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**SUPPLEMENTARY INFORMATION:** On August 29, 2002, the FAA issued AD 97-09-02R1, Amendment 39-12876 (67 FR 57146, September 9, 2002), applicable to CFMI CFM56-5C series turbofan engines, to reduce the LCF retirement lives of certain HPTR front shafts, HPTR front air seals, HPTR disks, booster spools, and LPTR stage 3 disks. Since AD 97-09-02R1 was issued, the manufacturer conducted an extensive life management program for the LPTR stage 3 disks and HPTR disks listed in the AD. The results indicated higher LCF retirement lives for those LPTR stage 3 disks and HPTR disks than the lives published in AD 97-09-02R1. Those LCF retirement lives are now the same as originally calculated and are in accordance with the current airworthiness limitations section of Chapter 05 of the CFM56-5C Engine Shop Manual, CFMI-TP.SM.8. Therefore, this AD revision removes LPT stage 3 disks, part numbers (P/Ns) 337-001-602-0 and 337-001-605-0, and HPTR disks, P/N 1498M43P04, from the parts listed with lower LCF retirement lives. The LCF retirement lives of the HPTR front air seals P/N 1523M34P02 and P/N 1523M34P03, and HPT front shafts P/N 1498M40P03, 1498M40P05, and 1498M40P06, and booster spools P/N 337-005-210-0, remain unchanged.

#### FAA's Determination of an Unsafe Condition and Required Actions

Although these affected engine models are not used on any airplanes that are registered in the United States, the possibility exists these engine models could be used on airplanes that are registered in the United States in the future. This AD requires the LCF retirement lives of HPTR front air seals P/N 1523M34P02 and P/N 1523M34P03, and HPT front shafts P/N 1498M40P03, 1498M40P05, and 1498M40P06, and booster spools P/N 337-005-210-0 to remain as they were published in AD 97-09-02R1.

#### Immediate Adoption of This AD

Since there are currently no domestic operators of CFM56-5C series turbofan engines, notice and opportunity for prior public comment are unnecessary. Therefore, a situation exists that allows the immediate adoption of this regulation.

#### 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 should 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.

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 action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-ANE-64-AD." The postcard will be date stamped and returned to the commenter.

#### Regulatory Analysis

This final rule does not have federalism implications, as defined in Executive Order 13132, because it 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this final rule.

For the reasons discussed above, I certify that this action (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. A final evaluation has been prepared for this action and it 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.

#### 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 39-12876 (67 FR 57146, September 9, 2002) and by adding the following new airworthiness directive:

#### 97-09-02R2 CFM International:

Amendment 39-13094. Docket No. 95-ANE-64-AD.

**Applicability:** This airworthiness directive (AD) is applicable to CFM International (CFMI) CFM56-5C2/G, -5C3/G, and -5C4 series turbofan engines. These engines are installed on, but not limited to, Airbus Industrie A340 series airplanes.

**Note 1:** This AD applies to each engine 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 engines 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 (i) 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:** Compliance with this AD is required as indicated, unless already done.

To prevent low cycle fatigue (LCF) failure of the high pressure turbine rotor (HPTR) front shaft, HPTR front air seal, and booster spool, which could result in an uncontained failure and damage to the airplane, do the following:

(a) Remove from service HPTR front shafts, part numbers (P/Ns) 1498M40P03, 1498M40P05, and 1498M40P06, before accumulating 8,400 cycles-since-new (CSN), and replace with a serviceable part.

(b) Remove from service HPTR front air seals, P/Ns 1523M34P02 and 1523M34P03, before accumulating 4,000 CSN, and replace with a serviceable part.