

notes that the one-year initial inspection interval specified in paragraph (a)(2) would impose special inspection visits on one-third of the fleet.

A second commenter also asks that the compliance time specified in paragraph (a)(2) of the proposed AD be changed to "For airplanes with 13,000 or more flight cycles as of the effective date of this AD: Do the inspection within 1,300 flight cycles or 18 months after the effective date of this AD, whichever occurs first." The commenter adds that this compliance time supports maintenance flow.

The same commenter asks that the compliance time in paragraph (a)(1) of the proposed AD be changed to "For airplanes with less than 13,000 flight cycles as of the effective date of this AD: Do the inspection prior to the accumulation of 13,000 flight cycles or within 1,300 flight cycles after the effective date of this AD, whichever occurs later." The commenter adds that this compliance time results in inspections and rework during scheduled A-checks.

We do not agree with the commenters. We have determined that a 1,000 flight cycle grace period for airplanes having more than 13,000 total flight cycles may not provide for an adequate level of safety for airplanes with low cycle usage. While there is some technical merit that a calendar-based compliance time should not apply to a fatigue issue, we have determined that the 1-year compliance time will ensure that the required inspections are completed in a timely manner, in particular, on airplanes that are well above the 13,000 total flight cycle threshold.

In developing an appropriate compliance time for the actions required by this AD, we considered not only those safety issues, but the manufacturer's recommendations and the practical aspect of accomplishing the inspection within an interval paralleling normal scheduled maintenance for the majority of affected operators. In light of the factors described previously, we consider "within 1,000 flight cycles or 1 year after the effective date of this AD, whichever occurs first," to be an appropriate compliance time wherein safety will not be adversely affected. No change to the final rule is necessary in this regard.

#### Additional Change to Final Rule

Because the language in Note 3 of the proposed AD is regulatory in nature, that note has been redesignated as paragraph (b) of this final rule.

#### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Cost Impact

There are approximately 1,129 airplanes of the affected design in the worldwide fleet. The FAA estimates that 275 airplanes of U.S. registry will be affected by this AD, that it will take approximately 3 work hours per airplane to accomplish the inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of this required inspection on U.S. operators is estimated to be \$49,500, or \$180 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close-up, planning time, or time necessitated by other administrative actions.

#### 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.

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 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 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:

**2003-10-06 Boeing:** Amendment 39-13151. Docket 2000-NM-377-AD.

**Applicability:** Model 747 series airplanes, line numbers 1 through 1255 inclusive, certificated in any category.

**Note 1:** This AD applies to each airplane 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 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 (f) 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 skin, bear strap, and sill chord of the lower lobe cargo door cutout, which could lead to reduced structural integrity of the lower lobe cargo door cutout, and result in rapid depressurization of the airplane, accomplish the following:

#### Repetitive Inspections

(a) Perform detailed and high frequency eddy current (HFEC) inspections to find cracking of the skin, bear strap, and sill chord at the upper aft and forward corners of the lower lobe cargo door cutout, per Boeing Service Bulletin 747-53A2448, Revision 1, dated April 4, 2002. Do the initial inspections at the time shown in paragraph (a)(1) or (a)(2) of this AD, as applicable, and repeat the inspections at least every 3,000 flight cycles until paragraph (d) of this AD is accomplished.