

through 12WR inclusive, located in the 722VU and 742VU panels; per Airbus Service Bulletin A330-92-3034, Revision 03 (for Model A330 series airplanes); or Airbus Service Bulletin A340-92-4042, Revision 03 (for Model A340 series airplanes); both dated November 13, 2001; as applicable.

#### Corrective Action

(b) If any Texas Instruments circuit breaker having part number (P/N) E0730-005A7A5A, E0730-005A05AA, E0730-005A7A5B, or E0730-005A05AB, with any date code 96/01 through 98/52 inclusive, is found during the inspection required by paragraph (a) of this AD, before further flight, replace the circuit breaker with a new improved circuit breaker, either having the proper date code or from another manufacturer, per Airbus Service Bulletin A330-92-3034, Revision 03 (for Model A330 series airplanes); or Airbus Service Bulletin A340-92-4042, Revision 03 (for Model A340 series airplanes); both dated November 13, 2001; as applicable.

(c) Inspections and corrective actions accomplished before the effective date of this AD per Airbus Service Bulletin A330-92-3034, dated February 9, 2001; Revision 01, dated April 11, 2001; or Revision 02, dated August 14, 2001 (for Model A330 series airplanes); and Airbus Service Bulletin A340-92-4042, dated February 9, 2001; Revision 01, dated April 11, 2001; or Revision 02, dated August 14, 2001 (for Model A340 series airplanes); are considered acceptable for compliance with the applicable inspections and corrective actions required by this AD.

#### Part Installation

(d) As of the effective date of this AD, no person shall install any Texas Instruments circuit breaker having P/N E0730-005A7A5A, E0730-005A05AA, E0730-005A7A5B, or E0730-005A05AB with any date code 96/01 through 98/52 inclusive, on any airplane.

#### Alternative Methods of Compliance

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

#### Special Flight Permits

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

#### Incorporation by Reference

(g) The actions shall be done in accordance with Airbus Service Bulletin A330-92-3034,

Revision 03, dated November 13, 2001; or Airbus Service Bulletin A340-92-4042, Revision 03, dated November 13, 2001 excluding Appendix 01, Reporting Sheet, and quality perception form, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 3:** The subject of this AD is addressed in French airworthiness directives 2001-468(B) and 2001-469(B), both dated October 3, 2001.

#### Effective Date

(h) This amendment becomes effective on February 10, 2003.

Issued in Renton, Washington, on December 23, 2002.

**Vi L. Lipski,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-348-AD; Amendment 39-13008; AD 2002-26-51]

**RIN 2120-AA64**

#### Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and -145 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting airworthiness directive (AD) 2002-26-51 that was sent previously to all known U.S. owners and operators of certain EMBRAER Model EMB-135 and -145 series airplanes by individual notices. This AD requires revising the Limitations Section of the Airplane Flight Manual to advise the flightcrew of the possibility of locking of the elevator during takeoff and to provide the appropriate procedures to prevent it. This action is prompted by a report indicating that the elevator locked during the takeoff run on a Model EMB-145 series airplane. The actions specified by this AD are intended to

prevent locking of the elevator during takeoff, which could result in loss of controllability of the airplane.

**DATES:** Effective January 13, 2003, to all persons except those persons to whom it was made immediately effective by emergency AD 2002-26-51, issued December 20, 2002, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before February 5, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-348-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: [9-anm-iarcomment@faa.gov](mailto:9-anm-iarcomment@faa.gov). Comments sent via fax or the Internet must contain "Docket No. 2002-NM-348-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

Information pertaining to this amendment may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Bob Breneman, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1263; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** On December 20, 2002, the FAA issued emergency AD 2002-26-51, which is applicable to certain EMBRAER Model EMB-135 and -145 series airplanes.

#### Background

The Departamento de Aviação Civil (DAC), which is the airworthiness authority for Brazil, recently notified the FAA that an unsafe condition may exist on certain EMBRAER Model EMB-135 and -145 series airplanes. The DAC received a report indicating that the elevator locked during the takeoff run on a Model EMB-145 series airplane. The locking was caused by a restart of the locking sequence, which was initiated by a rearward movement of the gust lock lever (and aggravated by a possible ineffective plunger spring) after the elevator had been unlocked. Locking