

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2008-0672; Directorate Identifier 2008-NM-032-AD]

RIN 2120-AA64

**Airworthiness Directives; Airbus Model A330-200, A330-300, and A340-300 Series Airplanes****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During manufacturing of A330/A340 aircraft framework, cracks have been found on Frame (FR) 12, left (LH) and right (RH) sides. It has been confirmed that a defect of the FR12 forming tool press is the root cause of the cracks.

If undetected such damage could affect, after propagation, the structural integrity of the aircraft.

\* \* \* \* \*

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by July 24, 2008.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* (202) 493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday,

except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1138; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2008-0672; Directorate Identifier 2008-NM-032-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2007-0302, dated December 14, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

During manufacturing of A330/A340 aircraft framework, cracks have been found on Frame (FR) 12, left (LH) and right (RH) sides. It has been confirmed that a defect of the FR12 forming tool press is the root cause of the cracks.

If undetected such damage could affect, after propagation, the structural integrity of the aircraft.

In order to permit an early detection and repair of cracks on FR12, LH and RH sides, this Airworthiness Directive (AD) mandates a one time High Frequency Eddy Current (HFEC) inspection of FR12.

Corrective actions include, for certain findings, contacting Airbus for repair instructions and doing the repair; repairing cracking (i.e., installing a new

splice); and applying new protective coatings and corrosion inhibitors. You may obtain further information by examining the MCAI in the AD docket.

**Relevant Service Information**

Airbus has issued Service Bulletins A330-53-3174 and A340-53-4177, both dated October 10, 2007. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

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

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

**Differences Between This AD and the MCAI or Service Information**

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a **Note** within the proposed AD.

**Costs of Compliance**

Based on the service information, we estimate that this proposed AD would affect about 20 products of U.S. registry. We also estimate that it would take about 3 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$0 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S.

operators to be \$4,800, or \$240 per product.

### 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 determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. 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 proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 AD:

**Airbus:** Docket No. FAA-2008-0672; Directorate Identifier 2008-NM-032-AD.

### Comments Due Date

(a) We must receive comments by July 24, 2008.

### Affected ADs

(b) None.

### Applicability

(c) This AD applies to Airbus Model A330-200, A330-300, and A340-300 series airplanes; certificated in any category; all certified models, all manufacturing serial numbers (MSN) from MSN 0489 through 0722 inclusive, and MSN 0725, 0726, 0728, 0730, 0732, and 0734.

### Subject

(d) Air Transport Association (ATA) of America Code 53: Fuselage.

### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

During manufacturing of A330/A340 aircraft framework, cracks have been found on Frame (FR) 12, left (LH) and right (RH) sides. It has been confirmed that a defect of the FR12 forming tool press is the root cause of the cracks.

If undetected such damage could affect, after propagation, the structural integrity of the aircraft.

In order to permit an early detection and repair of cracks on FR12, LH and RH sides, this Airworthiness Directive (AD) mandates a one time High Frequency Eddy Current (HFEC) inspection of FR12.

Corrective actions include, for certain findings, contacting Airbus for repair instructions and doing the repair; repairing cracking (i.e., installing a new splice); and applying new protective coatings and corrosion inhibitors.

### Actions and Compliance

(f) Unless already done, do the following actions.

(1) Prior to the accumulation of 19,500 total flight cycles or within 3 months after the effective date of this AD, whichever occurs later: Perform a HFEC inspection at the LH (left-hand) and RH (right-hand) sides of frame 12, in accordance with the instructions defined in Airbus Service Bulletin A330-53-3174 or A340-53-4177, both dated October 10, 2007, as applicable. If no cracking is found, no further action is required by this AD. Except as required by paragraph (f)(2) of this AD, if any cracking is found, before further flight, do the applicable corrective actions in accordance with the instructions of Airbus Service Bulletin A330-53-3174 or A340-53-4177, as applicable.

(2) If any cracking is found that exceeds the limits specified in Airbus Service Bulletin A330-53-3174 or A340-53-4177, both dated October 10, 2007, as applicable; or if any cracking is found during any HFEC inspection of the cut-out area; before further flight, contact Airbus for repair instructions and do the repair.

### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No difference.

### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1138; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

### Related Information

(h) Refer to European Aviation Safety Agency (EASA) Airworthiness Directive 2007-0302, dated December 14, 2007, and Airbus Service Bulletins A330-53-3174 and A340-53-4177, both dated October 10, 2007, for related information.

Issued in Renton, Washington, on June 17, 2008.

### Dionne Palermo,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
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**BILLING CODE 4910-13-P**