

compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Steven E. Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4124; facsimile: (316) 946-4407.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *Are any service bulletins incorporated into this AD by reference?* Actions required by this AD must be done in accordance with Raytheon Mandatory Service Bulletin SB 32-3134, Revision 1, Revised: July 1999, and Raytheon Recommended Service Bulletin SB 32-3116, Issued: October 1999. The Director of the Federal Register approved this incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; or on the Internet at <<http://www.raytheonaircraft.com/support/pubs/pdf/sb/32-3134r1.pdf>> and <<http://www.raytheonaircraft.com/support/pubs/pdf/sb/32-3116.pdf>>. These files are in Adobe Portable Document Format. The Acrobat Reader is available at <<http://www.adobe.com/>>. You can look at copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) *When does this amendment become effective?* This amendment becomes effective on February 22, 2002.

Issued in Kansas City, Missouri, on January 10, 2002.

**Michael Gallagher,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02-1206 Filed 1-18-02; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-01-AD; Amendment 39-12608; AD 2002-01-14]

RIN 2120-AA64

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

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

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

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Airbus Model A319, A320, and A321 series airplanes, that currently requires an in-situ one-time detailed visual inspection of Dräger Type I oxygen containers, located in the passenger service units, and Dräger Type II oxygen containers, located in the utility areas, for the presence of foam pads. That action also currently requires the installation of a new foam pad, if necessary; and other actions to ensure proper operation of the masks. This amendment retains those requirements and expands the applicability of the existing AD to include additional airplanes that were inadvertently excluded from that AD. The actions specified in this AD are intended to prevent failure of the oxygen containers to deliver oxygen to the passengers in the event of a rapid decompression or cabin depressurization. This action is intended to address the identified unsafe condition.

**DATES:** Effective January 22, 2002.

The incorporation by reference of certain publications listed in the regulations was approved previously by the Director of the Federal Register as of January 11, 2002 (66 FR 66739, dated December 27, 2001).

Comments for inclusion in the Rules Docket must be received on or before March 25, 2002.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-01-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 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-01-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.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2141; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** On December 17, 2001, the FAA issued AD 2001-26-10, amendment 39-12574 (66 FR 66739, December 27, 2001), applicable to certain Airbus Model A319, A320, and A321 series airplanes, to require an in-situ one-time detailed visual inspection of Dräger Type I oxygen containers, located in the passenger service units, and Dräger Type II oxygen containers, located in the utility areas, for the presence of foam pads. That action also requires the installation of a new foam pad, if necessary; and other actions to ensure proper operation of the masks. The actions required by that AD are intended to prevent failure of the oxygen containers to deliver oxygen to the passengers in the event of a rapid decompression or cabin depressurization.

#### Actions Since Issuance of Previous Rule

Since the issuance of AD 2001-26-10, the FAA has become aware that some airplanes were inadvertently excluded from the applicability of that AD. The applicability of that AD specified only "Model A319, A320, and A321 series airplanes, certificated in any category, having manufacturer serial numbers 1035 and 1384 inclusive." However, it was our intent for the applicability to be the same as that specified in the effectivity of Airbus Service Bulletin A320-35-1022, dated June 27, 2001. Therefore, we have determined that it is necessary to supersede AD 2001-26-10 to expand the applicability to include the additional airplanes listed in that Airbus service bulletin.

#### U.S. Type Certification of the Airplane Models

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.

#### Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of this same type design, this AD supersedes AD

2001-26-10 to continue to require an in-situ one-time detailed visual inspection of Dräger Type I oxygen containers, located in the passenger service units, and Dräger Type II oxygen containers, located in the utility areas, for the presence of foam pads. This action also continues to require the installation of a new foam pad, if necessary; and other actions to ensure proper operation of the masks. This amendment retains those requirements and expands the applicability of the existing AD to include additional airplanes that were inadvertently excluded from that AD.

#### Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments,

in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2002-NM-01-AD." The postcard will be date stamped and returned to the commenter.

#### Regulatory Impact

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

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

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 39-12574 (66 FR 66739, December 27, 2001), and by adding a new airworthiness directive (AD), amendment 39-12608, to read as follows:

**2002-01-14 Airbus Industrie:** Amendment 39-12608. Docket 2002-NM-01-AD. Supersedes AD 2001-26-10, Amendment 39-12574.

*Applicability:* Model A319, A320, and A321 series airplanes; certificated in any category; as listed in Airbus Service Bulletin A320-35-1022, dated June 27, 2001.

**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 subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent failure of the oxygen containers to deliver oxygen to the passengers in the event of a rapid decompression or cabin depressurization; accomplish the following:

#### Inspection, Installation, and Other Actions

(a) Within 600 flight hours after the effective date of this AD, do an in-situ one-time detailed visual inspection of Dräger Type I (three/four-mask) oxygen containers, located in the passenger service units, and Dräger Type II (two-mask) oxygen containers, located in the utility areas, for the presence of foam pads, per Airbus Service Bulletin A320-35-1022, dated June 27, 2001.

**Note 2:** For the purposes of this AD, a detailed visual inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

(1) If all foam pads are installed, before further flight, complete the other actions (including repacking the masks in the correct position; checking the masks, tubes, and lanyards for correct stowage; and doing a manual release test and an operational test) specified in the Accomplishment Instructions of the service bulletin to ensure proper operation of the masks.

(2) If any foam pad is missing, before further flight, install a foam pad in the applicable oxygen container, and complete the other actions (including repacking the

masks in the correct position; checking the masks, tubes, and lanyards for correct stowage; and doing a manual release test and an operational test) specified in the Accomplishment Instructions of the service bulletin to ensure proper operation of the masks.

#### Spares

(b) As of the effective date of this AD, no person shall install on any airplane a Dräger Type I or Dräger Type II oxygen container unless it has been inspected and other actions done per Airbus Service Bulletin A320-35-1022, dated June 27, 2001.

#### Alternative Methods of Compliance

(c) 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 3:** 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

(d) 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

(e) The actions shall be done in accordance with Airbus Service Bulletin A320-35-1022, dated June 27, 2001. This incorporation by reference was approved previously by the Director of the Federal Register as of January 11, 2002 (66 FR 66739, December 27, 2001). 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 4:** The subject of this AD is addressed in French airworthiness directive 2001-363(B), dated August 8, 2001.

#### Effective Date

(f) This amendment becomes effective on January 22, 2002.

Issued in Renton, Washington, on January 14, 2002.

#### Vi L. Lipski,

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

[FR Doc. 02-1419 Filed 1-18-02; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NE-32-AD; Amendment 39-12606; AD 2002-01-12]

RIN 2120-AA64

#### Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), that is applicable to General Electric Company (GE) GE90 series turbofan engines. This amendment requires removing from service high pressure turbine (HPT) interstage seals, identified by GE as the pre-life-improved rotor (pre-LIR) configuration, and installing a new design, identified by GE as the life improved rotor (LIR) configuration seal. This amendment also requires a new lower life limit for the LIR configuration seal. This amendment is prompted by an uncontained engine failure which occurred during a factory development engine ground test. The actions specified by this AD are intended to prevent failure of the HPT interstage seal that could result in an uncontained engine failure and damage to the airplane.

**DATES:** Effective date February 26, 2002.

**ADDRESSES:** This information may be examined, by appointment, at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** John E. Golinski, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone: (781) 238-7135; fax: (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that is applicable to General Electric Company (GE) GE90 series turbofan engines was published in the **Federal Register** on September 27, 2001. That action proposed to require removing from service high pressure turbine (HPT) interstage seals, identified by GE as the pre-life-

improved rotor (pre-LIR) configuration, and installing a new design, identified by GE as the life improved rotor (LIR) configuration seal, and to require a new lower life limit for the LIR configuration seal.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comment received.

One commenter requests that paragraph (c) of the proposal be revised or deleted. Paragraph (c) proposed to prohibit the installation of HPT interstage seal P/N's 1711M20P08, 1711M20P14, 1711M20P16, and 1711M20P17 into any engine after the effective date of the AD. The commenter believes this requirement may result in an undue burden for lease pool engines since it would require the removal of an interstage seal that had considerable remaining life. The commenter believes there would be no unsafe condition in allowing continued operation of that seal up to the maximum number of cycles-since-new, or up to December 31, 2006, the end date stated in the proposal.

The FAA does not agree. The FAA believes the commenter's request is driven by the economic benefits that would be realized from commenter's lease pool engines. This pool of engines is a very small minority of the total GE90 engine fleet. If the commenter's request were adopted, however, the entire GE90 fleet would have no restrictions on the reuse of a pre-LIR HPT interstage seal, which is not the FAA's intent. The FAA believes that the minority of lease pool engines owned by the commenter can be addressed by the alternative methods of compliance process on a case-by-case basis if required.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Economic Analysis

There are approximately 232 GE90-76B, -77B, -85B, -90B, and -94B series turbofan engines of the affected design in the worldwide fleet. The FAA estimates that 36 engines installed on airplanes of U.S. registry, with one domestic operator, would be affected by this AD. The FAA estimates that the cost for replacing the pre-LIR HPT interstage seals is \$536,340, based on an assumption of how many seals will be replaced prior to reaching the full retirement life. The FAA also estimates