A310, A330, and A340 series airplanes, which requires an inspection of the sliding side windows in the cockpit to identify the part number of the windows. For airplanes on which a certain suspect window is installed, this AD also requires either deactivation of the sliding window defogging system; or installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the defogging system, if necessary; or replacement of the window with a serviceable window.

That action was prompted by a report indicating that, during approach for landing, the left-hand sliding side cockpit window installed on a Model A300 B4–200 series airplane fractured. Subsequently, a similar incident occurred during climb on a Model A300–600 series airplane. These windows, which were manufactured by PPG Industries, are installed on Model A300, A300-600, A310, A330, and A340 series airplanes. When these incidents occurred, the windows installed on the Model A300 B4-200 airplane had accumulated 688 hours time-in-service and 621 flight cycles; the windows installed on the Model A300-600 airplane had accumulated 460 hours time-in-service and 232 flight cycles. Subsequent investigation revealed that, in both cases, the two structural plies of the windows were fractured. However, the outer, non-structural, glass ply of the window was not affected.

Results of a failure analysis of these incidents indicated that the fractures of both structural plies occurred due to thermal stress created by overheating of the wires of the heating element in a localized area. This condition, if not corrected, could result in rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage.

Airbus has issued All Operators Telex (AOT) 30-01, dated December 22, 1994, which describes procedures for an inspection of the left- and right-hand sliding side windows in the cockpit to identify the part number of the windows. For airplanes equipped with certain suspect windows manufactured by PPG Industries, the AOT also describes procedures for deactivation of the associated window defogging system; installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the window defogging system, if necessary; and replacement of the sliding windows with serviceable windows.

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified the Airbus AOT as mandatory and issued three telegraphic French airworthiness directives in order to assure the continued airworthiness of these airplanes in France. The French airworthiness directives are identified as follows:

94–283–006(B) (for Model A330 series airplanes);

94–284–014(B) (for Model A340 series airplanes); and

94–285–173(B) (for Model A300, A310, and A300–600 series airplanes).

All of these AOT's are dated December 28, 1994.

This airplane model is manufactured in France and is 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 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 the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA issued Telegraphic AD T95–01–51 to prevent rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage. The AD requires an inspection of the left- and right-hand sliding side windows in the cockpit to identify the part number of the windows. If a suspect window is installed, this AD requires accomplishment of one of the following actions:

- 1. Deactivation of the sliding window defogging system; or
- 2. Installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the defogging system, if necessary; or
- 3. Replacement of the window with a serviceable window. The actions are required to be accomplished in accordance with the AOT previously described.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual telegrams issued on December 29, 1994, to all known U.S. owners and operators

of Airbus Model A300, A300–600, A310, A330, and A340 series airplanes. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

## **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption ADDRESSES. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94–NM–248–AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation