

panels of the wheel wells of the left and right main landing gear (MLG) for water leakage, and repair of any leak found.

Explanation of New Relevant Service Information

Since the issuance of the proposed AD, the FAA has reviewed and approved Boeing Alert Service Bulletin DC9-53A295, Revision 02, including Appendix and Evaluation Form, dated January 6, 2003. (The proposed AD refers to Boeing Alert Service Bulletin DC9-53A295, Revision 01, dated February 28, 2002, as an acceptable source of service information for accomplishment of the proposed actions.) Revision 02 of the service bulletin adds no new procedures, though it adds two airplanes to the effectivity listing. This change does not affect the applicability of this AD because, as proposed, this AD applies to all McDonnell Douglas Model DC-9-10, -20, -30, -40, and -50 series airplanes; and DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and MD-88 airplanes. Therefore, we have revised paragraph (a) of this final rule to refer to Revision 02 of the service bulletin as the appropriate source of service information for the actions in that paragraph. Also, we have revised paragraph (c) of this final rule (which was included as paragraph (b) in the proposed AD) to give credit for accomplishing the required actions before the effective date of this AD per the original issue or Revision 01 of the service bulletin.

Comments

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

Request To Revise Leak Check Procedures

One commenter requests that the FAA revise certain leak check procedures. Specifically, the commenter asks that we allow leak checks to be performed at 4 pound-per-square-inch gage (psig) (rather than 1 and 3 psig), allow operators to apply sealant around the entire seal before accomplishing the leak check, and allow operators to trim migrated seals within certain limits. The commenter states that the leak check at 1 psig is impractical because it is difficult to maintain differential pressure of 1 psig, and it is unreasonable to expect an operator to do this check consistently and repeatedly. The commenter states that the slant pressure panel is a "plug"-type opening that seals with increasing pressure, and

most plug-type openings, such as doors, leak at 1 psig but are sealed at 3.5 to 4 psig. The commenter also states that the seals migrate over time due to flexing of the structure, and it has not noted any appreciable effect on the sealing capabilities of the slant pressure panel due to such seal migration. The commenter suggests that the referenced service bulletin be revised to incorporate the requested changes.

We partially concur with the commenter's request. We do not concur to raise the pressure threshold for the leak checks to 4 psig. We disagree that the slant pressure panel is a plug-type opening similar to a door; the slant pressure panel is intended to be pressure-tight at all times. This AD addresses an unsafe condition, the accumulation of water in the wheel wells of the MLG, that occurs due to leakage of water into the MLG wheel well when the slant pressure panel is not pressure-tight. We have determined that a leak check at 1 psig (and repairing any leak found during that check) is necessary to ensure safety and will ensure that leaks will not occur when the airplane is in service. No change to the final rule is needed in this regard.

We concur with the commenter's request to allow operators the option of applying PR-1422 sealant to the fillet seal prior to doing the leak check or trimming migrated seals within certain limits. If these actions are accomplished, they must be accomplished per a method approved by the FAA. We have added a new paragraph (b) to this final rule (and reidentified subsequent paragraphs accordingly) to include these provisions. We have also added Note 2 to this final rule (and reidentified subsequent notes accordingly) to state that application of sealant within the limits and per the procedures specified in Boeing Service Drawing 5956065 is an approved means of complying with the sealant application specified in paragraph (b) of this AD.

Request for Alternative Method of Compliance

One commenter, an operator, states that, on several of its airplanes, it has had cases of water accumulation in the wheel wells of the left and right MLG due to pressurization leaks from the slant pressure panels. Repairs of such leaks were successful on a limited and temporary basis only. Based on its experience with such leaks, the commenter developed a program to refurbish slant pressure panels that involves replacing the left and right slant pressure panels, gaskets, and covers, and resealing the area. The

commenter states that it will pursue an alternative method of compliance (AMOC) with the proposed AD.

The commenter makes no specific request for a change to the proposed AD. We infer that the commenter is requesting approval of an AMOC for the requirements of this AD. The commenter provides no technical data to support its request. As provided by paragraph (d) of this AD, we may approve a request for an AMOC if data are submitted to justify that the commenter's refurbishment process would provide an acceptable level of safety. No change to the final rule is needed in this regard.

Clarification of Compliance Time

Paragraph (a) of the proposed AD specifies a compliance threshold of "Prior to the accumulation of 40,000 flight hours since date of manufacture." We find that it is necessary to clarify this compliance threshold in this final rule. This decision is based on our determination that "date of manufacture" may be interpreted differently by different operators. Therefore, we have revised the compliance threshold for paragraph (a) of this final rule to "Prior to the accumulation of 40,000 flight hours since the date of issuance of the original Airworthiness Certificate or the date of issuance of the Export Certificate of Airworthiness, whichever occurs first." We find that this terminology is generally understood within the industry and records will always exist that establish these dates with certainty. As a result of these changes, we have moved the compliance threshold and grace period for the actions required by paragraph (a) to subparagraphs (a)(1) and (a)(2) of this final rule.

Explanation of Editorial Change

We have changed the service bulletin citation throughout this final rule to exclude the Evaluation Form attached to the service bulletin. The form is intended to be completed by operators and submitted to the airplane manufacturer to provide input on the quality of the service bulletin; however, this AD does not include such a requirement.

Also, the service bulletin citation throughout the proposed AD states "including Appendix A." First, we note that the citation should have referred to "Appendix," not "Appendix A," and we have revised all citations in this final rule accordingly. Second, the appendix of the service bulletin contains a form for reporting leak check results. As we explained in the preamble of the proposed AD, this AD does not require