

Airbus also has issued Service Bulletin A320-28-1079, dated November 30, 1998. The service bulletin describes procedures for modification of the fuel system of the additional center fuel tank. The modification includes cleaning certain bonding point attachments, sealing the bonding point attachments, and installing new bonding leads between the flanges of the fuel and vent pipes. The service bulletin also describes procedures for an electrical bonding resistance check upon completion of the modification.

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified these service bulletins as mandatory and issued French airworthiness directive 2002-202(B), dated April 17, 2002, in order to assure the continued airworthiness of these airplanes in France.

#### 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 this type design 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 design registered in the United States, the proposed AD would supersede AD 2000-14-15 to continue to require modifying the fuel pipe couplings and installing bonding leads in specified locations within the fuel tank. The proposed AD also would add new modifications of the bonding lead for certain airplanes, and would change the applicability in the existing AD by excluding airplanes having the new modification. The actions would be required to be accomplished in accordance with the service bulletins described previously.

#### Changes to 14 CFR Part 39/Effect on the Proposed AD

On July 10, 2002, the FAA issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the

FAA's airworthiness directives system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance (AMOCs). Because we have now included this material in part 39, only the office authorized to approve AMOCs is identified in each individual AD.

#### Change to Labor Rate Estimate

We have reviewed the figures we have used over the past several years to calculate AD costs to operators. To account for various inflationary costs in the airline industry, we find it necessary to increase the labor rate used in these calculations from \$60 per work hour to \$65 per work hour. The cost impact information, below, reflects this increase in the specified hourly labor rate.

#### Cost Impact

There are approximately 227 airplanes of U.S. registry that would be affected by this proposed AD.

The actions that are currently required by AD 2000-14-15 take between 20 and 100 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. The cost of required parts is negligible. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be between \$295,100 and \$1,475,500; or between \$1,300 and \$6,500 per airplane.

Should an operator be required to accomplish the actions specified in Airbus Service Bulletin A320-28-1077, Revision 04, it would take approximately 2 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. The cost of required parts is negligible. Based on these figures, the cost impact of these new proposed requirements on U.S. operators is estimated to be \$130 per airplane.

Should an operator be required to accomplish the actions specified in Airbus Service Bulletin A320-28-1079, it would take approximately 6 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. The cost of required parts is negligible. Based on these figures, the cost impact of these new proposed requirements on U.S. operators is estimated to be \$390 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or 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.

#### 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 removing amendment 39-11825 (65 FR 45513, July 24, 2000), and by adding a new airworthiness directive (AD), to read as follows:

**Airbus:** Docket 2002-NM-125-AD.

Supersedes AD 2000-14-15, amendment 39-11825.

**Applicability:** Model A319, A320, and A321 series airplanes; certificated in any