

that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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:

**2002-02-08 Boeing:** Amendment 39-12636. Docket 2000-NM-332-AD.

**Applicability:** Model 737-200, -200C, -300, and -500 series airplanes; as identified in Boeing Service Bulletin 737-57A1260, Revision 2, dated October 18, 2001; certificated in any category.

**Note 1:** Operators should note that, if self-locking nuts are installed on the support beam for the main landing gear (MLG) during accomplishment of Boeing Service Bulletin 737-57-1216, dated December 17, 1992; Revision 1, dated September 23, 1993; or Revision 2, dated May 6, 1999; the airplane may be subject to the requirements of this AD.

**Note 2:** 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 (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 loosening and loss of the support pin retaining bolt on the MLG, which could result in the loosening and movement of the support pin, consequent cracked support fittings, and collapse of the MLG, accomplish the following:

### Replacement

(a) Within 12 months from the effective date of this AD, or within 1,500 flight cycles from the effective date of this AD, whichever occurs first, replace the retaining bolt, self-locking nut, and associated hardware of the support beam for the MLG with a new bolt, castellated nut, and new hardware, per the Accomplishment Instructions of Boeing Service Bulletin 737-57A1260, Revision 2, dated October 18, 2001.

**Note 3:** Replacements accomplished before the effective date of this AD per Boeing Alert Service Bulletin 737-57A1260, dated June 15, 2000; or Revision 1, dated October 12, 2000; are acceptable for compliance with paragraph (a) of this AD.

### Airplanes in Other Configurations

(b) As shown under paragraph 1.E., "Compliance," of Boeing Service Bulletin 737-57A1260, Revision 2, dated October 18, 2001, if the airplane is in a configuration in which a drilled shank bolt, castellated nut, and cotter pin are installed in the subject areas of the support beam for the MLG, no action is necessary per this AD.

### Alternative Methods of Compliance

(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, Seattle Aircraft Certification Office (ACO), FAA. 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 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

### Special Flight Permits

(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.

### Incorporation by Reference

(e) The actions shall be done in accordance with Boeing Service Bulletin 737-57A1260, Revision 2, dated October 18, 2001. 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.

### Effective Date

(f) This amendment becomes effective on March 19, 2002.

Issued in Renton, Washington, on January 31, 2002.

**Kalene C. Yanamura,**

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

[FR Doc. 02-2928 Filed 2-11-02; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-392-AD; Amendment 39-12634; AD 2002-02-06]

RIN 2120-AA64

### Airworthiness Directives; Airbus Model A330-243, -341, -342, and -343 Series Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Airbus Model A330-243, -341, -342, and -343 series airplanes. This action requires modifying the rear engine mount by replacing the existing fail-safe link with a new, improved fail-safe link. This action is necessary to prevent failure of the fail-safe link of the rear engine

mount, which, in combination with failure of the primary load path for the engine, could result in separation of the engine from the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective February 27, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 27, 2002.

Comments for inclusion in the Rules Docket must be received on or before March 14, 2002.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-392-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-iarcomment@faa.gov. Comments sent via fax or the Internet must contain "Docket No. 2001-NM-392-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

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 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.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1137; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A330-243, -341, -342, and -343 series airplanes, which are equipped with Rolls-Royce engines. The DGAC advises that fatigue tests have revealed that the fail-safe link of the rear engine mount may not have adequate fatigue strength. The fail-safe link is intended to withstand operational loads in the event of loss of

the primary load path for the engine. Failure of the fail-safe link of the rear engine mount, when combined with loss of the primary load path for the engine, could result in separation of the engine from the airplane.

#### **Explanation of Relevant Service Information**

Airbus has issued Service Bulletin A330-71-3010, dated September 25, 1999, which describes procedures for modifying the rear engine mount on the left- and right-hand sides of the airplane by replacing the existing fail-safe link with a new, improved fail-safe link. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 2001-544(B), dated November 14, 2001, in order to assure the continued airworthiness of these airplanes in France.

Airbus Service Bulletin A330-71-3010 refers to Rolls-Royce Service Bulletin RB211-71-C639, dated September 10, 1999, as an additional source of service information for modification of the rear engine mount. The modification includes replacing the two-piece bearing with a one-piece bearing and increasing the thickness of the fail-safe link.

#### **FAA's Conclusions**

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.19) 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 the Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to prevent failure of the fail-safe link of the rear engine mount, which, in combination with failure of the primary load path for the engine, could result in separation of the engine from the airplane. This AD requires accomplishment of the actions

specified in the Airbus service bulletin described previously.

#### **Cost Impact**

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

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 40 work hours to accomplish the required actions, at an average labor rate of \$60 per work hour. Required parts would be provided by the engine manufacturer at no charge to the operators. Based on these figures, the cost impact of this AD would be \$2,400 per airplane.

#### **Determination of Rule's Effective Date**

Since this AD action does not affect any airplane that is currently on the U.S. Register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

#### **Comments Invited**

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a

request to change the service bulletin reference as two separate issues.

- For each issue, state what specific change to the proposed AD is being requested.

- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2001-NM-392-AD." The postcard will be date-stamped and returned to the commenter.

### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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:

**2002-02-06 Airbus Industrie:** Amendment 39-12634. Docket 2001-NM-392-AD.

**Applicability:** Model A330-243, -341, -342, and -343 series airplanes; certificated in any category; except those on which Airbus Modification 46877 (Airbus Service Bulletin A330-71-3010, dated September 25, 1999) or Rolls-Royce Service Bulletin RB211-71-C639, dated September 10, 1999, has been accomplished.

**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 (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 fail-safe link of the rear engine mount, which, in combination with failure of the primary load path for the engine, could result in separation of the engine from the airplane, accomplish the following:

#### Replacement

(a) Before accumulating 8,000 total flight cycles on the fail-safe link of the rear engine mount, or within 30 days after the effective date of this AD, whichever is later: Modify the rear engine mount on the left- and right-hand sides of the airplane by replacing the existing fail-safe link, part number FK11282, with a new, improved fail-safe link, according to Airbus Service Bulletin A330-71-3010, dated September 25, 1999.

**Note 2:** Airbus Service Bulletin A330-71-3010 refers to Rolls-Royce Service Bulletin RB211-71-C639, dated September 10, 1999, as an additional source of service information for modification of the rear engine mount. The modification includes replacing the two-piece bearing with a one-piece bearing and increasing the thickness of the fail-safe link.

#### Alternative Methods of Compliance

(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, Transport Airplane Directorate, FAA. 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.

#### Special Flight Permits

(c) 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.

#### Incorporation by Reference

(d) The actions shall be done in accordance with Airbus Service Bulletin A330-71-3010, dated September 25, 1999. 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 2001-544(B), dated November 14, 2001.

#### Effective Date

(e) This amendment becomes effective on February 27, 2002.

Issued in Renton, Washington, on January 30, 2002.

**Ali Bahrami,**

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

[FR Doc. 02-2927 Filed 2-11-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-253-AD; Amendment 39-12633; AD 2002-02-05]

**RIN 2120-AA64**

**Airworthiness Directives; Airbus Model A300 B2 and A300 B4; A300 B4-600, B4-600R, and F4-600R (Collectively Called A300-600); and Model A310 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD),