

would not have federalism implications under Executive Order 13132.

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 adding the following new airworthiness directive:

**Boeing:** Docket 2002–NM–341–AD.

**Applicability:** Model 747 series airplanes, certificated in any category, with lower cargo floors (floors in the lower cargo areas) that are not fully enclosed. A fully enclosed cargo floor is a floor with panels installed between all roller trays in the cargo compartment. A cargo floor that is not fully enclosed is a floor without panels installed between all roller trays in the cargo compartment.

**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 overheating of the heater tape on potable water fill and drain lines, which may ignite accumulated debris or contaminants on or near the potable water fill and drain lines, resulting in a fire in the airplane, accomplish the following:

#### Debris Removal

(a) At the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD: Perform a one-time general visual inspection for foreign object debris (FOD) and contamination in visually accessible areas on or near potable water and drain lines located below the cargo floor in the forward and aft cargo compartments, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747–30A2079, dated December 12, 2002. Remove any FOD or contamination observed on or near the potable water or drain lines before further flight in accordance with the service bulletin.

(1) Inspect within 18 months since the date of issuance of the original Airworthiness Certificate or within 18 months since the date of issuance of the Export Certificate of Airworthiness, whichever occurs first; or

(2) Inspect within 90 days after the effective date of this AD.

**Note 2:** The inspection of potable water and drain lines in visually accessible areas does not require removal of floor panels.

**Note 3:** For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

#### Inspection for Discrepant Heater Tape

(b) At the applicable time specified in paragraph (c) of this AD: Perform a general visual inspection for discrepancies of visually accessible areas of potable water and drain lines located below the cargo floor in the forward and aft cargo compartments, as specified in paragraphs (b)(1) and (b)(2) of this AD, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747–30A2079, dated December 12, 2002.

(1) Inspect potable water and drain lines for indications of overheating of the heater tape, including localized darkening of foam insulation or protective tape. If overheating is observed: Prior to further flight, replace the defective heater tape in accordance with the service bulletin, removing floor panels as necessary to replace the defective heater tape.

(2) Inspect potable water and drain lines for exposed foam insulation and missing or damaged protective tape. If exposed foam insulation is observed: Prior to further flight, cover the foam insulation with a continuous

wrap of protective tape, in accordance with the service bulletin. If protective tape is missing or damaged: Prior to further flight, replace the protective tape in accessible areas in accordance with the service bulletin. It is not necessary to remove floor panels to replace the protective tape.

(c) Do the inspection required by paragraph (b) at the later of the times specified in paragraphs (c)(1) and (c)(2) of this AD.

(1) Within 18 months since the date of issuance of the original Airworthiness Certificate or the date of issuance of the Export Certificate of Airworthiness, whichever occurs first.

(2) Within 90 days after the effective date of this AD.

#### Alternative Methods of Compliance

(d) 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, Seattle Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

#### Special Flight Permits

(e) Special flight permits may be issued in accordance with §§ 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.

Issued in Renton, Washington, on April 23, 2003.

**Ali Bahrami,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000–NM–419–AD]

RIN 2120–AA64

#### Airworthiness Directives; Boeing Model 747 Series Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Boeing Model 747 series airplanes. This proposal would require a one-time inspection to determine whether the outer cylinder of the wing landing gear