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.

Note 3: The subject of this AD is addressed in French airworthiness directive 98–072–036(B), dated February 11, 1998, and Erratum, dated February 25, 1998.

Issued in Renton, Washington, on July 17, 1998.

D. L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–19623 Filed 7–22–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–42–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Industrie Model A320 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to all Airbus Industrie Model A320 series airplanes, that currently requires a revision to the Airplane Flight Manual (AFM) to prohibit automatic landings in configuration 3 (CONF 3). This action would limit the applicability of the existing AD, and add a new revision to the AFM to indicate that automatic landings in CONF 3 are prohibited and to specify an increased minimum runway visual range for airplanes on which certain modifications have not been accomplished. This action also would require eventual replacement of the existing spoiler elevator computers with improved parts, and insertion of new pages into the AFM that correct landing distances required for automatic landings in CONF 3. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent pitch-up of the airplane due to activation of the spoilers during an automatic landing, which, if not corrected, could result in tail strikes and structural damage to the airplane.

DATES: Comments must be received by August 24, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 97–NM–42–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.

The service information referenced in the proposed rule 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.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 97–NM–42–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 97–NM–42–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On August 26, 1992, the FAA issued AD 92–19–13, amendment 39–8371 (57 FR 40601, September 4, 1992), applicable to all Airbus Industrie Model A320 series airplanes. That AD requires a revision to the FAA-approved Airbus A320 Airplane Flight Manual (AFM) to prohibit automatic landings in configuration 3 (CONF 3). That action was prompted by a report that, during an automatic landing in CONF 3, a pitch-up due to activation of the spoilers could result in an excessive attitude, if not immediately counteracted by the flightcrew. The requirements of that AD are intended to prevent pitch-up of the airplane due to activation of the spoilers during an automatic landing, which, if not corrected, could result in tail strikes and structural damage to the airplane.

Actions Since Issuance of Previous Rule

Since the issuance of AD 92–19–13, the manufacturer has developed a modification that replaces the existing spoiler elevator computers (SEC's) with new improved parts. Installation of the new improved SEC's on Airbus Industrie Model A320 series airplanes will reduce the deflection rate of the ground spoilers during an automatic landing, which will reduce the tendency of the airplane to pitch up during landing. Once accomplished, the modification eliminates the need to prohibit automatic landings in CONF 3.

Since the issuance of AD 92–19–13, the manufacturer also has developed another revision to the AFM that corrects landing distances required for automatic landings in CONF 3.

Explanation of Relevant Service Information

The manufacturer has issued Airbus A319/320/321 AFM Temporary Revision (TR) 9.99.99/02, Issue 02, dated April 8, 1997, which indicates that automatic landings in CONF 3 are prohibited, and which specifies an increased minimum runway visual range for all airplanes on which Airbus Industrie Modification 20126 (installation of a head up display) or Modification 21055 (installation of a paravisual indicator) has not been accomplished. The TR also advises the flightcrew that, during an automatic landing in a configuration other than CONF 3, the flightcrew should monitor the pitch attitude and be prepared to counteract any pitch-up that occurs immediately after touchdown.

Airbus Industrie also has issued Service Bulletin A320–27–1073, dated January 20, 1995, and Service Bulletin A320–27–1081, Revision 2, dated September 6, 1995, which describe procedures for removing the existing SEC's from two positions in the aft electronics rack and one position in the forward electronics rack, and installing new, improved SEC's in the same positions in the aft and forward electronics racks. This modification will reduce the deflection rate of the ground spoilers during an automatic landing, and consequently will reduce the tendency of the airplane to pitch up during landing.

Associated with the modifications specified by these service bulletins, Airbus Industrie also has issued AFM Section 5.06.00, page 06, dated February 10, 1996, and page 6A, dated January 20, 1997. This AFM section identifies corrections to landing distances required for automatic landings performed in CONF 3. Operators should note that Section 5.06.00, pages 06 and 6A, changes the measurement units of the landing distances required for automatic landings from meters to feet. Operators should ensure that the units of measurement used in Section 5.06.00, pages 06 and 6A, are consistent with the units used in their operations.

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified TR 9.99.99/02, Issue 02, as mandatory and issued French airworthiness directive 93–203–049(B)R3, dated July 2, 1997, in order to assure the continued airworthiness of these airplanes in France. The French airworthiness directive also provides for the replacement of the SEC's with improved parts, and insertion of AFM Section 5.06.00, pages 06 and 6A, into the AFM as optional actions, which, if accomplished, would provide for removal of TR 9.99.99/02 from the AFM.

FAA's Conclusions

This airplane model is manufactured in France and is 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 92–19–13 to require accomplishment of the actions specified in the service bulletins and AFM revisions described previously, except as discussed below. Accomplishment of the replacement of the SEC's with new, improved parts and insertion of AFM Section 5.06.00, pages 06 and 6A, into the AFM terminates the need for TR 9.99.99/02 in the AFM.

This proposed action also would limit the applicability of the AD to only those airplanes on which Airbus Industrie Modification 23132, 24348, or 24511 has not been accomplished.

Differences Between Proposed Rule and Foreign AD

The proposed AD would differ from the parallel French airworthiness directive in that it would mandate replacement of the existing SEC's with new, improved parts. The French airworthiness directive provides for that action as optional.

Mandating the terminating action is based on the FAA's determination that, in this case, long-term continued operational safety would be better assured by a modification to remove the source of the problem, rather than by revising flight procedures. The source of the unsafe condition (pitch-up of the airplane due to activation of the spoilers during an automatic landing) is in the design of the SEC's installed on the airplane, in that the SEC's fail to operate in a safe manner when the flightcrew selects CONF 3 during landing. In this particular case, there is no way to physically prevent the selection of CONF 3 during landing, unlike in other situations in which the inadvertent positioning of a switch or lever can be remedied by application of a limiter or guard to prevent or restrict operation of that switch or lever.

While revising flight procedures ensures that the flightcrew is informed that an unsafe condition may exist if CONF 3 is selected during landing, it does not remove the source of that unsafe condition. Human factors (e.g., variations in flightcrew training and familiarity with the airplane, flightcrew awareness in the presence of other hazards, flightcrew fatigue) may allow inadvertent selection of CONF 3 during landing and result in the unsafe condition. Thus, revisions to flight procedures are not considered adequate to provide the degree of safety assurance necessary for the transport airplane fleet. Consideration of these factors have led the FAA to mandate replacement of the existing SEC's with new, improved parts in order to eliminate the unsafe condition associated with an automatic landing in CONF 3.

Cost Impact

There are approximately 93 airplanes of U.S. registry that would be affected by this proposed AD.

The incorporation of the temporary revision into the AFM that is currently required by AD 92–19–13, and retained in this proposed AD, takes approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this proposed requirement of this AD on U.S. operators is estimated to be $5,580, or $60 per airplane.

The incorporation of the new temporary revision into the AFM that is proposed in this AD would take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this proposed requirement of this AD on U.S. operators is estimated to be $5,580, or $60 per airplane.

The replacement of the SEC's that is proposed in this AD action would take approximately 3 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts would be provided by the manufacturer at no cost to the operator. Based on these figures, the cost impact of this proposed requirement of this AD on U.S. operators is estimated to be $16,740, or $180 per airplane.

The incorporation of AFM Section 5.06.00, pages 06 and 6A, into the AFM that is proposed in this AD action would take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this proposed requirement of this AD on U.S. operators is estimated to be $5,580, or $60 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.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 39–8371 (57 FR 40601, September 4, 1992), and by adding a new airworthiness directive (AD), to read as follows:

Airbus Industrie: Docket 97–NM–42–AD. Supersedes AD 92–19–13, Amendment 39–8371.

Applicability: Model A320 series airplanes on which Airbus Industrie Modification 23132, 24348, or 24511 has not been accomplished; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (d) 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 pitch-up of the airplane due to activation of the spoilers during an automatic landing, which, if not corrected, could result in tail strikes and structural damage to the airplane, accomplish the following:

(a) Within 60 days after October 9, 1992 (the effective date of AD 92–19–13, amendment 39–8371), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD into the AFM.

''Use of automatic landing in configuration 3 (CONF 3) is prohibited.''

(b) Within 30 days after the effective date of this AD, revise the FAA-approved Airbus A320 AFM by inserting Airbus A319/320/321 AFM Temporary Revision 9.99.99/02, Issue 02, dated April 8, 1997, into the AFM. After revising the AFM, the AFM revision required by paragraph (a) of this AD may be removed from the AFM.

(c) Within 18 months after the effective date of this AD, accomplish the actions specified in paragraphs (c)(1) and (c)(2) of this AD. After the actions specified by paragraph (c) of this AD have been accomplished, the AFM revision required by paragraph (b) of this AD (Airbus A320 AFM Temporary Revision 9.99.99/02, Issue 02, dated April 8, 1997), may be removed from the AFM.

(1) Replace the existing spoiler elevator computers (SEC's) in the aft and forward electronics racks with new, improved SEC's, in accordance with Airbus Industrie Service Bulletin A320–27–1081, Revision 2, dated September 6, 1995; or A320–27–1073, dated January 20, 1995; as applicable.

(2) After the accomplishment of the actions specified by paragraph (c)(1) of this AD, prior to further flight, revise Section 5.06.00 of the Airbus A320 AFM by inserting Section 5.06.00, page 06, dated February 10, 1996, and page 6A, dated January 20, 1997.

Note 2: Operators should ensure that the units in which the distance measurements are listed in AFM Section 5.06.00, pages 06 and 6A, are consistent with the units of measurement that the operators use in their operations.

(d)(1) 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, FAA, Transport Airplane Directorate. 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.

(2) Alternative methods of compliance, approved previously in accordance with AD 92–19–13, amendment 39–8371, are approved as alternative methods of compliance with this AD.

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.

(e) 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.

Note 4: The subject of this AD is addressed in French airworthiness directive 93–203–049(B)R3, dated July 2, 1997.

Issued in Renton, Washington, on July 17, 1998.

D. L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–19624 Filed 7–22–98; 8:45 am]

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ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1190 and 1191

Accessibility Guidelines for Outdoor Developed Areas; Meeting of Regulatory Negotiation Committee

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Regulatory negotiation committee meeting.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has established a regulatory negotiation committee to develop a proposed rule on accessibility guidelines for newly constructed and altered outdoor developed areas covered by the Americans With Disabilities Act and the Architectural Barriers Act. This document announces the dates, times, and location of the next meeting of the committee, which is open to the public.

DATES: The committee will meet on: Tuesday, August 11, 1998, 8:30 a.m. to 5:00 p.m.; Wednesday, August 12, 1998, 8:30 a.m. to 5:00 p.m.; Thursday, August 13, 1998, 8:30 a.m. to 5:00 p.m.; and Friday, August 14, 1998, 8:30 a.m. to 3:00 p.m.

ADDRESSES: The committee will meet at the Loma Linda Community Center, 1700 Yale, SE, Albuquerque, New Mexico.

FOR FURTHER INFORMATION CONTACT: Peggy Greenwell, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC, 20004–1111. Telephone number (202) 272–5434