

Since the mean geometric chord of the A380 is larger than that of the Boeing 747, a special condition is necessary to define an appropriate upper value for the range of gust gradient distances to be investigated. That value would be the mean geometric chord of the A380 (which is 34.8 feet) multiplied by 12.5, which equals 435 feet. Increasing the range of gust gradient distances to be investigated to 435 feet will ensure an appropriate analysis of the critical rigid body response of the A380.

#### Discussion of Comments

Notice of Proposed Special Conditions No. 25-05-11-C, pertaining to discrete gust requirements for the Airbus A380 airplane, was published in the **Federal Register** on August 9, 2005 (70 FR 46113). A single comment was received which supports the intent and the language of the special condition, as proposed.

#### Applicability

As discussed above, these special conditions are applicable to the Airbus A380-800 airplane. Should Airbus apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design features, these special conditions would apply to that model as well under the provisions of § 21.101.

#### Conclusion

This action affects only certain novel or unusual design features of the Airbus A380-800 airplane. It is not a rule of general applicability.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

■ The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

#### The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration (FAA), the following special conditions are issued as part of the type certification basis for the Airbus A380-800 airplane.

In lieu of the requirements of § 25.341(a)(3), the following special conditions apply:

A sufficient number of gust gradient distances in the range of 30 feet to 435 feet (12.5 times the Geometric Chord of the Model A380) must be investigated to find the critical response for each load quantity.

Issued in Renton, Washington, on January 10, 2006.

**Ali Bahrami,**

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

[FR Doc. 06-598 Filed 1-23-06; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2005-21242; Directorate Identifier 2005-NE-09-AD; Amendment 39-14460; AD 2006-02-08]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Turbomeca Arriel 1B, 1D, 1D1, and 1S1 Turboshaft Engines**

**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 Turbomeca Arriel 1B, 1D, 1D1, and 1S1 turboshaft engines. This AD requires initial and repetitive position checks of the gas generator 2nd stage turbine blades on all Turbomeca Arriel 1B, 1D, 1D1, and 1S1 turboshaft engines, and initial and repetitive replacements of 2nd stage turbines on 1B, 1D, and 1D1 engines only. This AD results from reports of the release of gas generator 2nd stage turbine blades while in service, with full containment of debris. We are issuing this AD to prevent in-flight engine shutdown and subsequent forced autorotation landing or accident.

**DATES:** This AD becomes effective February 28, 2006. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of February 28, 2006.

We must receive any comments on this AD by March 27, 2006.

**ADDRESSES:** Use one of the following addresses to comment 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 20590-0001.

- 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 Turbomeca, 40220 Tarnos, France; telephone +33 05 59 74 40 00, fax +33 05 59 74 45 15, for the service information identified in this AD.

#### **FOR FURTHER INFORMATION CONTACT:**

Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7175, fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with a proposed airworthiness directive (AD). The proposed AD applies to Turbomeca Arriel 1B engines fitted with 2nd stage turbine modification TU 148, and Arriel 1D, 1D1, and 1S1 engines. We published the proposed AD in the **Federal Register** on June 28, 2005 (70 FR 37063). That action proposed to require initial and repetitive position checks of the 2nd stage turbine blades on Turbomeca Arriel 1B, 1D, 1D1, and 1S1 turboshaft engines, and replacement of 2nd stage turbines on 1B and 1D1 engines only.

#### **Examining the AD Docket**

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the Docket Management Facility Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

#### **Comments**

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

#### **Request To Change the Compliance Time**

One commenter, Turbomeca, requests we change the compliance time for replacing 2nd stage turbines to, immediately upon receipt of a replacement 2nd stage turbine from Turbomeca, and at least by August 31, 2006. The commenter states that without this requirement, operators will incur unacceptable and unnecessary risk for engines operating past the

hourly life limit. The commenter further states that an unacceptable number of engines will require replacement 2nd stage turbines at the compliance end-date, causing grounding of aircraft because of a lack of replacement parts. We partially agree. There is a need to replace the 2nd stage turbines as they reach the hourly life limit, and to strive to not allow them to stay installed until the compliance end-date. However, replacing them immediately upon receipt could unnecessarily create compliance problems for operators. An example would be if a helicopter is at a remote site the day an operator receives a replacement 2nd stage turbine. We changed the compliance to read "After accumulating 1,500 hours TSN or TSO for Arriel 1D and 1D1 engines, and 2,200 hours TSN or TSO for Arriel 1B engines, initially replace the 2nd stage turbine with a new or overhauled 2nd stage turbine as soon as practicable, but no later than August 31, 2006." This change prevents compliance problems associated with the commenter's phrase "immediately upon receipt" yet still requires prompt replacement of 2nd stage turbines after one becomes available.

#### **NPRM Not Clear About Ongoing Requirement**

The same commenter states that the NPRM is not clear that replacing the 2nd stage turbines is an ongoing requirement. We agree. We changed the compliance in this AD to address initial and repetitive replacements of 2nd stage turbines.

#### **Inspection and Replacement Requirements Changed for Arriel 1D Turboshaft Engines**

The same commenter states that the requirements for inspecting and replacing Arriel 1D turboshaft engines have changed since we issued the NPRM. Those requirements are now the same as for Arriel 1D1 turboshaft engines. We agree. We changed the compliance in this AD to shorten the repetitive inspection interval and add the requirement to replace the 2nd stage turbine. However, since many of the Arriel 1D turboshaft engines may be at or near the compliance time for replacing the 2nd stage turbine, we have found that notice and opportunity for further comment before issuing this AD, are impracticable. We are issuing this AD as a final rule; request for comments, allowing operators to comment after the AD publishes.

#### **Conclusion**

We have carefully reviewed the available data, including the comments

received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### **Interim Action**

These actions are interim actions and we may take further rulemaking actions in the future.

#### **Costs of Compliance**

There are about 2,557 Turbomeca Arriel 1B, 1D, 1D1 and 1S1 turboshaft engines of the affected design in the worldwide fleet. We estimate that this AD will affect 721 engines installed on helicopters of U.S. registry. We estimate that it will take about 2 work hours per engine to inspect all 721 engines and 40 hours per engine to replace about 571 2nd stage turbines on 1B and 1D1 engines, and that the average labor rate is \$65 per work hour. Required parts will cost about \$3,200 per engine. Based on these figures, we estimate the total cost of the AD to U.S. operators to be \$3,405,530.

#### **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 this AD:

(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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

#### **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 Federal Aviation Administration 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 FAA amends § 39.13 by adding the following new airworthiness directive:

**2006-02-08 Turbomeca:** Amendment 39-14460; Docket No. FAA-2005-21242; Directorate Identifier. 2005-NE-09-AD.

#### **Effective Date**

(a) This airworthiness directive (AD) becomes effective February 28, 2006.

#### **Affected ADs**

(b) None.

#### **Applicability**

(c) This AD applies to Turbomeca Arriel 1B engines fitted with 2nd stage turbine modification TU 148, and Arriel 1D, 1D1, and 1S1 engines. Arriel 1B engines are installed on, but not limited to, Eurocopter France AS-350B and AS-350A "Ecoreuil" helicopters; 1D engines are installed on, but not limited to, Eurocopter France AS-350B1 "Ecoreuil" helicopters; 1D1 engines are installed on, but not limited to, Eurocopter France AS-350B2 "Ecoreuil" helicopters; and Arriel 1S1 engines are installed on, but not limited to, Sikorsky Aircraft S-76A and S-76C helicopters.

#### **Unsafe Condition**

(d) This AD results from reports of the release of gas generator 2nd stage turbine blades while in service, with full containment of debris. We are issuing this AD to prevent inflight engine shutdown and subsequent forced autorotation landing or accident.

**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.

**Initial Relative Position Check of 2nd Stage Turbine Blades**

(f) Do an initial relative position check of the 2nd stage turbine blades using the Turbomeca mandatory alert service bulletins

(ASBs) specified in the following Table 1 before reaching any of the intervals specified in Table 1 or within 50 hours time-in-service after the effective date of this AD, whichever occurs later.

**TABLE 1.—INITIAL AND REPETITIVE RELATIVE POSITION CHECK INTERVALS OF 2ND STAGE TURBINE BLADE**

Turbomeca engine model	Initial relative position check interval	Repetitive interval	Mandatory alert service bulletin
Arriel 1B (modified per TU 148).	Within 1,200 hours time-since-new (TSN) or time-since-overhaul (TSO) or 3,500 cycles-since-new (CSN) or cycles-since-overhaul (CSO), whichever occurs earlier.	Within 200 hours time-in-service-since-last-relative-position-check (TSLRPC).	A292 72 0807, dated March 24, 2004.
Arriel 1D1 and Arriel 1D.	Within 1,200 hours TSN or TSO or 3,500 hours CSN or CSO, whichever occurs earlier.	Within 150 hours TSLRPC.	A292 72 0809, Update No. 1, dated October 4, 2005.
Arriel 1S1 .....	Within 1,200 hours TSN or TSO or 3,500 hours CSN or CSO, whichever occurs earlier.	Within 150 hours TSLRPC.	A292 72 0810, dated March 24, 2004.

**Repetitive Relative Position Check of 2nd Stage Turbine Blades**

(g) Recheck the relative position of 2nd stage turbine blades at the TSLRPC intervals specified in Table 1 of this AD, using the mandatory ASBs indicated.

**Credit for Previous Relative Position Checks**

(h) Relative position checks of 2nd stage turbine blades done using Turbomeca Service Bulletin A292 72 0263, Update 1, 2, 3, or 4, may be used to show compliance with the initial requirements of paragraph (f) of this AD.

**Initial Replacement of 2nd Stage Turbines on Arriel 1B, 1D, and 1D1 Engines**

(i) After accumulating 1,500 hours TSN or TSO for Arriel 1D and 1D1 engines, and 2,200 hours TSN or TSO for Arriel 1B engines, initially replace the 2nd stage turbine with a new or overhauled 2nd stage turbine as soon as practicable, but no later than August 31, 2006.

**Repetitive Replacements of 2nd Stage Turbines on Arriel 1B, 1D, and 1D1 Engines**

(j) Thereafter, replace the 2nd stage turbine with a new or overhauled 2nd stage turbine

within every 1,500 hours TSN or TSO for Arriel 1D and 1D1 engines, and within every 2,200 hours TSN or TSO for Arriel 1B engines.

**Criteria for Overhauled 2nd Stage Turbines**

(k) Do the following to overhauled 2nd stage turbines, referenced in paragraphs (i) and (j) of this AD:

(1) You must install new blades in the 2nd stage turbines of overhauled Arriel 1D and 1D1 engines.

(2) You may install either overhauled or new blades in the 2nd stage turbines of overhauled Arriel 1B engines.

**Relative Position Check Continuing Compliance Requirements**

(l) All 2nd stage turbines, including those that are new or overhauled, must continue to comply with relative position check requirements of paragraphs (f) and (j) of this AD.

**Alternative Methods of Compliance**

(m) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

**Related Information**

(n) DGAC airworthiness directive F-2004-047 R1, dated October 26, 2005, also addresses the subject of this AD.

**Material Incorporated by Reference**

(o) You must use the service information specified in Table 2 of this AD to perform the actions required by this AD. The Director of the Federal Register approved the incorporation by reference of the documents listed in Table 2 of this AD in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Turbomeca, 40220 Tarnos, France; telephone +33 05 59 74 40 00, fax +33 05 59 74 45 15, 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., Nassif Building, Room PL-401, Washington, DC 20590-0001, 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 NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**TABLE 2.—INCORPORATION BY REFERENCE**

Turbomeca mandatory alert service bulletin No.	Page	Update No.	Date
A292 72 0807 .....	ALL .....	Original .....	March 24, 2004.
Total Pages: 17			
A292 72 0809 .....	ALL .....	1 .....	October 4, 2005.
Total Pages: 18			
A292 72 0810 .....	ALL .....	Original .....	March 24, 2004.
Total Pages: 14			

Issued in Burlington, Massachusetts, on January 12, 2006.

Peter A. White,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 06-522 Filed 1-23-06; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-18565; Directorate Identifier 2003-NM-168-AD; Amendment 39-14461; AD 2006-02-09]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus Model Airbus Model A330-200, A330-300, A340-200, and A340-300 series airplanes. This AD requires inspecting for damage to certain actuators of the low-pressure shut-off valve (LPSOV), and related investigative and corrective actions if necessary. This AD results from a report of damage to the LPSOV pedestal. We are issuing this AD to ensure that, in the event of an engine fire, the LPSOV actuator functions properly to delay or block the fuel flow to the engine and prevent an uncontrollable fire.

**DATES:** This AD becomes effective February 28, 2006.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of February 28, 2006.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC.

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:

##### Examining the Docket

You may examine the airworthiness directive (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 street address stated in the **ADDRESSES** section.

##### Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to all Airbus Model A330, A340-200, and A340-300 series airplanes; and A340-541 and -642 airplanes. That NPRM was published in the **Federal Register** on July 8, 2004 (69 FR 41211). That NPRM proposed to require inspecting for damage to certain actuators of the low-pressure shut-off valve (LPSOV), and related investigative and corrective actions if necessary.

##### Comments

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

##### Requests To Limit Applicability

One commenter, on behalf of Airbus, requests that we revise the proposed applicability to match that of the French airworthiness directive, which is limited to airplanes equipped with certain LPSOV part numbers (P/Ns). The commenter adds that Model A330-301 airplanes (among others) receive Airbus Modification 48225/48223 in production, and Model A340-541 and -642 airplanes receive Airbus Modification 48552 in production. These modifications involve installing actuator P/N FRH010041.

We infer that the commenter would like us to remove Model A330-301, A340-541, and A340-642 airplanes from the applicability of the proposed AD. Since we issued the proposed AD, French airworthiness directive F-2003-360 R1, dated May 26, 2004, was issued to limit the applicability to A340-200 and -300 series airplanes. We have revised this final rule accordingly. There has been no corresponding revision to French airworthiness directive F-2003-359 to exclude Model A330-301 airplanes.

Another commenter, a Model A330 operator, also requests that we limit the applicability. The commenter reports the following: This operator's entire

A330 fleet was delivered with P/N FRH010041 actuators installed, its first A330 was delivered July 2003, and no P/N HTE190021 or P/N HTE190026 actuators have been purchased. Airbus Service Bulletins A330-28-3083 and A340-28-4098, both dated March 25, 2003, limit their effectivity to airplanes delivered up to May 2003, but the proposed AD would not so limit the applicability. The commenter requests that we revise the applicability of the proposed AD to match that of the service bulletins.

As stated in the preamble to the proposed AD, "the French airworthiness directives specify that Model A330 and A340 series airplanes are affected if they are equipped with LPSOV actuators having certain part numbers." The Airbus service bulletins, which are mandated by the French airworthiness directives, specify that operators first identify the part numbers of the actuators. This AD therefore applies to all Model A330 and A340 series airplanes and requires part number identification. Because the part is interchangeable, this AD further ensures that affected LPSOVs are not installed in the future, as required by paragraph (g) of this AD. However, we agree to revise paragraph (f) of this final rule to also allow an airplane records review to determine the part number of the actuator.

##### Request To Allow Additional Service Information

The proposed AD would require operators to inspect certain LPSOV actuators, and would prohibit installation of affected actuators on or after the effective date of the AD. One commenter, on behalf of an operator of Model A330 airplanes, notes that Task 28-00-00-200-80 of the A330 Aircraft Maintenance Manual (AMM), task 28-00-00-200-801, revised July 1, 2004, provides new installation procedures for measuring the dowel in each LPSOV location. According to the commenter, the AMM should provide sufficient instructions to meet the parts installation requirement (paragraph (g) of the proposed AD); however, as written, paragraph (g) would prohibit installing an affected actuator unless it has been measured specifically in accordance with Airbus Service Bulletin A330-28-3083. The commenter requests that we revise paragraph (g) to also consider the AMM task acceptable for measuring the dowel during installation of the actuator. The commenter asserts that this change will also prevent the inadvertent installation of an actuator that had not been measured, since actuators that have