

moisture ingress, the service bulletin describes procedures for either follow-on repetitive inspections of those windows to detect moisture ingress; or replacement of those windows with windows having P/N NP-165313-1 or NP-165313-2, and S/N 95001H0001 or above (PPG Aerospace manufacturing date January 1, 1995, or after), or with windows having P/N NP-165313-3 or NP-165313-4. For windows having urethane degradation, the service bulletin describes procedures for replacement of those windows with windows having a certain P/N and S/N. For windows having delamination, the service bulletin describes procedures for measuring the length of the delamination, and either performing follow-on repetitive inspections or replacing the windows with windows having a certain P/N and S/N, depending on the length of the delamination. Accomplishment of the replacement described in the service bulletin would eliminate the need for repetitive inspections.

The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 2001-632(B), dated December 26, 2001, in order to assure the continued airworthiness of these airplanes in France.

The Airbus service bulletin references PPG Aerospace Service Bulletin NP-165313-56-001, dated May 15, 2001, as an additional source of service information for accomplishing the actions described previously.

#### FAA's Conclusions

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 these type designs that are certificated for operation in the United States.

#### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type designs registered in the United States, the proposed AD would require accomplishment of the actions specified in the Airbus service bulletin described

previously. This proposed AD also would provide for optional terminating action for the repetitive inspections.

Operators should note that, to be consistent with the findings of the DGAC, we have determined that the repetitive inspections proposed by this AD can be allowed to continue in lieu of accomplishment of the optional terminating replacement, provided that no moisture ingress or delamination is found during the inspections. In making this determination, we consider that, in this case, long-term continued operational safety will be adequately assured by accomplishing the repetitive inspections to detect moisture ingress and delamination before they represent a hazard to the airplane.

#### Difference Between Service Information and Proposed Rule

Operators should note that, although Airbus Service Bulletin A320-56-1009, Revision 01, recommends that, in Appendix 01, operators submit inspection findings to Airbus, this AD does not include such a reporting requirement.

#### Cost Impact

The FAA estimates that 36 Model A319, A320, and A321 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed detailed inspection to identify moisture ingress of certain identified cockpit lateral fixed windows, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the detailed inspection proposed by this AD on U.S. operators is estimated to be \$4,320, or \$120 per airplane, per inspection cycle.

The cost impact figure discussed above based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Should an operator elect to accomplish the optional terminating replacement that would be provided by this AD action, we estimate that it would take approximately 4 work hours per airplane to accomplish it, at an average labor rate of \$60 per work hour.

Based on these figures, the cost impact of the optional terminating replacement would be \$240 per airplane.

#### Regulatory Impact

The regulations proposed herein 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. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that 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) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

**Airbus:** Docket 2002-NM-16-AD.

**Applicability:** Model A319, A320, and A321 series airplanes, certificated in any category; equipped with PPG Aerospace cockpit lateral fixed windows having part number (P/N) NP-165313-1 or NP-165313-2, and having a serial number (S/N) below 95001H0001 (PPG Aerospace manufacturing date before January 1, 1995).

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area