

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2007-0337; Directorate Identifier 2007-NM-111-AD; Amendment 39-15392; AD 2008-04-20]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During planned maintenance visit on two aircraft, corrosion was found on the upper surface of the wing lower skin panel N°1, inside the Right Hand (RH) inboard dry bay.

It was discovered that [certain] access panels * * * had been omitted from the access requirements of the associated AMM (airplane maintenance manual) task (AMM 05-25-40) until the August 2001 revision.

The result is that some * * * inspections may have not been fully accomplished due to non-removal of [certain] panels * * *.

If the area has not been inspected with the correct access, and if AIRBUS Service Bulletin (SB) A320-57-1121 has not been performed, then some aircraft could remain insufficiently inspected until the next scheduled inspection. This may result in a high risk of corrosion findings greater than level 1.

Corrosion findings greater than level 1 in the wing could result in reduced structural integrity of the airplane. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective April 3, 2008.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 3, 2008.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer,

International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2141; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on December 17, 2007 (72 FR 71284). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

During planned maintenance visit on two aircraft, corrosion was found on the upper surface of the wing lower skin panel N°1, inside the Right Hand (RH) inboard dry bay.

It was discovered that access panels 540CZ, 540DZ, 640CZ and 640DZ had been omitted from the access requirements of the associated AMM (airplane maintenance manual) task (AMM 05-25-40) until the August 2001 revision.

The result is that some ZL-540-02-1 or ZL-540-02 (or ZL-540-02 and ZL-640-02) inspections may have not been fully accomplished due to non-removal of panels 540CZ, 540DZ, 640CZ and 640DZ.

If the area has not been inspected with the correct access, and if AIRBUS Service Bulletin (SB) A320-57-1121 has not been performed, then some aircraft could remain insufficiently inspected until the next scheduled inspection. This may result in a high risk of corrosion findings greater than level 1.

Corrosion findings greater than level 1 in the wing could result in reduced structural integrity of the airplane. The corrective actions include an inspection for corrosion in the wing tank dry bay, and repair if necessary. You may obtain further information by examining the MCAI in the AD docket.

Comments

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

Conclusion

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

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S.

operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect about 103 products of U.S. registry. We also estimate that it will take about 4 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$32,960, or \$320 per product.

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 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 this AD:

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. 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.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

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 FAA amends § 39.13 by adding the following new AD:

2008-04-20 Airbus: Amendment 39-15392. Docket No. FAA-2007-0337; Directorate Identifier 2007-NM-111-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective April 3, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Airbus Model A319, A320, and A321 series airplanes, certificated in any category, all certified models, all serial numbers, on which Airbus A318/A319/A320/A321 Maintenance Review Board Report (MRBR) zonal tasks ZL-540-02 and ZL-640-02 (for MRBR up to Revision 7) or MRBR zonal task ZL-540-02-1 or ZL-540-02-2 (for MRBR since Revision 8) have already been performed before the effective date of this AD, and for which it cannot be substantiated that access panels 540CZ, 540DZ, 640CZ and 640DZ were removed for inspection. This AD does not apply to the airplanes identified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD.

(1) Airplanes on which zonal tasks ZL-540-02-1 and ZL-540-02-2 (or ZL-540-02 and ZL-640-02) have been performed in accordance with Airbus A318/A319/A320/

A321 Airplane Maintenance Manual (AMM) 05-25-40 at August 2001 revision or later revision.

(2) Airplanes on which one of the following Airbus A318/A319/A320/A321 Airworthiness Limitation Items (ALI)/MRBR tasks have been performed: 572004-01-X, 572004-03-X; 572020-01-X, 572020-02-X; 572027-01-X, 572027-03-X; 572053-01-X, 572053-02-X; 572060-02-X; or 572061-02-X; where X represents the task applicability index.

(3) Airplanes delivered after March 27, 2007.

Note 1: Up to Airbus A318/A319/A320/A321 MRBR Revision 7, ZL-540-02 covered Zone 540 and ZL-640-02 covered Zone 640. Since Airbus A318/A319/A320/A321 MRBR Revision 8, ZL-540-02-1 or ZL-540-02-2 also cover the corresponding RH wing zone (Zone 640).

Subject

(d) Air Transport Association (ATA) of America Code 57: Wings.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

During planned maintenance visit on two aircraft, corrosion was found on the upper surface of the wing lower skin panel N°1, inside the Right Hand (RH) inboard dry bay.

It was discovered that access panels 540CZ, 540DZ, 640CZ and 640DZ had been omitted from the access requirements of the associated AMM task (AMM 05-25-40) until the August 2001 revision.

The result is that some ZL-540-02-1 or ZL-540-02-2 (or ZL-540-02 and ZL-640-02) inspections may have not been fully accomplished due to non-removal of panels 540CZ, 540DZ, 640CZ and 640DZ.

If the area has not been inspected with the correct access, and if AIRBUS Service Bulletin (SB) A320-57-1121 has not been performed, then some aircraft could remain insufficiently inspected until the next scheduled inspection. This may result in a high risk of corrosion findings greater than level 1.

Corrosion findings greater than level 1 in the wing could result in reduced structural integrity of the airplane. The corrective actions include an inspection for corrosion in the wing tank dry bay, and repair if necessary.

Actions and Compliance

(f) Unless already done, do the following actions. Within 14 months after the effective date of this AD, perform a detailed visual inspection of the wing tank dry bay to detect corrosion and if any corrosion is found, before further flight, contact Airbus for repair instructions and repair. Do all applicable actions in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320-57-1121, dated October 9, 2002. Another approved method for doing the detailed inspection and applicable corrective actions is the accomplishment of one of the following Airbus A318/A319/A320/A321 ALI/MRBR tasks: 572004-01-X, 572004-03-X; 572020-01-X, 572020-02-X; 572027-01-X, 572027-

03-X; 572053-01-X, 572053-02-X; 572060-02-X; or 572061-02-X; and ZL-540-02-X if panels 540CZ, 540DZ, 640CZ, and 640DZ have been removed; where X represents the task applicability index.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, Transport Airplane Directorate, International Branch, ANM-116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Tim Dulin, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2141; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI EASA Airworthiness Directive 2007-0064R1, dated September 21, 2007, and Airbus Service Bulletin A320-57-1121, dated October 9, 2002, for related information.

Material Incorporated by Reference

(i) You must use Airbus Service Bulletin A320-57-1121, dated October 9, 2002, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

(3) You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on February 15, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate,
Aircraft Certification Service.

[FR Doc. E8-3404 Filed 2-27-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 47, 61, 63, and 65

[Docket No. FAA-2006-26714; Amendment Nos. 47-28, 61-118, 63-36, and 65-51]

RIN 2120-AI43

Drug Enforcement Assistance

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is implementing changes to its airmen certification and aircraft registration requirements. Two years after this rule becomes effective, paper pilot certificates may no longer be used to exercise piloting privileges. Five years after this rule becomes effective, certain other paper airmen certificates, such as those of flight engineers and mechanics, may no longer be used to exercise the privileges authorized by those certificates. To exercise the privileges after those respective dates, the airmen must hold upgraded, counterfeit-resistant plastic certificates. Student pilot certificates, temporary certificates, and authorizations are not affected. In addition, those who transfer ownership of U.S.-registered aircraft have 21 days from the transaction to notify the FAA Aircraft Registry. Those who apply for aircraft registration must include their printed or typed name with their signature. These changes are responsive to concerns raised in the FAA Drug Enforcement Assistance Act. The purpose of the changes is to upgrade the quality of data and documents to assist Federal, State, and local agencies to enforce the Nation's drug laws.

DATES: These amendments become effective on March 31, 2008. Affected parties, however, do not have to comply with the information collection requirements of this rule until the OMB approves the FAA's request for this information collection requirement. The FAA will publish a separate document notifying you of the OMB Control Number and the compliance date(s) for the information collection requirements of this rule.

FOR FURTHER INFORMATION CONTACT: John Bent, Civil Aviation Registry, Mike

Monroney Aeronautical Center, 6500 South MacArthur Boulevard, Oklahoma City, OK 73169, telephone (405) 954-4331.

SUPPLEMENTARY INFORMATION:

Discussion of the Final Rule

Pilot Identification and Certification

The FAA Drug Enforcement Assistance Act of 1988 (Pub. L. 100-690) (the DEA Act) amended 49 U.S.C. 44703 to direct the FAA to modify the system for issuing airman certificates to pilots to make the system more effective in serving the needs of pilots and officials responsible for enforcement of laws relating to the regulation of controlled substances. The DEA Act identified a number of deficiencies and abuses that the modifications must address, including the use of counterfeit and stolen airman certificates by pilots and the submission of unidentifiable names of individuals on applications for registration of aircraft. The DEA Act also amended section 44703 to require the FAA to prescribe regulations to address the abuses and deficiencies. Additional background information appears in the notice of proposed rulemaking (72 FR 489, Jan. 5, 2007).

In 2002, the FAA revised the pilot certificate requirements of part 61 to require a person to carry photo identification when exercising the privileges of the pilot certificate and to present photo identification when requested by law enforcement officials. See 67 FR 65858, October 28, 2002. These changes address security and law enforcement concerns regarding the identification of pilots. Also, in July 2003, the Civil Aviation Registry (the Registry) discontinued issuing paper airman certificates and began issuing permanent airman certificates that incorporate a number of security features. The new certificates are made of high-quality plastic card stock and include micro printing, a hologram, and an ultraviolet-sensitive layer that contains certain words and phrases. These new certificates greatly reduce the ability to create counterfeit airman certificates.

This final rule provides that the holder of a paper pilot certificate, other than a temporary pilot certificate or a student pilot certificate, may not exercise the privileges of the paper certificate after two years from the date of adoption of this final rule. After the two-year period, only an FAA-issued plastic pilot certificate may be used to exercise piloting privileges. The final rule does not revoke or otherwise cancel a paper certificate. It simply requires, after this final rule becomes effective,

that the pilot have the plastic certificate to exercise the attendant privileges.

Two years is a reasonable time to allow for the replacement of pilot certificates by those who want to act as a pilot after the two-year period without interruption. (A person who holds an older-style paper pilot certificate may apply for a plastic certificate after the two-year period, but he or she would not be able to exercise piloting privileges until he or she obtained the plastic certificate.) We are assuming that applications for the plastic replacement certificate would be evenly spread out through the two-year period. If all pilots wait until close to the end of the two-year period to apply for the replacement certificate, there would undoubtedly be delays in processing and receipt of the new certificate. The two-year period balances our ability to receive and process applications for replacement certificates, to maintain our existing range of services, and to reduce the risk of counterfeiting of paper certificates.

To effect this change, we are adopting new paragraph (h) in 14 CFR 61.19 "Duration of pilot certificates," as proposed. Readers should note that this final rule does not require a holder of a paper pilot certificate to surrender the certificate when getting the new plastic certificate. The paper certificate would not authorize the holder to exercise piloting privileges, but those who wish to retain it may do so. Currently, the fee for replacing an existing paper certificate is \$2.00. This nominal fee defrays part of the Registry's cost of replacing the existing paper pilot certificates. At the same time, the \$2.00 fee will not be an undue burden on individuals. To make the replacement process as quick and easy as possible, the Registry has recently set up a system that allows a certificate holder to request a replacement certificate using the Internet. Certificate holders may access this system by going to the following address: <https://amsrvs.registry.faa.gov/amsrvs>.

This final rule does not apply to student pilot certificates or flight instructor certificates. Under existing regulations, these certificates expire 24 calendar months from the month in which they are issued or renewed. See 14 CFR 61.19(b) and (d).

This final rule also provides that ground instructors, flight crewmembers other than pilots (regulated under 14 CFR part 63), and airmen other than flight crewmembers (regulated under 14 CFR part 65) who hold paper airmen certificates (other than temporary certificates) may not exercise the privileges of the paper certificates after five years from the effective date of the