

Clarification of Compliance Time Related to the Components

The compliance times specified in AD 2001-22-09 did not specify that the total flight cycles in paragraphs (a) and (b) of that AD are related to the MLG or shock struts, as applicable. To clarify this, we have revised certain paragraphs in this AD to specify that the compliance time is related to the components referenced in those paragraphs rather than to the airplane.

Clarification of Applicability

The Canadian airworthiness directive and Bombardier service bulletin both include Messier Dowty part numbers (P/Ns) for the MLG main fittings, which are comparable to the Bombardier P/Ns. For this reason, we have determined that it is necessary to clarify the applicability of this AD by referencing both Messier Dowty and Bombardier P/Ns.

Clarification of Replacement Requirement

AD 2001-22-09 requires replacement of any cracked MLG main fitting with a new or serviceable MLG, and the Bombardier service bulletin specifies such replacement with either an MLG or MLG fitting. However, in consonance with the Canadian airworthiness directive, this AD requires replacing any cracked MLG main fitting with a new or serviceable main fitting instead of replacing the entire MLG.

Explanation of Change to Existing AD

We have added paragraph (m)(2) of this AD to prohibit the use of alternative methods of compliance issued per paragraph (e) of AD 2001-22-09 that would have allowed escalation of the repetitive intervals for the eddy current inspections from 500 to 1,000 flight cycles.

Interim Action

This is considered to be interim action until final action is identified, at which time we may consider further rulemaking.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are

invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing us to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2003-NM-03-AD." The postcard will be date stamped and returned to the commenter.

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.

We have determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive

Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 removing amendment 39-12488 (66 FR 54658, October 30, 2001), corrected at 66 FR 58931, November 26, 2001; and corrected at 66 FR 64739, December 14, 2001; and by adding a new airworthiness directive (AD), amendment 39-13170, to read as follows:

2003-11-11 Bombardier, Inc.: Amendment 39-13170. Docket 2003-NM-03-AD. Supersedes AD 2001-22-09, Amendment 39-12488.

Applicability: Model CL-600-2B19 series airplanes, certificated in any category, having serial numbers 7003 and subsequent, equipped with main landing gear (MLG) main fittings having part numbers (P/N) 601R85001-3 and 601R85001-4 (Messier Dowty, Inc. P/Ns 17064-101, 17064-102, 17064-103, and 17064-104).

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 (m)(1) 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