

Issued in Renton, Washington, on August 18, 2008.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-0910; Directorate Identifier 2008-NM-033-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A330-200, A330-300, A340-300, A340-500, and A340-600 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 that would supersede an existing AD. 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:

An A330 operator reported a shroud box bottom panel missing during a routine inspection. The same panel detached from an A330 aircraft during take-off, causing damage to the surrounding structure and to the Trimmable Horizontal Stabilizer (THS) tip fairing.

The inspection indicated the blind rivets used to attach the panel worked loose causing fatigue damage with crack propagation through the fastener line resulting in panel detachment \* \* \*.

\* \* \* Three additional events of panel loss have been experienced on in service aircraft already inspected in accordance with the AD requirements \* \* \*.

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 September 25, 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-2008-0910; Directorate Identifier 2008-NM-033-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

On April 4, 2007, we issued AD 2007-08-05, Amendment 39-15022 (72 FR 18563, April 13, 2007). That AD required actions intended to address an unsafe condition on the products listed above.

Since we issued AD 2007-08-05, we have received additional reports of loss of the bottom panel of the shroud box on in-service airplanes on which the one-time detailed inspection required

by AD 2007-08-05 has been done. Therefore, the requirements of AD 2007-08-05 do not adequately address the identified unsafe condition of that AD. The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued Airworthiness Directive 2008-0002, dated January 7, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

An A330 operator reported a shroud box bottom panel missing during a routine inspection. The same panel detached from an A330 aircraft during take-off, causing damage to the surrounding structure and to the Trimmable Horizontal Stabilizer (THS) tip fairing.

The inspection indicated the blind rivets used to attach the panel worked loose causing fatigue damage with crack propagation through the fastener line resulting in panel detachment.

To avoid potential injuries to persons on ground, Airworthiness Directive (AD) 2006-0107 [which corresponds with FAA AD 2007-08-05] mandated a one time detailed visual inspection of the shroud box bottom panel.

Further to issuance of AD 2006-0107, three additional events of panel loss have been experienced on in service aircraft already inspected in accordance with the AD requirements and no findings. Thus, it has been decided to delete this one time detailed visual inspection and to mandate a modification which prevents such unsafe condition. Therefore, the present AD supersedes EASA AD 2006-0107 and mandates the installation of a bolted shroud box bottom panel instead of blind riveted metallic design.

The modification includes doing all applicable related investigative and corrective actions. The related investigative action is an inspection to detect cracks of the shroud box hole. The corrective action is repairing any cracked shroud box hole. The applicability of the MCAI has been revised; certain airplanes have been removed and others added. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Airbus has issued the following service bulletins:

- Airbus Service Bulletin A330-57-3100, dated October 1, 2007;
- Airbus Service Bulletin A340-57-4109, dated October 1, 2007; and
- Airbus Service Bulletin A340-57-5018, dated October 1, 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 34 products of U.S. registry. We also estimate that it would take about 20 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 \$990 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 \$88,060, or \$2,590 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 removing Amendment 39–15022 (72 FR 18563, April 13, 2007) and adding the following new AD:

**Airbus:** Docket No. FAA–2008–0910; Directorate Identifier 2008–NM–033–AD.

**Comments Due Date**

- (a) We must receive comments by September 25, 2008.

**Affected ADs**

- (b) The proposed AD supersedes AD 2007–08–05, Amendment 39–15022.

**Applicability**

- (c) This AD applies to Airbus airplanes identified in Table 1 of this AD; certificated in any category.

**TABLE 1—APPLICABILITY**

For model—	On which—	Except for those airplanes on which—
(1) A330–200, A330–300, and A340–300 series, all certified models, all serial numbers.	Airbus modification 46077 has been embodied in production.	Airbus Modification 55568 has been done in production, or Airbus Service Bulletin A330–57–3100 or Airbus Service Bulletin A340–57–4109 has been embodied in service.
(2) Airbus A340–500 and A340–600 series, all certified models, all serial numbers.	None .....	Airbus modification 55568 has been embodied in production, or Airbus Service Bulletin A340–57–5018 has been embodied in service.

**Subject**

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

**Reason**

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

An A330 operator reported a shroud box bottom panel missing during a routine

inspection. The same panel detached from an A330 aircraft during take-off, causing damage to the surrounding structure and to the Trimmable Horizontal Stabilizer (THS) tip fairing.

The inspection indicated the blind rivets used to attach the panel worked loose causing fatigue damage with crack propagation through the fastener line resulting in panel detachment.

To avoid potential injuries to persons on ground, Airworthiness Directive (AD) 2006-0107 [which corresponds with FAA AD 2007-08-05] mandated a one time detailed visual inspection of the shroud box bottom panel.

Further to issuance of AD 2006-0107, three additional events of panel loss have been experienced on in service aircraft already

inspected in accordance with the AD requirements and no findings. Thus, it has been decided to delete this one time detailed visual inspection and to mandate a modification which prevents such unsafe condition. Therefore, the present AD supersedes EASA AD 2006-0107 and mandates the installation of a bolted shroud box bottom panel instead of blind riveted metallic design.

The modification includes doing all applicable related investigative and corrective actions. The related investigative action is an inspection to detect cracks of the

shroud box hole. The corrective action is repairing any cracked shroud box hole.

**New Requirements of This AD: Actions and Compliance**

(f) Unless already done: Within 69 months after the effective date of this AD, modify the shroud box bottom skin panel on both wings, and do all applicable related investigative and corrective actions, by accomplishing all the actions in the applicable service bulletins identified in Table 2 of this AD. Do all applicable related investigative and corrective actions before further flight.

TABLE 2—SERVICE BULLETINS

Service Bulletin—	Dated—
Airbus Service Bulletin A330-57-3100 .....	October 1, 2007.
Airbus Service Bulletin A340-57-4109 .....	October 1, 2007.
Airbus Service Bulletin A340-57-5018 .....	October 1, 2007.

**FAA AD Differences**

**Note:** 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: 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 MCAI European Aviation Safety Agency Airworthiness Directive 2008-0002, dated January 7, 2008; and the service bulletins identified in Table 2 of this AD for related information.

Issued in Renton, Washington, on August 18, 2008.

**Ali Bahrami,**

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

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**Proposed Modification of the Dallas/Fort Worth, TX Class B Airspace Area; Public Meetings**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Meetings.

**SUMMARY:** This notice announces four fact-finding informal airspace meetings to solicit information from airspace users and others concerning a proposal to revise the Class B airspace area at Dallas/Fort Worth, TX. The purpose of these meetings is to provide interested parties an opportunity to present views, recommendations, and comments on the proposal. All comments received during these meetings will be considered prior to any revision or issuance of a notice of proposed rulemaking.

**DATES:** The informal airspace meetings will be held on Monday, November 3, 2008, at 5 p.m., Thursday, November 6, 2008, at 5 p.m., Thursday, November 13, 2008, at 5 p.m., and Tuesday, November 18, 2008, at 5 p.m. Comments must be received on or before November 26, 2008.

**ADDRESSES:** (1) The meeting on Monday, November 3, 2008, will be held at

Lancaster Recreation Center, 1700 Veterans Memorial Parkway, Lancaster, TX 75134. (2) The meeting on Thursday, November 6, 2008, will be held at Cavanaugh Flight Museum, 4572 Claire Chennault Drive, Addison, TX 75001. (3) The meeting on Thursday, November 13, 2008, will be held at 5000 Airport Road, Denton, TX 76205-0207. (4) The meeting on Tuesday, November 18, 2008, will be held at Mesquite Airport Terminal Building, 1340 Airport Boulevard, Mesquite, TX 75181.

*Comments:* Send comments on the proposal to: Don Smith, Manager, Operations Support Group, Air Traffic Organization Central Service Area, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX 76137, or by fax to (817) 222-5547.

**FOR FURTHER INFORMATION CONTACT:** Robert Beck, DFW ATCT/TRACON, Dallas/Fort Worth International Airport, 2401 International Parkway, Dallas/Fort Worth Airport, TX 75261; Telephone (972) 615-2530.

**SUPPLEMENTARY INFORMATION:** (a) The meetings will be informal in nature and will be conducted by one or more representatives of the FAA Central Service Center. A representative from the FAA will present a formal briefing on the planned modification to the Class B airspace at Dallas/Fort Worth, TX. Each participant will be given an opportunity to deliver comments or make a presentation. Only comments concerning the plan to modify the Class B airspace area at Dallas/Fort Worth, TX, will be accepted.

(b) The meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be