

airplanes was published in the **Federal Register** on January 8, 2003 (68 FR 1017). That action proposed to require initial and, for certain airplanes, repetitive inspections of the rivets in the forward, top, and side panels of the nose wheel well (NWW) for discrepancies; and follow-on inspections and corrective action, if necessary. That action also proposed to provide eventual terminating action for the repetitive inspections.

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. One commenter states that it does not own or operate the equipment affected by the proposed AD, and has no comments.

Request To Give Credit for Terminating Action

One commenter asks that the compliance time specified in paragraph (c) of the proposed AD be changed from "Within 2 years after the effective date of this AD" to "No later than 2 years after the date of this AD." The commenter states that this wording would give credit to operators that have previously performed the identical terminating action at a time prior to the eventual release of the final rule.

The FAA agrees that any operator that has previously performed the terminating action required by paragraph (c) of the final rule does not have to do that action again. We already give credit for actions accomplished before the effective date of an AD by means of the phrase "Compliance: Required as indicated, unless accomplished previously," which appears in every AD. Therefore, no change to the final rule is necessary in this regard.

Explanation of Editorial Changes

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

We also have added a reference to the service bulletin in paragraphs (a)(1) and (c)(1) of this final rule for clarification.

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 43 airplanes of the affected design in the worldwide fleet. The FAA estimates that 6 airplanes of U.S. registry will be affected by this AD.

It will take approximately 4 work hours per airplane to do the detailed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the detailed inspection required by this AD on U.S. operators is estimated to be \$1,440, or \$240 per airplane, per inspection cycle.

It will take approximately 10 work hours per airplane to do the indirect conductivity eddy current inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the indirect conductivity eddy current inspection required by this AD on U.S. operators is estimated to be \$3,600, or \$600 per airplane.

The cost impact figures discussed above are 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:

2003-10-09 Boeing: Amendment 39-13154. Docket 2001-NM-231-AD.

Applicability: Model 747-400 and -400F series airplanes, line numbers 1141 through 1183 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 (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 find and fix discrepancies of the rivets in the nose wheel well (NWW) panels, which could result in failure of the rivets and consequent reduced structural integrity of the panels and rapid depressurization of the airplane, do the following:

Repetitive/Follow-on Inspections/Corrective Action

(a) Within 6 months after the effective date of this AD: Do a detailed inspection of the forward, top, and side panels of the NWW for missing rivet heads, between fuselage stations 260 and 340 of the canted pressure bulkhead, per Figure 2 of the Work Instructions of Boeing Alert Service Bulletin 747-53A2472, including Appendix A, excluding Evaluation Form, dated June 7, 2001.