

Issued in Renton, Washington, on March 25, 2004.

**Kalene C. Yanamura,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-160-AD; Amendment 39-13560; AD 2004-07-16]

RIN 2120-AA64

#### **Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-235 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain CASA Model C-235 series airplanes, that requires modification of the electrical wiring of the rudder trim control unit. This action is necessary to prevent the flight crew from being able to inhibit the aural warning for the landing gear up. If the flight crew of the next flight or possibly of the same flight is unaware that the aural warning had been disabled, they could inadvertently land the airplane with the landing gear not down and locked. This action is intended to address the identified unsafe condition.

**DATES:** Effective May 11, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 11, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal

Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain CASA Model C-235 series airplanes was published in the **Federal Register** on February 6, 2004 (69 FR 5780). That action proposed to require modification of the electrical wiring of the rudder trim control unit.

#### Comments

We provided the public the opportunity to participate in the development of this AD. No comments have been submitted on the proposed AD or on the determination of the cost to the public.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### Cost Impact

The FAA estimates that 1 airplane of U.S. registry will be affected by this AD, that it will take approximately 7 work hours per airplane to accomplish the required actions, and that the average labor rate is \$65 per work hour. Required parts will cost approximately \$40 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$495.

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

#### Regulatory Impact

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

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034,

February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

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

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### **PART 39—AIRWORTHINESS DIRECTIVES**

■ 1. The authority citation for part 39 continues to read as follows:

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

#### **§ 39.13 [Amended]**

■ 2. Section 39.13 is amended by adding the following new airworthiness directive:

**2004-07016 Construcciones Aeronauticas, S.A. (CASA):** Amendment 39-13560. Docket 2002-NM-160-AD.

**Applicability:** Model C-235 series airplanes, serial numbers C-006, C-007, C-010, C-012, C-018, C-029, C-030, C-032, C-033, and C-042; certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent the flight crew from being able to inhibit the aural warning for the landing gear up, and the possibility that the flight crew of the next flight or possibly of the same flight could inadvertently land the airplane with the landing gear not down and locked; accomplish the following:

#### **Modification**

(a) Within 6 months after the effective date of this AD, modify the electrical wiring of the rudder trim control unit per the Accomplishment Instructions of CASA Service Bulletin SB-235-27-20, dated March 7, 2001.

#### **Alternative Methods of Compliance**

(b) In accordance with 14 CFR 39.19, the Manager, International Branch, FAA, Transport Airplane Directorate, is authorized to approve alternative methods of compliance for this AD.

#### **Alternative Methods of Compliance**

(c) In accordance with 14 CFR 39.19, the Manager, International Branch, FAA, Transport Airplane Directorate, is authorized to approve alternative methods of compliance for this AD.

**Incorporation by Reference**

(d) The actions must be done in accordance with CASA Service Bulletin SB-235-27-20, dated March 7, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Construcciones Aeronauticas, S.A., Getafe, Madrid, Spain. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 1:** The subject of this AD is addressed in Spanish airworthiness directive 02/02, dated April 30, 2002.

**Effective Date**

(e) This amendment becomes effective on May 11, 2004.

Issued in Renton, Washington, on March 25, 2004.

**Kalene C. Yanamura,**

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

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

[Docket No. 2002-NM-17-AD; Amendment 39-13559; AD 2004-07-15]

**RIN 2120-AA64**

**Airworthiness Directives; Airbus Model A321-111, -112, and -131 Series Airplanes**

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

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

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD); applicable to certain Airbus Model A321-111, -112, and -131 series airplanes; that currently requires repetitive inspections to detect fatigue cracking in the area surrounding certain attachment holes of the forward pintle fittings of the main landing gear (MLG) and the actuating cylinder anchorage fittings on the inner rear spar; and repair, if necessary. The existing AD also provides for optional terminating action for the repetitive inspections. This amendment revises the inspection threshold and repetitive intervals for the currently required repetitive inspections. The actions specified in this AD are intended to detect and correct fatigue cracking on the inner rear spar of the wings, which could result in reduced structural integrity of the

airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective April 21, 2004.

The incorporation by reference of a certain publication listed in the regulations is approved by the Director of the Federal Register as of April 21, 2004.

The incorporation by reference of Airbus Service Bulletin A320-57-1101, dated July 24, 1997, as listed in the regulations, was approved previously by the Director of the Federal Register as of December 18, 1998 (63 FR 66753, December 3, 1998).

Comments for inclusion in the Rules Docket must be received on or before May 6, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-17-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: [9-anm-iarcomment@faa.gov](mailto:9-anm-iarcomment@faa.gov). Comments sent via fax or the Internet must contain "Docket No. 2002-NM-17-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 or 2000 or ASCII text.

The service information referenced in this AD may be obtained from Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. **FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** On November 25, 1998, the FAA issued AD 98-25-05, amendment 39-10928 (63 FR 66753, December 3, 1998); applicable to certain Airbus Model A321-111, -112, and -131 series airplanes; to require repetitive inspections to detect fatigue cracking in the area surrounding certain attachment holes of the forward pintle fittings of the main landing gear (MLG) and the actuating cylinder anchorage

fittings on the inner rear spar; and repair, if necessary. That AD also provides for optional terminating action for the repetitive inspections. That action was prompted by issuance of mandatory continuing airworthiness information by a civil airworthiness authority. The actions required by that AD are intended to detect and correct fatigue cracking on the inner rear spar of the wings, which could result in reduced structural integrity of the airplane.

**Actions Since Issuance of Previous Rule**

Since the issuance of that AD, Airbus has carried out a survey of the family fleet of Model A320 airplanes (which includes Model A321 series airplanes). The results of this survey indicate that the weight of fuel at landing and mean flight duration for in-service airplanes are higher than the figures defined for the analysis of fatigue-related tasks. These findings have led to an adjustment of the A320 family reference fatigue mission.

**Explanation of Relevant Service Information**

Airbus has issued Service Bulletin A320-57-1101, Revision 02, dated October 25, 2001. (The existing AD refers to the original issue of that service bulletin, dated July 24, 1997, as the acceptable source of service information for the actions required by that AD.) The procedures in Revision 02 are the same as those in Revision 01. However, per the survey results described previously, the recommended inspection thresholds and intervals for the inspections have been revised to be expressed in terms of both flight cycles and flight hours. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified this service bulletin as mandatory and issued French airworthiness directive 2001-633(B), dated December 26, 2001, to ensure the continued airworthiness of these airplanes in France.

**FAA's Conclusions**

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the