(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The action shall be done in accordance with Dornier All Operators Telefax (AOT) AOT—328—28—014, Revision 1, dated October 16, 1996; and Dornier Service Bulletin SB—328—28—211, dated March 26, 1997. 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 FAIRCHILD DORNIER, DORNIER Luftfahrt GmbH, P.O. Box 1103, D—82230 Wessling, Germany. 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 3: The subject of this AD is addressed in German airworthiness directives 97—004, dated January 30, 1997; and 97—149, dated May 22, 1997.

(g) This amendment becomes effective on September 4, 1998.

Issued in Renton, Washington, on July 24, 1998.

S.R. Miller,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96—NM—44—AD; Amendment 39—10682; AD 98—16—06]

RIN 2120—AA64

Airworthiness Directives; Airbus Model A310 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A310 series airplanes, that requires inspections of the lower door surrounding structure to detect cracks and corrosion, and repair, if necessary. This amendment also requires inspections to detect cracking of the holes of the corner doublers, the fail-safe ring, and the door frames of the door structures; and repair, if necessary. In addition, this amendment provides for optional terminating action in certain inspections. This amendment is prompted by reports indicating that corrosion was found between the scuff plates at exit and cargo doors, and fatigue cracks originated from certain faster holes located in adjacent structure. The actions specified by this AD are intended to detect and correct such corrosion and fatigue cracking, which could result in reduced structural integrity of the door surroundings.


The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 4, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Belonte, 31707 Blagnac Cedex, France. 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:
Norman B. Martenson, Manager, International Branch, ANM—116, 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.

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 all Airbus Model A310 series airplanes was published in the Federal Register on January 29, 1997 (62 FR 4208). That action proposed to require inspections of the lower door surrounding structure to detect cracks and corrosion, and repair, if necessary. That action also proposed to require inspections to detect cracking of the holes of the corner doublers, the fail-safe ring, and the door frames of the door structures; and repair, if necessary. In addition, that action also provides for optional terminating action for certain inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

Request to Mandate Optional Terminating Action

One commenter supports the proposed AD, but states that the FAA should not allow operators to forego accomplishment of the terminating action in lieu of repetitive inspections. The commenter states that allowing the terminating action to be optional will “allow airplanes to operate that have cracks in the door frames that will be more subject to failure in the event of an accident.” Additionally, the commenter notes that accident history has shown that there is already a significant problem with the emergency operation of doors following minor fuselage deformation, even though this is a requirement under section 25.783(c) of the Federal Aviation Regulations (14 CFR 25.783(c)).

The FAA does not concur with the request to mandate the terminating action. As stated in the preamble to the NPRM, the FAA considers certain criteria in allowing repetitive inspections of the affected area to be permitted to continue, and has determined that, in this case, mandating the terminating action is not necessary in order to adequately address the identified unsafe condition. The FAA has determined that the inspection intervals required by the AD were established to detect any cracking before it becomes critical to the airplane structure. Additionally, even if small cracks existed, that are not detected by the inspections at the intervals required by this AD, the cracks will not adversely affect the structure of the door under ultimate loads, and such cracking is unlikely to result in interference with the operation of emergency exits. Therefore, no change to the final rule is necessary.

Explanation of Change Made to This Final Rule

Paragraphs (b), (c), and (d) of the final rule have been revised to cite Revision 02 of Airbus Service Bulletin A310—53—2041, dated July 2, 1996, for accomplishment of certain actions. Revision 02 contains no substantive differences from Revision 1 of the service bulletin (Revision 1 was cited as the appropriate source of service information in the proposed AD).

However, Revision 02 contains an additional description of the inspections required by paragraph (b) of the AD. A “NOTE” has been added to the final rule to give credit to operators that may have previously accomplished the required actions in accordance with Revision 1 of the service bulletin.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any
operator nor increase the scope of the AD.

**Cost Impact**

The FAA estimates that 33 airplanes of U.S. registry will be affected by this AD, that it will take approximately 700 work hours per airplane to accomplish the required inspections (including access and close-up), and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the required inspections on U.S. operators is estimated to be $1,386,000, or $42,000 per airplane.

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.

Should an operator elect to accomplish the optional terminating action provided by this AD action, it will take approximately 147 work hours to accomplish it, at an average labor rate of $60 per work hour. The cost of required parts will be approximately $5,581 per airplane. Based on these figures, the cost impact of the optional terminating action will be $14,401 per airplane.

**Regulatory Impact**

The regulations adopted herein will 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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.
(l) This amendment becomes effective on September 4, 1998.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

Establishment of Class E Airspace; Moses Lake, WA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a Class E surface area at Grant County Airport, Moses Lake, WA. The effect of this action is to provide controlled airspace between the surface and the en route