reference the specific later revisions, or operators must request approval of the revisions as an alternative method of compliance under the provisions of paragraph (c) of this AD.]

Add Another Required Service Bulletin

One commenter requests that, in addition to requiring accomplishment of Airbus Service Bulletin A320-24-1054, Revision 2, dated September 22, 1993, in paragraph (b) of the proposed rule, the FAA also require accomplishment of Airbus Service Bulletin A320-25-1186. The commenter notes that accomplishment of Airbus Service Bulletin A320-25-1186 provides additional protection for the 90 VU rack, and that the service bulletin is scheduled to be mandated by the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, with a compliance time of two years. The commenter also requests that a three-year compliance time [identical to the compliance time specified in paragraph (b) of the proposed rule for the installation of drip pans and additional drain gutters on the avionics racks in accordance with Airbus Service Bulletin A320-24-1054, Revision 2] be mandated for the accomplishment of Airbus Service Bulletin A320-25-1186.

The FAA does not concur with the commenter's request to require accomplishment of Airbus Service Bulletin A320-25-1186 in this rule.

Requiring accomplishment of that service bulletin would expand the applicability of the AD to other airplanes, as well as require additional work for operators. To add such requirements would necessitate (under the Administrative Procedure Act) reissuing the notice, reopening the period for public comment, considering additional comments received, and eventually issuing a final rule. The time required for those procedures may be as long as four additional months.

In light of the nature of the unsafe condition identified in this rule, the FAA has determined that further delay of this final rule action is not appropriate. However, the FAA may consider additional rulemaking action. Furthermore, as explained in a previous response to a commenter, the FAA has added Airbus Service Bulletin A320-25-1186 to this rule as an alternative method of compliance with paragraph (b) of this AD.

Request for Approval of Other Alternative Methods of Compliance

One commenter, the manufacturer, requests that revisions prior to Airbus Service Bulletins A320-24-1054, Revision 2, and A320-53-1070, Revision 6, be approved as alternative methods of compliance with the requirements of the proposed rule. The manufacturer advises that later revisions have been issued of both service bulletins that are referenced in the proposed rule.

The FAA partially concurs with the commenter's request. The FAA has determined that Airbus Service Bulletin A320-53-1070, Revisions 4, 5, 7, and 8 are, for the purposes of this AD, equivalent to the technical procedures specified in Revision 6, which is an appropriate source of service information specified in this AD. A new "Note 2" has been added to the AD to reflect this determination. However, the FAA has been unable to secure copies of Revisions 1, 2, and 3 of that service bulletin to determine if the procedures specified in those revisions are technically equivalent to Revision 6 of Airbus Service Bulletin A320-53-1070. Consequently, the FAA finds that operators who wish to use Revisions 1, 2, and 3 of Airbus Service Bulletin A320-53-1070 must submit a copy of the revision to the FAA with a request for approval of an alternative method of compliance in accordance with paragraph (c) of this AD.

Similarly, the FAA also has been unable to obtain and review copies of Revisions 1, 3, and 4 of Airbus Service Bulletin A320-24-1054. Consequently the FAA finds that those operators who

wish to use revisions other than Revision 2, as specified in the AD, must submit a copy of that service bulletin with a request for approval of an alternative method of compliance in accordance with paragraph (c) of this AD.

Clarification of Applicability

One commenter, an operator, states that its fleet of airplanes is not affected by the proposed requirements of the Notice of Proposed Rulemaking (NPRM). The operator justifies its position by stating that the Airbus service bulletins referenced in the proposed rule specify that the modifications described in those particular service bulletins were incorporated on airplanes having manufacturer's serial number (MSN) 316 and subsequent, and that the operator's first Airbus Model A320 series airplane is MSN 435.

The FAA finds that clarification of the applicability is warranted. The FAA acknowledges that Airbus Service Bulletin A320-24-1054 (which is specified as one of the appropriate sources of service information in the proposal) specifies that it does not affect airplanes having MSN 316 and subsequent. However, Airbus Service Bulletin A320-53-1070 (which is specified as one of the appropriate sources of service information in the proposal) clearly specifies that it affects some airplanes manufactured after MSN 316.

The applicability of the proposed rule, which is retained in the final rule, affects "Model A320 series airplanes on which Airbus Modification 22119 or 21999 has not been accomplished." The applicability of this AD is contingent on certain modifications that have not been accomplished rather than based on the effectivity of the referenced service bulletins. Therefore, regardless of the effectivity of the referenced service bulletins, this AD takes precedence.

Conclusion

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 with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

The FAA estimates that 118 airplanes of U.S. registry will be affected by this AD, that it will take approximately 3 work hours per airplane to accomplish

the actions specified in Airbus Service Bulletin A320-53-1070, Revision 6, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$1,273 per airplane. Based on these figures, the cost impact of this action on U.S. operators is estimated to be \$171,454, or \$1,453 per airplane.

It will take approximately 41 work hours to accomplish the actions specified in Airbus Service Bulletin A320-24-1054, Revision 2, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$4,340 per airplane. Based on these figures, the cost impact of this action on U.S. operators is estimated to be \$802,400, or \$6,800 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the 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 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

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

99-02-03 Airbus Industrie: Amendment 39-10992. Docket 98-NM-103-AD.

Applicability: Model A320 series airplanes on which Airbus Modification 22119 or 21999 has not been accomplished, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must 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 the trickling of water into the avionics compartment, which could result in avionics computer and equipment malfunctions, accomplish the following:

(a) Except for airplanes on which the access door has been removed, sealed, or

blocked in accordance with Airbus Service Information Letter 53-052, dated August 30, 1991; or in accordance with a method approved by the FAA: Within 18 months after the effective date of this AD, install a rubber strip, and replace the connection sheets and the seal retainer on the avionics compartment access door with new parts, in accordance with Airbus Service Bulletin A320-53-1070, Revision 6, dated July 18, 1995.

Note 2: Accomplishment of Airbus Service Bulletin A320-53-1070, Revision 4, 5, 7, or 8, is acceptable for compliance to the requirements of paragraph (a) of this AD.

(b) Within 3 years after the effective date of this AD, install drip pans and additional drain gutters on the avionics racks in accordance with Airbus Service Bulletin A320-24-1054, Revision 2, dated September 22, 1993.

Note 3: Accomplishment of Airbus Service Bulletin A320-24-1054, Revision 1, 3, or 4, is acceptable for compliance to the requirements of paragraph (b) of this AD.

Note 4: Accomplishment of Airbus Industrie Service Bulletin A320-25-1186, dated December 1, 1997, also is acceptable for compliance with the requirements of paragraph (b) 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, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 5: Information concerning the existence of other approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(d) Special flight permits may be issued in accordance with §§ 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.

(e) The actions shall be done in accordance with Airbus Service Bulletin A320-53-1070, Revision 6, dated July 18, 1995, and Airbus Service Bulletin A320-24-1054, Revision 2, dated September 22, 1993. These Airbus service bulletins contain the following list of effective pages:

Service bulletin reference and date	Page No.	Revision level shown on page	Date shown on page
A320-24-1054, Revision 2, September 22, 1993	1-5, 7-40	2	September 22, 1993.
September 22, 1993	6	Original	January 20, 1992.
A320-53-1070, Revision 6, July 18, 1995	1-3, 5, 7-12	6	July 18, 1995.
	4	2	November 10, 1992.
	6, 13-16, 18	4	June 15, 1993.
	17	5	October 4, 1993.

This incorporation by reference was approved by the Director of the Federal

Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained

from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 6: The subject of this AD is addressed in French airworthiness directives 96-011-075(B), dated January 3, 1996, and 96-040-076(B), dated February 14, 1996.

(f) This amendment becomes effective on February 19, 1999.

Issued in Renton, Washington, on January 7, 1999.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-812 Filed 1-14-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-250-AD; Amendment 39-10995; AD 99-02-06]

RIN 2120-AA64

Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F.28 Mark 0100 series airplanes, that requires modification of the aft cabin sidewall area to improve decompression venting and, for certain airplanes, modification of the aft wardrobe/stowage area door and installation of decompression panels to improve decompression venting. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent damage to the cabin floor in the event of sudden decompression in the cargo compartment, which could result in injury to passengers, reduced structural integrity of the airplane, and the loss of airplane systems.

DATES: Effective February 19, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 19, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Services B.V., Technical

Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, the Netherlands. 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:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F.28 Mark 0100 series airplanes was published in the **Federal Register** on October 15, 1998 (63 FR 55345). That action proposed to require modification of the aft cabin sidewall area to improve decompression venting. For certain airplanes, that action also proposed to require modification of the aft wardrobe/stowage area door and installation of decompression panels to improve decompression venting.

Comments Received

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 intent of the proposed AD.

Request To Extend Compliance Time

One commenter, an operator, states that its entire fleet is affected by the proposed requirement to accomplish the modification described in Fokker Service Bulletin SBF100-25-082, Revision 1, dated May 7, 1998. The commenter states that the labor and out-of-service time required to accomplish the modification cannot be completed during routine overnight maintenance, and should be scheduled when an airplane is normally out of service for an extended period. The commenter further notes that the proposed 24-month compliance period does not provide sufficient time to accomplish the work in this manner, and will require airplanes to be taken out of service specifically to complete the mandated modification.

The FAA does not concur with the commenter's request to extend the compliance time. The FAA notes that the compliance time of both

modifications is 26 months after the effective date of this AD, rather than 24 months as suggested by the commenter. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but also the manufacturer's and the Dutch airworthiness authority's recommendations regarding an appropriate compliance time, and an appropriate interval of time that parallels the normally scheduled maintenance for the majority of affected operators.

In consideration of all of these factors, the FAA has determined that further delay of this modification is not appropriate. However, under the provisions of paragraph (c) of the final rule, the FAA may approve requests for adjustments to the compliance time if data are submitted that substantiate that such an adjustment would provide an acceptable level of safety.

Conclusion

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.

Cost Impact

The FAA estimates that 127 airplanes of U.S. registry will be affected by this AD.

For all airplanes, it will take approximately 12 work hours per airplane to accomplish the required modification of the aft cabin sidewall area, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$3,450 per airplane. Based on these figures, the cost impact of this required modification on U.S. operators is estimated to be \$529,590, or \$4,170 per airplane.

For airplanes equipped with an aft service/emergency door (70 airplanes), it will take approximately 6 work hours per airplane to accomplish the required modification of the aft wardrobe/stowage area door and installation of decompression panels, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$9,000 per airplane. Based on these figures, the cost impact of this required modification on U.S. operators is estimated to be \$655,200, or \$9,360 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish