

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-329-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 adding the following new airworthiness directive:

2003-08-15 Boeing: Amendment 39-13128. Docket 2002-NM-329-AD.

Applicability: Model 737-200, -200C, -300, -400, and -500 series airplanes, having line numbers 292 through 2552 inclusive, and on which the modification specified in Boeing Service Bulletin (SB) 737-53A1177, Revision 6, dated May 31, 2001, 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 (h) 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 find and fix cracking of the fuselage lap joints, which could result in sudden decompression of the airplane, accomplish the following:

Note 2: Detailed inspections required by this AD do not replace, but are in addition to the repetitive inspections required by AD 2002-07-08, amendment 39-12702.

One-Time Inspections

(a) With the exception of any area of any lap joints that are specified in this paragraph that have previously been repaired or modified per Boeing SB 737-53A1177, Revision 4, dated September 2, 1999; Revision 5, dated February 15, 2001; and Revision 6, dated May 31, 2001: Perform an internal mid-frequency eddy current (MFEC), a low-frequency eddy current (LFEC), and a detailed inspection for damage or cracking on stringers S-4L and S-4R lap joints between body station (BS) 540 and BS 727; and perform a detailed inspection for damage of the stringer clips at all frame locations at stringers S-4L and S-4R between BS 540 and BS 727 at the applicable time specified in paragraph (a)(1), (a)(2), or (a)(3) of this AD; per the Accomplishment Instructions of Boeing Alert Service Bulletin (ASB) 737-53A1255, dated October 17, 2002. If no damage or cracking is found, no further action is required by this paragraph.

Note 3: For the purposes of this AD, a detailed 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) For airplanes that have accumulated less than 45,000 total flight cycles as of the effective date of this AD: Perform the

inspections prior to the accumulation of 45,000 total flight cycles or within 90 days after the effective date of this AD, whichever occurs later.

(2) For airplanes that have accumulated 45,000 total flight cycles but not more than 49,999 total flight cycles as of the effective date of this AD: Perform the inspections within 90 days after the effective date of this AD.

(3) For airplanes that have accumulated 50,000 total flight cycles or more as of the effective date of this AD: Perform the inspections within 45 days after the effective date of this AD.

(b) The optional accomplishment of an open-hole non-destructive testing (NDT) inspection per Boeing ASB 737-53A1255, dated October 17, 2002, is acceptable as a method of verification of any cracking of the fastener holes found during the inspections required by paragraph (a) of this AD.

(c) If any damage or cracking is found during the inspections required by paragraph (a), (b), (d), or (e) of this AD that is not "significant," as defined in Boeing ASB 737-53A1255, dated October 17, 2002, repair per paragraph (c)(1) or (c)(2) of this AD, as applicable.

(1) For cracking that is within the limits specified by Boeing SB 737-53A1177, Revision 6, dated May 31, 2001: Before further flight, repair per the Accomplishment Instructions of Boeing SB 737-53A1177, Revision 6, dated May 31, 2001; and before further flight, replace any damaged stringer clips with a new part, per Boeing ASB 737-53A1255, dated October 17, 2002.

(2) For any cracking that exceeds the limits specified in Boeing SB 737-53A1177, Revision 6, dated May 31, 2001: Before further flight, repair per a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or per data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved, the approval must specifically reference this AD.

(d) If any damage or cracking is found during the inspections required by paragraphs (a), (b), (d), or (e) of this AD that is "significant," as defined in Boeing ASB 737-53A1255, dated October 17, 2002: Before further flight, accomplish the actions specified by paragraph (d)(1) or (d)(2) of this AD, per the Accomplishment Instructions of the ASB.

(1) With the exception of BS 540 through 727 inclusive: Perform an external sliding probe inspection for damage or cracking, per Figure 2 of Boeing ASB 737-53A1255, dated October 17, 2002, for each model (Model 737-200, -200C, -300, -400, and -500 series airplanes) at the applicable locations specified in the Compliance Section of Boeing SB 737-53A1177, Revision 6, dated May 31, 2001.

(2) With the exception of BS 540 through 727 inclusive: Perform internal MFEC, LFEC, and detailed inspections for damage or cracking, per Figure 1 of Boeing ASB 737-53A1255, dated October 17, 2002, for each model (Model 737-200, -200C, -300, -400,