

June 7, 1997, and before the effective date of the new AD. These airplanes would be out of compliance with the proposed AD as of the effective date of the AD.

The FAA does not agree to revise the compliance time specified in paragraph (a)(2)(ii) of this final rule. Paragraph (a) of this final rule is a restatement of paragraph (a) of AD 97-08-51, which this AD supersedes. June 7, 1997, is the effective date of AD 97-08-51. Our intent is that airplanes that are subject to AD 97-08-51 comply with the original requirements of that AD, at the original compliance times. If the airplane is in compliance with AD 97-08-51 as of the effective date of this new AD, then it will not be out of compliance with this AD as of the effective date of this AD.

Relevant to this comment, we agree that we need to clarify the old and new requirements of this AD. The headings that would normally be used in a superseding AD to clearly identify the restated requirements of the existing AD (e.g., "Requirements of AD 97-08-51") and the new requirements (e.g., "New Requirements of This AD") were omitted from the proposed AD. We have included these headings in this final rule. For further clarification, we have made the following changes to this final rule:

- We have reidentified paragraphs (c) and (d) of the proposed AD as paragraphs (b) and (c) of this final rule, respectively. (Thus, the existing requirements of AD 97-08-51 are identified with the same paragraph lettering that they have in AD 97-08-51 and are grouped under the heading "Requirements of AD 97-08-51" in this AD.)

- We have reidentified paragraph (b) of the proposed AD (the "Repeat Inspection for Certain Airplanes") as paragraph (d) of this final rule, to group it with the other new requirements of this AD.

- We have added a new sentence to paragraph (d) of this final rule (paragraph (b) of the proposed AD) to clarify that any necessary corrective actions must be accomplished in accordance with paragraphs (b) and (c) of this AD.

- We have revised paragraph references in paragraphs (e) and (h) of this final rule according to the changes described previously. Paragraph references in paragraph (j)(2) of this final rule (which was included as paragraph (i)(2) of the proposed AD) do not need to be revised in this final rule because the paragraph references in that paragraph of the proposed AD were

incorrect, but are correct following the other changes to this final rule.

Give Credit for Action Accomplished Previously

One commenter requests that the FAA give credit for accomplishment of the repeat inspection specified in paragraph (b) of the proposed AD (paragraph (d) of this final rule) in accordance with Boeing Alert Service Bulletin 767-27A0155, Revision 2, dated July 8, 1999. The commenter notes that it has been accomplishing inspections in accordance with that service bulletin since accomplishing the initial inspection required by paragraph (a) of the existing AD.

We concur with the commenter's request. Our intent is that accomplishment of the inspection required by paragraph (f) of this AD or the modification required by paragraph (g) of this AD eliminates the need to accomplish the inspection in paragraph (a) or (d) of this AD, provided that the requirements of paragraph (f) or (g) of this AD are accomplished within the compliance time specified in paragraph (a) or (d) of this AD, as applicable. We have added a new paragraph (h) to this final rule (and redesignated subsequent paragraphs accordingly) to state that airplanes on which paragraph (f) or (g) of this AD is accomplished within the compliance time specified in paragraph (a) or (d) of this AD, as applicable, do not need to be inspected in accordance with paragraph (a) or (d) of this AD.

Extend Compliance Time for Terminating Action

Two commenters request that we extend the compliance time for the terminating action in paragraph (g) of the proposed AD. Paragraph (g) of the proposed AD specified a compliance threshold of 6 years, 25,000 flight hours, or 12,000 flight cycles after accomplishment of paragraph (a) of the proposed AD, whichever is first; and a grace period (for airplanes close to or over the threshold) of 90 days after the effective date of the AD. Both commenters note that most of the airplanes in their fleets will be subject to the 90-day grace period because they have passed the applicable threshold. One of the commenters requests that we extend the compliance time to 18 months after the effective date of the AD, so that the majority of airplanes can be modified during a regularly scheduled "C"-check. The second commenter is concerned about the availability of parts needed to accomplish the terminating action and requests that we extend the compliance

time to 5 years after the effective date of the AD.

We agree that the grace period segment of the compliance time for the terminating action in paragraph (g) of this AD may be extended from 90 days to 18 months after the effective date of this AD. In developing an appropriate compliance time for the terminating action, the FAA considered not only the urgency of addressing the subject unsafe condition and the maintenance schedules of affected operators, but also the availability of required parts. The FAA finds that 18 months represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety and wherein an ample number of required parts will be available for modification of the U.S. fleet. (No data were presented to justify that a compliance time longer than 18 months would adequately ensure safety.) Paragraph (g) has been revised accordingly. Also, for clarification, we have revised paragraph (g) of this final rule to move the compliance times from that paragraph into new subparagraphs (g)(1) and (g)(2) of this final rule.

Correct Typographical Errors in Paragraphs (g) and (h)

One commenter notes a typographical error in paragraph (g) of the proposed AD. The word "filters" should be "fillers." Also, that commenter and a second commenter note that Boeing Alert Service Bulletin 767-27A0155 is misidentified in paragraph (h) of the proposed AD (included as paragraph (i) of this final rule) as Boeing Alert Service Bulletin 767-29A0155. We concur and have corrected these typographical errors in paragraphs (g) and (i) of this final rule.

Explanation of Additional Changes to Proposed AD

We have revised the applicability statement of this AD to clarify that Boeing Model 767-400ER series airplanes are not affected by this AD. The airplanes with line numbers 1 through 710 inclusive are Model 767-200, -300, and "300F series airplanes.

For clarification, we have revised paragraph (f) of this final rule to move the compliance times from that paragraph into new subparagraphs (f)(1) and (f)(2) of this AD.

The Summary section of the proposed AD states that the proposed AD would "mandate terminating action for certain airplanes." However, this AD mandates terminating action for all airplanes subject to this AD. We have corrected this error in this final rule.