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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2006-25421; Directorate Identifier 2006-NM-074-AD; Amendment 39-14770; AD 2006-20-01]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus Model A310 Airplanes**

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

**ACTION:** Final rule.

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**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus Model A310 airplanes. This AD requires revising the Limitations section of the airplane flight manual by incorporating restrictions for high altitude operations. This AD results from several incidents of pitch oscillations with high vertical loads that occurred during turbulence at high altitudes. We are issuing this AD to prevent pitch oscillations during turbulence, which could result in reduced controllability of the airplane.

**DATES:** This AD becomes effective November 2, 2006.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of November 2, 2006.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2797; fax (425) 227-1149.

## **SUPPLEMENTARY INFORMATION:**

### **Examining the Docket**

You may examine the airworthiness directive (AD) docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the ADDRESSES section.

### **Discussion**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to all Airbus Model A310 airplanes. That NPRM was published in the Federal Register on July 24, 2006 (71 FR 41744). That NPRM proposed to require revising the Limitations section of the airplane flight manual (AFM) by incorporating restrictions for high altitude operations.

### **Comments**

We provided the public the opportunity to participate in the development of this AD. We received no comments on the NPRM or on the determination of the cost to the public.

### **Conclusion**

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

### **Costs of Compliance**

This AD affects about 62 airplanes of U.S. registry. It takes approximately 1 work hour per airplane to accomplish the required AFM revision, at an average labor rate of \$80 per work hour. Based on these figures, the estimated cost of this AD for U.S. operators is \$4,960, or \$80 per airplane.

### **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 have 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 that this AD:

- (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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

## **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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

# AIRWORTHINESS DIRECTIVE

[www.faa.gov/aircraft/safety/alerts/](http://www.faa.gov/aircraft/safety/alerts/)  
[www.gpoaccess.gov/fr/advanced.html](http://www.gpoaccess.gov/fr/advanced.html)

U.S. Department  
of Transportation  
**Federal Aviation  
Administration**



**2006-20-01 Airbus:** Amendment 39-14770. Docket No. FAA-2006-25421; Directorate Identifier 2006-NM-074-AD.

## Effective Date

- (a) This AD becomes effective November 2, 2006.

## Affected ADs

- (b) None.

## Applicability

- (c) This AD applies to all Airbus Model A310 airplanes, certificated in any category.

## Unsafe Condition

(d) This AD results from several incidents of pitch oscillations with high vertical loads that occurred during turbulence at high altitudes. We are issuing this AD to prevent pitch oscillations during turbulence, which could result in reduced controllability 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.

## Revision of Airplane Flight Manual (AFM)

(f) Within 10 days after the effective date of this AD, revise the Limitations section of the Airbus A310 AFM to include the information in Airbus A310 Temporary Revision (TR) 2.03.00/21, dated April 11, 2005. This may be done by inserting a copy of the TR into the AFM. When the information in the TR has been included in the general revisions of the AFM, those general revisions may be inserted into the AFM, provided the relevant information in the general revisions is identical to that in the TR.

## Alternative Methods of Compliance (AMOCs)

(g)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

## **Related Information**

(h) French airworthiness directive F-2005-114, dated July 6, 2005, also addresses the subject of this AD.

## **Material Incorporated by Reference**

(i) You must use Airbus A310 Temporary Revision 2.03.00/21, dated April 11, 2005, to the Airbus A310 Airplane Flight Manual, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on September 14, 2006.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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