the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2776; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94–NM–243–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM–243–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On March 25, 1985, the FAA issued AD 85–07–04, amendment 39–5027 (49 FR 45755, April 2, 1985), applicable to all Airbus A300 series airplanes, to require repetitive inspections for cracking of the No. 2 flap beams, and replacement of the flap beams, if necessary. That action was prompted by reports of cracking detected in the No. 2 flap beams. The requirements of that AD are intended to prevent asymmetry of the flaps due to cracking in the No. 2 flap beams.

Since the issuance of that AD, Airbus has issued the following service bulletin revisions for Model A300 series airplanes:

1. Airbus Service Bulletin A300–57– 116, Revision 6, dated July 16, 1993, which describes procedures for repetitive ultrasonic inspections for cracking in the base member and side members of the No. 2 flap beams, and replacement of the beams, if necessary. (Revision 1 of this service bulletin was referenced in the existing AD.)

2. Airbus Service Bulletin A300–57– 128, Revision 3, dated January 26, 1990, which describes procedures for optional modification of the No. 2 flap beams (Modification 4740). This modification entails performing an eddy current inspection of the bolt holes of the flap beam and oversizing these holes. Accomplishment of this modification will provide a new flight cycle threshold before the next inspection is necessary. (The original issue of this service bulletin was referenced in the existing AD.)

3. Airbus Service Bulletin A300–57– 141, Revision 7, dated July 16, 1993, which describes a second optional modification (Modification 5815). This modification will extend the fatigue life of the flap beams. The modification involves cold working and increasing the size of the bolt holes, and installing interference fit bolts. As with Modification 4740, accomplishment of Modification 5815 will provide a new flight cycle threshold before the next inspection is necessary.

Since Model A300–600 series airplanes are similar in design to Model A300 series airplanes in the subject area, the Model A300–600 is subject to the same addressed unsafe condition. Accordingly, Airbus has issued the following service bulletins that apply to Model A300–600 series airplanes:

1. Airbus Service Bulletin A300–57– 6005, Revision 2, dated December 16, 1993, which describes procedures for repetitive ultrasonic inspections for cracking in the base member and side members of the No. 2 flap beams. (These inspections are identical to the inspections specified for Model A300 series airplanes in Airbus Service Bulletin A300–57–116.)

2. Airbus Service Bulletin A300–57– 6006, Revision 4, dated July 25, 1994, which describes procedures for installing Modification 5815. This modification entails increasing the size of and cold working certain holes in the No. 2 flap beams. Once accomplished, this modification increases the life of the flap beam and eliminates the need for repetitive inspections, if it is accomplished after 15,000 total landings have been accumulated and if no cracking is detected while performing the inspections described in Airbus Service Bulletin No. A300–57–6005, Revision 2, dated December 16, 1993.

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has approved these service bulletins, and has issued French airworthiness directive 86–187–076(B)R3, dated March 2, 1994, in order to assure the continued airworthiness of these airplanes in France.

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 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 DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede AD 85-07-04 to continue to require repetitive inspections for cracking of the No. 2 flap beams of Model A300 series airplanes, and replacement of the flap beams, if necessary. The proposed AD would require identical inspections of Model A300-600 series airplanes. The proposed AD also would provide an optional terminating modification for the repetitive inspections on the Model 300-600 series airplanes, and optional modifications for extending certain inspection thresholds for Model A300 series airplanes. The actions would be required to be accomplished in accordance with the service bulletins described previously.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane