

2074, Revision 03, dated October 13, 2006, are considered acceptable for compliance with the corresponding action specified in this AD.

#### FAA AD Differences

**Note 2:** This AD differs from the MCAI and/or service information as follows: The MCAI and service information do not specify a corrective action if cracking is found and the radius of the rework is 20.0 mm (0.787 inch) or more. Paragraph (g)(3)(i)(B) of this AD requires repair in accordance with a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, or EASA (or its delegated agent).

#### Other FAA AD Provisions

(k) 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: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(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 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(l) Refer to MCAI EASA Airworthiness Directive 2009-0058, dated March 13, 2009; and Airbus Mandatory Service Bulletin A310-53-2074, Revision 04, dated October 24, 2008; for related information.

Issued in Renton, Washington, on December 17, 2010.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010-32991 Filed 12-30-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-1274; Directorate Identifier 2010-NM-090-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A310 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:

DGAC [Direction Générale de l'Aviation Civile] France AD 1992-106-132(B) \* \* \* was issued to require a set of inspection and modification tasks which addressed JAR/FAR [Joint Aviation Regulation/Federal Aviation Regulation] 25-571 requirements related to damage-tolerance and fatigue evaluation of structure. \* \* \*

\* \* \* \* \*

The unsafe condition is reduced structural integrity of the wings. 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 February 17, 2011.

**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.

For service information identified in this proposed AD, contact Airbus SAS—EAW (Airworthiness Office), 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; e-mail [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com);

Internet <http://www.airbus.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221.

#### 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:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; 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-2010-1274; Directorate Identifier 2010-NM-090-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 2009-0057, dated March 13, 2009 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

DGAC [Direction Générale de l'Aviation Civile] France AD 1992-106-132(B) original

issue up to revision 7 was issued to require a set of inspection and modification tasks which addressed JAR/FAR [Joint Aviation Regulation/Federal Aviation Regulation] 25–571 requirements related to damage-tolerance and fatigue evaluation of structure.

Following the Extended Design Service Goal activities as part of the Structure Task Group for the Airbus A310 program, EASA published AD 2007–0053, which replaced DGAC France AD F–1992–106–132R7.

Since the issuance of AD 2007–0053R1, the thresholds and the intervals of Airbus Service Bulletins (SB) A310–57–2050 and A310–57–2064 have been updated.

Consequently, this new [EASA] AD takes over the requirements of paragraphs 1.15 and 1.17 of EASA AD 2007–0053R1, which has been revised accordingly \* \* \* and requires the accomplishment of Airbus SB A310–57–2048 at revision 01.

The unsafe condition is reduced structural integrity of the wings. The required actions are as follows, depending on airplane configuration:

- Cold working of trellis boom drainage holes.
  - Repetitive detailed or rotating probe inspections for cracking in the drain holes on the lower skin panel in the center wing box between frames 42 and 46 and corrective actions if necessary. Corrective actions include repairing cracking and contacting the FAA or EASA for repair and doing the repair.
  - Repetitive eddy current inspections for cracking of the upper corner angle fitting and the vertical tee fitting at left and right frame 40, and corrective actions if necessary. Corrective actions include repairing, replacing the internal angle fitting and contacting the FAA or EASA for repair and doing the repair.
- You may obtain further information by examining the MCAI in the AD docket.

**Other Relevant Rulemaking**

We are considering issuing three other NPRMs related to this NPRM:

- Directorate Identifier 2010–NM–092–AD. That NPRM proposes to supersede AD 98–26–01, amendment 39–10942 (63 FR 69179, December 16, 1998), to continue to require certain actions specified in that AD. However, that NPRM does not restate paragraphs (p) and (r) of AD 98–26–01. Instead, certain requirements of paragraphs (p) and (r) of that AD are included in this NPRM, Directorate Identifier 2010–NM–090–AD.
- Directorate Identifiers 2010–NM–089–AD and 2010–NM–091–AD. Both of these NPRMs include the requirements of certain other paragraphs of AD 98–26–01.

**Relevant Service Information**

Airbus has issued the service bulletins listed in the table that follows:

TABLE—SERVICE INFORMATION

Service bulletin	Revision	Date
Airbus Mandatory Service Bulletin A310–57–2048 .....	01 .....	May 22, 2007.
Airbus Mandatory Service Bulletin A310–57–2050, including Appendix 01 .....	02 .....	August 27, 2009.
Airbus Mandatory Service Bulletin A310–57–2064, including Appendix 1 .....	02 .....	December 21, 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 44 products of U.S. registry. We also estimate that it would take about 137 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$512,380, or \$11,645 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, Incorporation by reference, 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-2010-1274; Directorate Identifier 2010-NM-090-AD.

**Comments Due Date**

(a) We must receive comments by February 17, 2011.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to Airbus Model A310-203, -204, -221, -222, -304, -322, -324, and -325 airplanes, certificated in any category, all serial numbers.

**Subject**

(d) Air Transport Association (ATA) of America Code 57: Wings.

**Reason**

(e) The mandatory continuing airworthiness information (MCAI) states: DGAC [Direction Générale de l'Aviation Civile] France AD 1992-106-132(B) original issue up to revision 7 was issued to require a set of inspection and modification tasks which addressed JAR/FAR [Joint Aviation Regulation/Federal Aviation Regulation] 25-

571 requirements related to damage-tolerance and fatigue evaluation of structure. \* \* \*

\* \* \* \* \*

The unsafe condition is reduced structural integrity of the wings.

**Compliance**

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

**Cold Working of Trellis Boom Drainage Holes**

(g) For Model A310-203, -204, -222, -304, -322 and -324 airplanes, except airplanes identified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD: Within the applicable time specified in Table 1 of this AD, cold work the trellis boom drainage holes, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A310-57-2048, Revision 01, dated May 22, 2007. Certain compliance times specified in Table 1 of this AD are applicable to short range use, average flight time (AFT) equal to or less than 3.6 hours; or long range use, AFT exceeding 3.6 hours.

TABLE 1—COMPLIANCE TIMES FOR PARAGRAPH (G) OF THIS AD

Airplanes, as identified in Airbus mandatory service bulletin A310-57-2048, revision 01, dated May 22, 2007	Compliance time (whichever occurs later)	
Configuration 01 airplanes .....	Prior to the accumulation of 31,800 total flight cycles or 63,600 total flight hours, whichever occurs first.	Within 6 months after the effective date of this AD.
Configuration 02 airplanes .....	Prior to the accumulation of 40,000 total flight cycles or 80,000 total flight hours, whichever occurs first.	Within 6 months after the effective date of this AD.
Configuration 03 short range airplanes .....	Prior to the accumulation of 30,950 total flight cycles or 86,750 total flight hours, whichever occurs first.	Within 6 months after the effective date of this AD.
Configuration 03 long range airplanes .....	Prior to the accumulation of 24,100 total flight cycles or 120,600 total flight hours, whichever occurs first.	Within 6 months after the effective date of this AD.

(1) Airplanes on which Airbus modification 06130 was done in production.

(2) Airplanes on which Airbus Mandatory Service Bulletin A310-57-2048 was done in service.

(3) Airplanes on which rework of cracked drain holes was done in accordance with Airbus Mandatory Service Bulletin A310-57-2050.

**Inspection of Trellis Boom Drainage Holes**

(h) For all airplanes: Within the applicable intervals specified in Table 2 of this AD, perform a detailed or rotating probe inspection for cracking in the drain holes on the lower skin panel in the center wing box between frames 42 and 46, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A310-57-

2050, Revision 02, dated August 27, 2009. Repeat the inspections thereafter at intervals not to exceed the applicable times specified in Table 3 of this AD. Certain compliance times specified in Tables 2 and 3 of this AD are applicable to short range use, average flight time (AFT) equal to or less than 3.6 hours; or long range use, AFT exceeding 3.6 hours.

TABLE 2—COMPLIANCE TIMES FOR PARAGRAPH (H) OF THIS AD

Airplanes, as identified in Airbus mandatory service bulletin A310-57-2050, revision 02, dated August 27, 2009	Compliance time (whichever occurs later)	
Configuration 01 airplanes .....	Prior to the accumulation of 17,800 total flight cycles or 35,600 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.

TABLE 2—COMPLIANCE TIMES FOR PARAGRAPH (H) OF THIS AD—Continued

Aircraft, as identified in Airbus mandatory service bulletin A310–57–2050, revision 02, dated August 27, 2009	Compliance time (whichever occurs later)	
Configuration 02 airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Within 32,850 flight cycles or 65,700 flight hours, whichever occurs first, after accomplishing Airbus Mandatory Service Bulletin A310–57–2048.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 02 airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has not been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Within 8,600 flight cycles or 17,250 flight hours, whichever occurs first, after accomplishing the detailed inspection specified in Airbus Mandatory Service Bulletin A310–57–2048; OR Within 11,400 flight cycles or 22,800 flight hours, whichever occurs first, after accomplishing the rotating probe inspection specified in Airbus Mandatory Service Bulletin A310–57–2048.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 03 airplanes .....	Prior to the accumulation of 22,300 total flight cycles or 44,550 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 04 airplanes .....	Prior to the accumulation of 41,550 total flight cycles or 83,100 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 05 airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Prior to the accumulation of 40,000 total flight cycles or 80,000 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 05 airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has not been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Within 10,600 flight cycles or 21,150 flight hours, whichever occurs first, after accomplishing the detailed inspection specified in Airbus Mandatory Service Bulletin A310–57–2048; OR Within 13,900 flight cycles or 27,800 flight hours, whichever occurs first, after accomplishing the rotating probe inspection specified in Airbus Mandatory Service Bulletin A310–57–2048.	Within 1,000 flight cycles or 2,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 06 short range airplanes .....	Prior to the accumulation of 17,250 total flight cycles or 48,400 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,800 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 06 long range airplanes .....	Prior to the accumulation of 13,450 total flight cycles or 67,250 total flight hours, whichever occurs first.	Within 800 flight cycles or 4,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 07 short range airplanes .....	Prior to the accumulation of 32,150 total flight cycles or 90,050 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,800 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 07 long range airplanes .....	Prior to the accumulation of 25,050 total flight cycles or 125,150 total flight hours, whichever occurs first.	Within 800 flight cycles or 4,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 08 short range airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Prior to the accumulation of 30,950 total flight cycles or 86,750 total flight hours, whichever occurs first.	Within 1,000 flight cycles or 2,800 flight hours, whichever occurs first, after the effective date of this AD.

TABLE 2—COMPLIANCE TIMES FOR PARAGRAPH (H) OF THIS AD—Continued

Airplanes, as identified in Airbus mandatory service bulletin A310–57–2050, revision 02, dated August 27, 2009	Compliance time (whichever occurs later)	
Configuration 08 short range airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has not been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Within 8,200 flight cycles or 23,000 flight hours, whichever occurs first, after accomplishing the detailed inspection specified in Airbus Mandatory Service Bulletin A310–57–2048; OR Within 10,800 flight cycles or 30,300 flight hours, whichever occurs first, after accomplishing the rotating probe inspection specified in Airbus Mandatory Service Bulletin A310–57–2048.	Within 1,000 flight cycles or 2,800 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 08 long range airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Prior to the accumulation of 24,100 total flight cycles or 120,600 total flight hours, whichever occurs first.	Within 800 flight cycles or 4,000 flight hours, whichever occurs first, after the effective date of this AD.
Configuration 08 long range airplanes on which Airbus Mandatory Service Bulletin A310–57–2048 has not been done within the “recommended” compliance times specified in paragraph 1.E.(2), “Accomplishment Timescale,” of Airbus Mandatory Service Bulletin A310–57–2048, Revision 01, dated May 22, 2007.	Within 6,400 flight cycles or 31,950 flight hours, whichever occurs first, after accomplishing the detailed inspection specified in Airbus Mandatory Service Bulletin A310–57–2048; OR Within 8,400 flight cycles or 42,150 flight hours, whichever occurs first, after accomplishing the rotating probe inspection specified in Airbus Mandatory Service Bulletin A310–57–2048.	Within 800 flight cycles or 4,000 flight hours, whichever occurs first, after the effective date of this AD.

TABLE 3—REPETITIVE INTERVALS FOR PARAGRAPH (H) OF THIS AD, DEPENDING ON MOST RECENT INSPECTION TYPE

Airplanes, as identified in Airbus mandatory service bulletin A310–57–2050, revision 02, dated August 27, 2009	Type of inspection done during most recent inspection	Repetitive interval (not to exceed)
Configuration 01 and 02 airplanes .....	Detailed inspection .....	8,600 flight cycles or 17,250 flight hours, whichever occurs first.
	Rotating probe inspection .....	11,400 flight cycles or 22,800 flight hours, whichever occurs first.
Configurations 03, 04, and 05 airplanes ....	Detailed inspection .....	10,600 flight cycles or 21,150 flight hours, whichever occurs first.
	Rotating probe inspection .....	13,900 flight cycles or 27,800 flight hours, whichever occurs first.
Configurations 06, 07, and 08 short range airplanes.	Detailed inspection .....	8,200 flight cycles or 23,000 flight hours, whichever occurs first.
	Rotating probe inspection .....	10,800 flight cycles or 30,300 flight hours, whichever occurs first.
Configurations 06, 07, and 08 long range airplanes.	Detailed inspection .....	6,400 flight cycles or 31,950 flight hours, whichever occurs first.
	Rotating probe inspection .....	8,400 flight cycles or 42,150 flight hours, whichever occurs first.

**Corrective Actions for Paragraph (h) of This AD**

(i) If any cracking is found during any inspection required by paragraph (h) of this AD, before further flight, do all applicable corrective actions, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A310–57–2050, Revision 02, dated August 27, 2009; except where the service bulletin specifies to contact Airbus, before further flight, repair in

accordance with a method approved by either the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, or EASA (or its delegated agent).

**Inspection of Fuselage Frame 40 Upper Corner Fitting**

(j) For all airplanes: Within the applicable time specified in Table 4 of this AD, perform an eddy current inspection for cracking of the upper corner fitting at left and right frame 40,

in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A310–57–2064, Revision 02, dated December 21, 2007. Repeat the inspections thereafter at intervals not to exceed the applicable times specified in Table 5 of this AD. Certain compliance times specified in Tables 4 and 5 of this AD are applicable to short range use, average flight time (AFT) equal to or less than 3.23 hours; or long range use, AFT exceeding 3.23 hours.

TABLE 4—COMPLIANCE TIMES FOR PARAGRAPH (J) OF THIS AD

Airplane configurations identified in Airbus mandatory service bulletin A310–57–2064, revision 02, dated December 21, 2007	Compliance time (whichever occurs later)	
Model A310–203, –204, –221, and –222 airplanes identified as Configuration 01.	Prior to the accumulation of 15,100 total flight cycles or 30,300 total flight hours, whichever occurs first.	Within 1,300 flight cycles or 2,700 flight hours, whichever occurs first, after the effective date of this AD.
Model A310–203, –204, –221, and –222 airplanes identified as Configurations 02 and 03.	Prior to the accumulation of 21,400 total flight cycles or 42,800 total flight hours, whichever occurs first.	Within 1,300 flight cycles or 2,700 flight hours, whichever occurs first, after the effective date of this AD.
Model A310–304, –322, –324, and –325 short range airplanes identified as Configuration 01.	Prior to the accumulation of 14,700 total flight cycles or 41,300 total flight hours, whichever occurs first.	Within 600 flight cycles or 1,800 flight hours, whichever occurs first, after the effective date of this AD.
Model A310–304, –322, –324, and –325 short range airplanes identified as Configurations 02 and 03.	Prior to the accumulation of 20,700 total flight cycles or 58,300 total flight hours, whichever occurs first.	Within 600 flight cycles or 1,800 flight hours, whichever occurs first, after the effective date of this AD.
Model A310–304, –322, –324, and –325 long range airplanes identified as Configuration 01.	Prior to the accumulation of 12,800 total flight cycles or 64,000 total flight hours, whichever occurs first.	Within 500 flight cycles or 2,650 flight hours, whichever occurs first, after the effective date of this AD.
Model A310–304, –322, –324, and –325 long range airplanes identified as Configurations 02 and 03.	Prior to the accumulation of 18,000 total flight cycles or 90,400 total flight hours, whichever occurs first.	Within 500 flight cycles or 2,650 flight hours, whichever occurs first, after the effective date of this AD.

TABLE 5—REPETITIVE INTERVALS FOR PARAGRAPH (J) OF THIS AD

Airplanes	Repetitive interval (not to exceed)
Model A310–203, –204, –221, and –222 airplanes .....	8,750 flight cycles or 17,550 flight hours, whichever occurs first.
Model A310–304, –322, –324, and –325 short range airplanes .....	5,800 flight cycles or 16,300 flight hours, whichever occurs first.
Model A310–304, –322, –324, and –325 long range airplanes .....	4,800 flight cycles or 24,050 flight hours, whichever occurs first.

**Corrective Actions for Paragraph (h) of This AD**

(k) If, during any inspection required by paragraph (j) of this AD, any crack is found, prior to further flight, do all applicable corrective actions, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A310–57–2064, Revision 02, dated December 21, 2007; except where the service bulletin specifies to contact Airbus, before further flight, repair in accordance with a method approved by either the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, or EASA (or its delegated agent).

**Credit for Actions Accomplished in Accordance With Previous Service Information**

(l) Actions accomplished before the effective date of this AD in accordance with Airbus Service Bulletin A310–57–2048, dated April 23, 1990, are considered acceptable for compliance with the corresponding action specified in paragraph (g) of this AD.

(m) Actions accomplished before the effective date of this AD in accordance with Airbus Service Bulletin A310–57–2050, dated April 23, 1990; or Airbus Mandatory Service Bulletin A310–57–2050, Revision 01, dated May 22, 2007; are considered

acceptable for compliance with the corresponding actions specified in paragraphs (h) and (i) of this AD.

(n) Actions done before the effective date of this AD in accordance with Airbus Service Bulletin A310–57–2064, dated August 24, 1995; or Revision 01, dated January 5, 2001; are acceptable for compliance with the corresponding actions specified in paragraphs (j) and (k) of this AD.

**FAA AD Differences**

**Note 1:** This AD differs from the MCAI and/or service information as follows: No Differences.

**Other FAA AD Provisions**

(o) 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: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2125; fax (425) 227–1149. Before using any approved AMOC on any airplane to

which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(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 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

**Related Information**

(p) Refer to MCAI EASA Airworthiness Directive 2009–0057, dated March 13, 2009, and the service bulletins listed in Table 6 of this AD, for related information.

TABLE 6—SERVICE INFORMATION

Service bulletin	Revision	Date
Airbus Mandatory Service Bulletin A310–57–2048 .....	01 .....	May 22, 2007.
Airbus Mandatory Service Bulletin A31–57–2050 .....	02 .....	August 27, 2009.

TABLE 6—SERVICE INFORMATION—Continued

Service bulletin	Revision	Date
Airbus Mandatory Service Bulletin A310–57–2064 .....	02 .....	December 21, 2007.

Issued in Renton, Washington on  
December 17, 2010.

**Ali Bahrami,**

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

[FR Doc. 2010–32992 Filed 12–30–10; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DOD–2010–OS–0183]

### 32 CFR Part 311

### Privacy Act; Implementation

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Proposed rule.

**SUMMARY:** The Office of the Secretary of Defense is exempting those records contained in DMDC 15 DoD, entitled “Armed Services Military Accession Testing” when the record includes the specific answers submitted and the answer key. Releasing this information to the individual will compromise the objectivity or fairness of the test if the correct or incorrect answers are released.

**DATES:** Comments must be received on or before March 4, 2011 to be considered by this agency.

**ADDRESSES:** You may submit comments, identified by docket number and/or RIN number and title, by any of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, Room 3C843, 1160 Defense Pentagon, Washington, DC 20301–1160.

*Instructions:* All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Cindy Allard at (703) 588–6830.

### SUPPLEMENTARY INFORMATION:

#### Executive Order 12866, “Regulatory Planning and Review”

It has been determined that Privacy Act rules for the Department of Defense are not significant rules. The rules do not (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy; a sector of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or Tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this Executive order.

#### Public Law 96–354, “Regulatory Flexibility Act” (5 U.S.C. Chapter 6)

It has been determined that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

#### Public Law 95–511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)

It has been determined that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

#### Section 202, Public Law 104–4, “Unfunded Mandates Reform Act”

It has been determined that this Privacy Act rulemaking for the Department of Defense does not involve a Federal mandate that may result in the expenditure by State, local and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more and that such rulemaking will not significantly or uniquely affect small governments.

#### Executive Order 13132, “Federalism”

It has been determined that the Privacy Act rules for the Department of Defense do not have federalism implications. The rule does 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.

#### List of Subjects in 32 CFR Part 311

Privacy.

Accordingly, 32 CFR part 311 is proposed to be amended to read as follows:

#### PART 311—OFFICE OF THE SECRETARY OF DEFENSE AND JOINT STAFF PRIVACY PROGRAM

1. The authority citation for 32 CFR part 311 continues to read as follows:

**Authority:** Pub. L. 93–579, 88 Stat. 1986 (5 U.S.C. 522a).

2. Section 311.8 is amended by adding paragraph (c)(16) to read as follows:

#### § 311.8 Procedures for exemptions.

\* \* \* \* \*

(c) \* \* \*

(16) System identifier and name: DMDC 15 DoD, Armed Services Military Accession Testing.

(i) *Exemption:* Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service or military service may be exempt pursuant to 5 U.S.C. 552a (k)(6), if the disclosure would compromise the objectivity or fairness of the test or examination process. Therefore, portions of the system of records may be exempt pursuant to 5 U.S.C. 552a(d).

(ii)

**Authority:** 5 U.S.C. 552a(k)(6).

(iii) *Reasons:* (A) An exemption is required for those portions of the Skill Qualification Test system pertaining to individual item responses and scoring keys to preclude compromise of the test and to ensure fairness and objectivity of the evaluation system.

(B) From subsection (d)(1) when access to those portions of the Skill Qualification Test records would reveal the individual item responses and