could result in rapid decompression of the airplane.

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.

Repetitive Inspections

(f) Except as provided by paragraph (g) of this AD, at the applicable times specified in paragraph 1.E. of Boeing Alert Service Bulletin 737–53A1200, dated April 13, 2006, do external detailed, low frequency eddy current, high frequency eddy current, and high frequency eddy current rotary probe inspections, as applicable, for cracks in and around the upper and lower hinge cutouts of the forward entry and forward galley service doorways, in accordance with the Accomplishment Instructions of the service bulletin, except as provided by paragraphs (h) and (i) of this AD. Do not exceed the applicable repetitive interval for the previous inspection, as specified in the service bulletin as Option A or Option B. Repair any crack before further flight using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

Exceptions to Service Bulletin Specifications

(g) Where Boeing Alert Service Bulletin 737–53A1200, dated April 13, 2006, specifies a compliance time after the release date of the service bulletin, this AD requires compliance within the specified compliance time after the effective date of this AD.

(h) Although Boeing Alert Service Bulletin 737–53A1200, dated April 13, 2006, specifies contacting Boeing for information about installing an optional preventive modification that would terminate the repetitive inspections specified in this AD, this AD requires that any terminating action be done by using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

(i) The inspections specified in paragraph (f) of this AD may be terminated at areas repaired in accordance with Boeing 737–100/–200 SRM 53–30–1, Figures 20, 21, 31, or 32; or Boeing 737–300/–400/–500 SRM 53–10–01, Repair 5, 6, or 8; as applicable.

Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. 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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Commercial Airplanes Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

Material Incorporated by Reference

(k) You must use Boeing Alert Service Bulletin 737–53A1200, dated April 13, 2006, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124–2207.

(3) You may review copies of the service information incorporated by reference at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on May 9, 2008.

Michael J. Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8–11118 Filed 5–20–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0048; Directorate Identifier 2007–NM–276–AD; Amendment 39–15527; AD 2008–11–05]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A310 and A300–600 Series Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This 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:

Based on some recent in-service findings for fluid ingress and/or inner skin disbond damage on rudders, AIRBUS decided to introduce some further structural inspections to specific rudder areas. This type of damage could result in reduced structural integrity of the rudder.

* * * * *

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective June 25, 2008.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 25, 2008.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tom Stafford, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1622; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on January 22, 2008 (73 FR 3656). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Based on some recent in-service findings for fluid ingress and/or inner skin disbond damage on rudders, AIRBUS decided to introduce some further structural inspections to specific rudder areas. This type of damage could result in reduced structural integrity of the rudder.

For the reasons stated above, this AD requires the accomplishment of a thorough inspection program [a one-time inspection and repetitive inspections for damage of the rudder] by ultrasonic and/or t[h]ermographic methods, compared to the inspections already required by Airworthiness Directive (AD) 2006–0066, issued on 24 March 2006 [which corresponds to FAA AD 2006–07–13] as a precautionary measure, in order to verify the structural integrity of the rudder.

* * * * *

The corrective actions include reporting both positive and negative findings to Airbus, doing a temporary repair, and contacting Airbus for repair instructions and doing a permanent repair. The compliance times for doing the repairs range from before further flight to within 4,500 flight cycles after doing the inspection, depending on the inspection type and the configuration of

the airplane. The repetitive inspection intervals range from 1,200 flight cycles to 5,000 flight cycles, depending on the inspection type and the configuration of the airplane. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Request To Reduce the Compliance Time

The Allied Pilots Association (APA) requests that we reduce the compliance time to do the initial inspections specified in the NPRM from ''500 flight cycles or 6 months'' to ''before further flight.'' The APA states that it is unclear why any grace period is given for doing the inspections; the APA notes that statements by the Transportation Safety Board of Canada, and damage sustained during an earlier accident that resulted in destruction of the rudder and damage to the vertical fin due to an unknown quantity and type of damage, indicate the urgency of the inspections. The APA states that the affected rudders have been inspected only by visual means and have not been inspected by an effective means such as ultrasonic, infrared, and other sophisticated penetrating inspection methods. The APA concludes that the rudders subject to this AD are in unknown condition and at risk of an in-flight incident.

We do not agree with reducing the compliance time. Airbus has analyzed its data in order to calculate the ''500 flight cycles or six months'' compliance time. The analysis included a review of previous inspections of the rudders that partially checked the affected area and no detectable disbond was found. In developing the compliance time for this AD action, we considered not only the safety implications of the identified unsafe condition, but the average utilization rate of the affected fleet, the practical aspects of inspecting the fleet during the compliance time, and the availability of required parts. In addition, we have coordinated with the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community. We have determined that the ''500 flight cycles or six months'' compliance time ensures an adequate level of safety for the affected fleet. No change is necessary for this AD in this regard.

Request To Exempt Certain Airplanes

The Air Transport Association (ATA), on behalf of one of its members, American Airlines, requests that airplanes on which the modification specified in Airbus Service Bulletin A300–55–6015 has been accomplished be exempted from the requirements of the NPRM. American Airlines states that airplanes on which Airbus Modification 08827 has not been incorporated in production have rudders in the part number series A55471500 (which are subject to the requirements of the NPRM). American Airlines states that Modification 08827 is a modification that applies only to the rudder. American Airlines notes that the modification specified in Airbus Service Bulletin A300–55–6015 allows the installation of a post-modification 08827 rudder and therefore, airplanes on which Modification 08827 has not been incorporated in production may have a post-modification rudder.

We acknowledge that Airbus Service Bulletins A300–55–6015, Revision 02, dated February 23, 2004; Revision 03, dated March 28, 2007; and Revision 04, dated November 14, 2007 specify procedures to do a modification that allows a post-modification 08827 rudder to be installed. However, we do not agree that a change to the applicability of this AD is necessary. An airplane on which a post-modification 08827 rudder is installed is not subject to this AD. The applicability of this AD specifies that only airplanes on which rudder part number (P/N) A55471500 series is fitted are subject to the AD. Airplanes fitted with a post-modification 08827 rudder will have a rudder part number other than P/N A55471500. No change has been made to this AD in this regard.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

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 required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect 123 products of U.S. registry. We also estimate that it will take about 22 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $80 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $216,480, or $1,760 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 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 this AD:

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 AD and placed it in the AD docket.

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 the NPRM, 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.

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 FAA 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 AD:

2008–11–05 AIRBUS: Amendment 39–15527. Docket No. FAA–2008–0048; Directorate Identifier 2007–NM–276–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective June 25, 2008.

Affected ADs

(b) The proposed AD supersedes AD 2006–07–13, Amendment 39–14540.

Applicability

(c) This AD applies to AIRBUS Model A310 and A300–600 series airplanes, certificated in any category, all certified models, all serial numbers, on which rudder Part Number (P/N) A55471500 series is fitted, except for those airplanes on which AIRBUS modification number 08827 has been incorporated in production.

Subject

(d) Air Transport Association (ATA) of America Code 55: Stabilizers.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states: Based on some recent in-service findings for fluid ingress and/or inner skin disbond damage on rudders, AIRBUS decided to introduce some further structural inspections to specific rudder areas. This type of damage could result in reduced structural integrity of the rudder.

For the reasons stated above, this AD requires the accomplishment of a thorough inspection program [a one-time inspection and repetitive inspections for damage of the rudder] by ultrasonic and/or t[h]ermographic methods, compared to the inspections already required by Airworthiness Directive (AD) 2006–0066, issued on 24 March 2006 [which corresponds to FAA AD 2006–07–13] as a precautionary measure, in order to verify the structural integrity of the rudder.

* * * * * * *

The corrective actions include reporting both positive and negative findings to Airbus, doing a temporary repair, and contacting Airbus for repair and doing a permanent repair.

Actions and Compliance

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

(1) Within 500 flight cycles or 6 months after the effective date of this AD, whichever occurs first, perform a special detailed one-time inspection in the areas of rudder hoisting points and trailing edge screws, in accordance with the instructions given in Airbus Service Bulletin A310–55–2045 or A300–55–6044, both Revision 01, both dated December 20, 2007, as applicable.

(i) If no damage is found, within 30 days after the inspection or 30 days after the effective date of this AD, whichever occurs later, report to Airbus using Appendix 1 or 2, as applicable to the airplane configuration, of Airbus Service Bulletin A310–55–2045 or A300–55–6044, both Revision 01, as applicable.

(ii) If any damage is found, within the timescale(s) indicated in Airbus Service Bulletin A310–55–2045 or A300–55–6044, both Revision 01, as applicable, report to Airbus using Appendix 1 or 2, as applicable to the airplane configuration, of Airbus Service Bulletin A310–55–2045 or A300–55–6044, both Revision 01, as applicable, to get further instructions for repair. Accomplish the repair within the timescale(s) indicated in, and in accordance with, the instructions given in paragraph 3.B.(1)(a) or 3.B.(2)(a), as applicable to the airplane configuration, of Airbus Service Bulletin A310–55–2045 or A300–55–6044, both Revision 01, as applicable.

(2) Within 500 flight cycles or 6 months after the effective date of this AD, whichever occurs first, perform a special detailed inspection along the rudder Z-profile, in accordance with the instructions given in Airbus Service Bulletin A310–55–2044 or A300–55–6043, both Revision 01, both dated December 3, 2007, as applicable. For airplanes identified as Configuration 01 in the service bulletins, repeat the inspection thereafter at intervals not to exceed 1,400 flight cycles. For airplanes identified as Configuration 02 in the service bulletins, repeat the inspection thereafter at intervals not to exceed 5,000 flight cycles. For temporary repair along the rudder Z-profile for both airplanes identified as Configurations 01 and 02, refer to paragraph 3.C.(1) of Airbus Service Bulletin A310–55–2044 or A300–55–6043, both Revision 01, as applicable.

(i) If no damage is found, within 30 days after the inspection or 30 days after the effective date of this AD, whichever occurs later, report to AIRBUS using Appendix 1 or 2, as applicable to the airplane configuration, of Airbus Service Bulletin A310–55–2044 or A300–55–6043, both Revision 01, as applicable.

(ii) If any damage is found, verify the findings and apply all applicable corrective actions within the timescale(s) indicated in, and in accordance with instructions given in paragraph 3.B.(1)(a) or 3.B.(2)(a), as applicable to the airplane configuration, of Airbus Service Bulletin A310–55–2044 or A300–55–6043, both Revision 01, as applicable. Within 30 days after the inspection or corrective action or 30 days after the effective date of this AD, whichever occurs later, submit a report to Airbus using Appendix 1 or 2, as applicable to the airplane configuration, of Airbus Service Bulletin A310–55–2044 or A300–55–6043, both Revision 01, as applicable.

Note 1: For rudder configuration identification, refer to Appendices 3 and 4 of Airbus Service Bulletin A310–55–2044, A310–55–2045, A300–55–6043, and A300–55–6044, as applicable to the airplane model and configuration.

(3) As of 30 days after the effective date of this AD: No person shall install a P/N A55471500 series rudder on any airplane as a replacement, unless it has been inspected and repaired, as applicable, in accordance with the instructions of Airbus Service Bulletins A310–55–2045, Revision 01, dated December 20, 2007, and A310–55–2044, Revision 01, dated December 3, 2007; or Airbus Service Bulletins A300–55–6044, Revision 01, dated December 20, 2007, and A300–55–6043, Revision 01, dated December 3, 2007; as applicable.

(4) Actions accomplished before the effective date of this AD in accordance with Airbus Service Bulletin A300–55–6044 or A310–55–2045, both dated July 23, 2007, are considered acceptable for compliance with the corresponding actions specified in paragraph (f)(1) of this AD.

(5) Actions accomplished before the effective date of this AD in accordance with Airbus Service Bulletin A300–55–6043 or A310–55–2044, both dated July 23, 2007, are considered acceptable for compliance with the corresponding actions specified in paragraph (f)(2) of this AD.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows: No differences.

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: Tom Stafford, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1622; 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 MCAI EASA Airworthiness Directive 2007–0266, dated October 8, 2007, and the service bulletins listed in Table 1 of this AD, for related information.

TABLE 1.—AIRBUS SERVICE INFORMATION

Airbus service bulletin	Revision	Date
A300–55–6043	01	December 3, 2007.
A300–55–6044	01	December 20, 2007.
A310–55–2044	01	December 3, 2007.
A310–55–2045	01	December 20, 2007.

Material Incorporated by Reference

(i) You must use the service information specified in Table 2 of this AD to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

(3) You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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.—MATERIAL INCORPORATED BY REFERENCE

Airbus service bulletin	Revision	Date
A300–55–6043, including Appendices 1 through 4	01	December 3, 2007.
A300–55–6044, including Appendices 1 through 4	01	December 20, 2007.
A310–55–2044, including Appendices 1 through 4	01	December 3, 2007.
A310–55–2045, including Appendices 1 through 4	01	December 20, 2007.

Issued in Renton, Washington, on May 6, 2008.

Michael J. Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8–10978 Filed 5–20–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Part 234

[Docket No. RITA 2007–28522]

RIN 2139–AA12

Revision of Airline Service Quality Performance Reports and Disclosure Requirements

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The U.S. Department of Transportation (Department) will collect additional data elements when flights are cancelled, diverted, or experience gate returns. The additional data elements will close data gaps and provide consumers a more accurate portrayal of arrival and tarmac delays. The previous NPRM was inadvertently published under RIN 2139–AA13.

DATES: This rule will be effective on October 1, 2008.

FOR FURTHER INFORMATION CONTACT: Mr. Bernard Stankus, Office of Airline Information, RTS–42, Bureau of Transportation Statistics, Research and Innovative Technology Administration, Telephone Number (202) 366–4387, Fax Number (202) 366–3383, or E-mail *bernard.stankus@dot.gov.*

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this rule, a copy of the notice of proposed rulemaking, and copies of the comments may be downloaded at *http://www.regulations.gov,* by searching docket RITA 2007–28522.

Background

The regulation (14 CFR part 234) requiring airlines that account for at least one percent of the domestic scheduled passenger revenues to submit monthly service quality performance reports was issued on September 9, 1987 (52 FR 34071). At that time, close to 40 percent of all flights were either late or cancelled. On-time performance reporting created a market-based incentive for carriers to improve their service and scheduling practices. The immediate result of this action was an improvement in carriers' on-time performance. For the remainder of 1987, the industry had an on-time arrival rate of over 74 percent.

The Department added data elements to the reporting system in 1995 to enable the Federal Aviation Administration (FAA) to identify choke points within the air traffic control system (60 FR 66722, December 26, 1995). Aircraft tail number, wheels-off time and wheels-on time gave the FAA information concerning aircraft routings through the air traffic control system and detailed data on tarmac and airborne delays. A tarmac delay is one that takes place on the ground, such as on the ramp or taxiway.

In 1999 and 2000, airline delays increased dramatically with the increase in airline operations. Consumer complaints concerning flight delays increased by 58%. Section 227 of the Aviation Investment and Reform Act for the 21st Century (AIR–21) called upon the Secretary of Transportation to disclose to the public the source of delayed and cancelled flights. During this period, the Air Transport Association of America also petitioned the Department to report the causes of delays and cancellations. In August 2000, an Air Carrier On-time Reporting Advisory Committee was established to