

### Requests To Change Paragraph (d)

Two commenters ask that paragraph (d) of the proposed AD be changed to specify that the new inspections are not required at the fastener locations where the H-11 steel bolts and nuts have been replaced with Inconel bolts and nuts.

We agree with the commenters. We have changed paragraph (d) of this final rule, for clarification, to specify inspection of only the locations having "H-11 steel alloy bolts and nuts."

Two commenters ask that paragraph (d) of the proposed AD be changed for clarification. One commenter states that paragraph (d) specifies doing internal and external inspections and a torque check within 18 months after doing the initial inspections required by paragraph (a) of the existing AD, or within 90 days after the effective date of the AD. The commenter notes that it already performed the inspections required by paragraph (a) on two of its airplanes per Boeing Alert Service Bulletin 767-53A0085, Revision 1, dated July 1, 1999, and adds that the repeat inspections were done in the first half of 2002. The commenter asks that paragraph (d) be changed to specify, "Within 18 months after the doing initial or the last repeated inspections required by paragraphs (a) and (b) \* \* \*." Another commenter asks that "until paragraph (e) of this AD is done," be added at the end of the compliance time specified in paragraph (d) of the proposed AD.

We agree with the commenters to some extent. We have extended the compliance time specified in paragraph (d) of this final rule, per another comment (discussed below), to specify, "Within 36 months after the last inspections done per paragraphs (a) and (b) of this AD \* \* \*." However, paragraph (d) of this final rule already specifies that the inspections are repeated until accomplishment of paragraph (f) of the AD, so no change is necessary in this regard.

### Request To Change Compliance Time

One commenter asks that the compliance time specified in paragraph (d) of the proposed AD be changed to, "Within 36 months after the initial inspections required by paragraph (a) of this AD or by June 2003, whichever is later." The commenter states that the current compliance wording in paragraph (d) would result in inspecting its 28 airplanes within 90 days, which would require taking those airplanes out-of-service to do the inspections. The commenter adds that the inspections could be done on an overnight visit, but any findings would require replacement

of the barrel nut/bolt. The commenter notes that replacement at a field station is not practical due to the tooling involved and the need to ensure the safety of personnel, as there have been reports of injuries while removing/replacing barrel nuts using tooling other than a torque multiplier.

We partially agree with the commenter. We do not agree to use a calendar date in the AD because the compliance time in this case is a function of fleet utilization, which is unrelated to calendar dates. However, we do agree to change the compliance time required by paragraph (d) of the final rule somewhat to avoid undue hardship on operators. Increasing the compliance time to, "Within 36 months after the last inspections done per paragraphs (a) and (b) of this AD, or within 180 days after the effective date of this AD, whichever is later," will provide an acceptable level of safety. Paragraph (d) of this final rule has been changed accordingly.

Another commenter asks that the compliance time specified in paragraph (d) of the proposed AD be changed to "Within 18 months after the last inspection done per maintenance planning document (MPD) Items 5380-311-02I and 5380-312-02I. The commenter states that paragraph (d) should clearly identify airplanes that would require the 90-day compliance time, and adds that, under the new requirements, it appears that the airplanes on which the MPD inspections specified in paragraph (a) of the proposed AD were done would require that the inspections specified in paragraph (d) be done within 90 days.

We do not agree with the commenter. We have determined that the MPD inspections were inadequate and did not detect corroded barrel nuts and bolts. Operators have reported finding cracked bolts that passed the 2,000-inch pound torque check specified in MPD Items 5380-311-02I and 5380-312-02I. The MPD inspections are inadequate because they do not include a visual inspection of the barrel nut holes for sealant damage or signs of corrosion. Therefore, the compliance time cannot be changed to include inspections done per the MPD; however, the compliance time in paragraph (d) of this final rule has been changed somewhat for clarification, per another comment discussed previously.

### Request To Change Cost Impact Section

One commenter asks that the Cost Impact section of the proposed AD be changed. The commenter states that the hours required to do the actions, as specified in the referenced service

bulletin, should be changed to show a more accurate cost impact. The commenter also states that the hours required for inspections and torque checks, and for the replacement of the 16 vertical stabilizer attachment nuts and bolts, as listed in the referenced service bulletin, are not sufficient. The commenter adds that an experienced crew with adequate tooling would require 24 work hours to do the replacement, and estimates the total work hours for replacement to be approximately 72 work hours. The commenter also adds that the rental cost of tooling would be \$12,051 per day. The commenter states that the proposed AD should be changed to reflect the significant cost of the tooling required to do the replacement.

We do not agree with the commenter. The cost impact information describes only the costs of the specific actions required by this AD. The number of work hours necessary to accomplish the actions, specified in the cost impact information, was provided by the manufacturer based on the best data available to date. This number represents the time necessary to perform only the actions actually required by this AD. We recognize that, in accomplishing the requirements of any AD, operators may incur "incidental" costs in addition to the "direct" costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental costs, such as tooling costs, the time required to gain access and close up, planning time, or time necessitated by other administrative actions. Because incidental costs may vary significantly from operator to operator, they are almost impossible to calculate. No change to the final rule is necessary in this regard.

### Additional Changes to Final Rule

We have removed the reference to replacement of "all 16" H-11 steel bolts specified in paragraph (f) of this final rule (paragraph (e) of the proposed AD), as some of the replacements may have been made before the effective date of this final rule. Paragraph (f) now specifies replacement of "all" H-11 steel bolts.

There is a typographical error in the reference to the Maintenance Planning Document (MPD) Item numbers specified in paragraphs (a)(1) and (a)(2) of AD 2001-19-04 and restated in the proposed AD. MPD Items 5380-311-02I and 5380-312-02I, as specified in both paragraphs, should be referenced as MPD Items 5380-311-02I and 5380-312-02I. Paragraphs (a)(1) and (a)(2) of this final rule have been changed accordingly.