

air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2005-20-07 Airbus:** Amendment 39-14300. Docket No. FAA-2005-22539; Directorate Identifier 2004-NM-08-AD.

### Effective Date

(a) This AD becomes effective October 19, 2005.

### Affected ADs

(b) None.

### Applicability

(c) This AD applies to Model A330-301, -321, -322, -323, -341, -342, and -343 series airplanes, certificated in any category, except those on which Airbus Modification 41652 has been accomplished in production.

### Unsafe Condition

(d) This AD results from a report that, during fatigue tests of the fuselage, cracks initiated and grew at the circumferential joint of frame (FR) 53.3. We are issuing this AD to prevent fatigue cracking of the fuselage, which could result in reduced structural integrity of the fuselage.

### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

### Installation

(f) At the later of the times in paragraphs (f)(1) and (f)(2) of this AD: Install the butt straps at FR53.3 on the fuselage skin between left- and right-hand stringer 13, and do all related investigative and corrective actions before further flight. Except as provided by paragraph (g) of this AD, do all actions in accordance with Airbus Service Bulletin A330-53-3127, Revision 01, dated November 21, 2003.

(1) Before the accumulation of 14,700 total flight cycles or 51,400 total flight hours, whichever occurs earlier.

(2) Within 6 months after the effective date of this AD.

### Contact the FAA/Direction Générale de l'Aviation Civile (DGAC) for Certain Repair Instructions

(g) If any crack is detected during the related investigative actions (rototest) required by paragraph (f) of this AD: Before further flight, repair the crack according to a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the DGAC (or its delegated agent).

### Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

### Related Information

(i) French airworthiness directive F-2003-415, dated November 12, 2003, also addresses the subject of this AD.

### Material Incorporated by Reference

(j) You must use Airbus Service Bulletin A330-53-3127, Revision 01, dated November 21, 2003, to perform the actions that are

required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on September 20, 2005.

**Ali Bahrami,**

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

[FR Doc. 05-19333 Filed 10-3-05; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-22563; Directorate Identifier 2004-NM-177-AD; Amendment 39-14304; AD 2005-20-10]

RIN 2120-AA64

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

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

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

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus Model A330-243, -341, -342, and -343 airplanes. This AD requires revising the airplane flight manual to provide the flightcrew with new, ground ice-shedding procedures during long taxi periods in certain icing conditions. This AD results from reports of engine damage to the blades of the first stage of the intermediate pressure compressor due to ice accumulation. We are issuing this AD to prevent engine damage due to ice accumulation, which could result in an engine shutdown and cause the flightcrew to divert to the nearest available airport.

**DATES:** This AD becomes effective October 19, 2005.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 19, 2005.

We must receive comments on this AD by December 5, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC 20590.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2797; fax (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified us that an unsafe condition may exist on all Airbus Model A330-243, -341, -342, and -343 airplanes. The DGAC advises that it has received reports of engine damage to the blades of the first stage of the intermediate pressure compressor (IPC) due to ice accumulation. In one case, an engine shutdown in flight, prompting the flightcrew to divert to the nearest available airport. The other cases resulted in two unplanned engine removals. Investigations have revealed that the engines were damaged due to ground operations in severe ice conditions like extended running times at idle in very low outside air temperature (OAT) and freezing fog. During subsequent take-off, heat transfer combines with variable inlet guide vanes movements and tends to remove ice, which then impacts and damages the blades of the first stage of the IPC. Engine damage due to ice accumulation, if not corrected, could result in an engine shutdown and cause the flightcrew to divert to the nearest available airport.

#### **Relevant Service Information**

Airbus has issued Temporary Revision (TR) 4.03.00/24, dated April 2, 2004, to the A330 Airplane Flight Manual (AFM). The TR revises the Normal Procedures section of the AFM to provide the flightcrew with new, ground ice-shedding procedures during long taxi periods in very low OAT and freezing fog. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition. The DGAC mandated the service information and issued French airworthiness directive F-2004-081, dated June 9, 2004, to ensure the continued airworthiness of these airplanes in France.

#### **FAA's Determination and Requirements of This AD**

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. We have examined the DGAC's findings, evaluated all pertinent information, and determined that we need to issue an AD for products of this type design that are certificated for operation in the United States. Therefore, we are issuing this AD to prevent engine damage due to ice accumulation, which could result in an engine shutdown and cause the flightcrew to divert to the nearest available airport. This AD requires revising the AFM to provide the flightcrew with new, ground ice-shedding procedures specified in the service information described previously.

#### **Costs of Compliance**

None of the airplanes affected by this action are on the U.S. Register. All airplanes affected by this AD are currently operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, we consider this AD necessary to ensure that the unsafe condition is addressed if any affected airplane is imported and placed on the U.S. Register in the future.

If an affected airplane is imported and placed on the U.S. Register in the future, the required actions would take about 1 work hour per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the estimated cost of the AD would be \$65 per airplane.

#### **FAA's Determination of the Effective Date**

No airplane affected by this AD is currently on the U.S. Register. Therefore, providing notice and opportunity for public comment is unnecessary before this AD is issued, and this AD may be made effective in less than 30 days after it is published in the **Federal Register**.

#### **Comments Invited**

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any relevant written data, views, or arguments regarding this AD. Send your comments to an address listed in the **ADDRESSES** section. Include "Docket No. FAA-2005-22563; Directorate Identifier 2004-NM-177-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

#### **Examining the Docket**

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

#### **Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more

detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2005–20–10 Airbus:** Amendment 39–14304. Docket No. FAA–2005–22563; Directorate Identifier 2004–NM–177–AD.

#### Effective Date

(a) This AD becomes effective October 19, 2005.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to all Airbus Model A330–243, –341, –342, and –343 airplanes, certificated in any category.

#### Unsafe Condition

(d) This AD results from reports of damage to the engine blades of the first stage of the intermediate pressure compressor due to ice accumulation. We are issuing this AD to prevent engine damage due to ice accumulation, which could result in an engine shutdown and cause the flightcrew to divert to the nearest available airport.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### AFM Revision

(f) Within 10 days after the effective date of this AD, revise the Normal Procedures section of the Airbus A330 Airplane Flight Manual (AFM) by inserting a copy of Airbus Temporary Revision (TR) 4.03.00/24, dated April 2, 2004, into the AFM.

(g) When the information in Airbus TR 4.03.00/24, dated April 2, 2004, is included in the general revisions of the AFM, the general revisions may be inserted in the AFM, and this TR may be removed.

#### Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

#### Related Information

(i) French airworthiness directive F–2004–081, dated June 9, 2004, also addresses the subject of this AD.

#### Material Incorporated by Reference

(j) You must use Airbus Temporary Revision 4.03.00/24, dated April 2, 2004, to the Airbus A330 Airplane Flight Manual to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for a copy of this service information. You may review copies at the Docket

Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL–401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741–6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on September 20, 2005.

**Ali Bahrami,**

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

[FR Doc. 05–19436 Filed 10–3–05; 8:45 am]

**BILLING CODE 4910–13–U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2005–22562; Directorate Identifier 2004–NM–60–AD; Amendment 39–14303; AD 2005–20–09]

RIN 2120–AA64

### Airworthiness Directives; BAE Systems (Operations) Limited Model ATP Airplanes

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

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

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain BAE Systems (Operations) Limited Model ATP airplanes. This AD requires doing an inspection of each bolt attaching the aft isolators to both engine subframes and replacing bolts if necessary. This AD results from reports of failures of the bolts attaching the aft isolators to the engine subframe. We are issuing this AD to prevent failure of the bolts attaching the aft isolators to the engine subframe, which may result in an engine separating from the airplane.

**DATES:** This AD becomes effective October 19, 2005.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 19, 2005.

We must receive comments on this AD by December 5, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.