

proposed AD do not make any distinction between the oldest, least modified Model 747–100 airplane, and the latest Model 747–400 airplane. The commenter states that it would be reasonable to take the airplane type and modification status into account when determining the test intervals.

We do not agree with the commenter that operators are entitled to inspection intervals based on the maximum intervals between maintenance checks, nor do we agree that the intervals should be adjusted based on the level of modification. As stated under “Request To Withdraw Proposed AD,” we have received reports of freezing problems found on Model 747–400 series airplanes and modified airplanes, as well as airplanes not yet modified. If operators can provide substantiating data for adjustment of the repetitive test intervals required by paragraph (e) of the final rule (paragraph (d) of the proposed AD), we will consider approving the commenter’s request as an AMOC, as provided in paragraph (g)(1) 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 1,127 airplanes of the affected design in the worldwide fleet. The FAA estimates that 255 airplanes of U.S. registry will be affected by this AD.

It takes approximately 1 work hour per airplane to accomplish the actions that are required by AD 89–12–07, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required actions is estimated to be \$60 per airplane, per inspection cycle.

It will take approximately 12 work hours per airplane to accomplish the test/inspection/cleaning of the drainage system specified in Work Packages 1 and 2 of Boeing Alert Service Bulletin 747–51A2057, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the test/inspection/cleaning required by this AD on U.S. operators is estimated to be \$183,600, or \$720 per airplane, per cycle.

It will take approximately 4 work hours per airplane to accomplish the

inspection specified in Work Package 3 of the service bulletin, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$61,200, or \$240 per airplane, per inspection cycle.

It will take approximately 4 work hours per airplane to accomplish the cabin pressurization test specified in Work Package 4 of the service bulletin, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the test required by this AD on U.S. operators is estimated to be \$61,200, or \$240 per airplane, per test cycle.

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 removing amendment 39–6232 (54 FR 24161, June 6, 1989), and by adding a new airworthiness directive (AD), amendment 39–13160, to read as follows:

2003–11–01 Boeing: Amendment 39–13160. Docket 2002–NM–28–AD. Supersedes AD 89–12–07, Amendment 39–6232.

Applicability: All Model 747 series airplanes, 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 (g)(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 been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent ice accumulation on the lateral flight control cables and/or components due to water entering the wheel well of the landing gear and freezing, which could restrict or jam control cable movement, resulting in loss of controllability of the airplane, accomplish the following:

Restatement of Requirements of AD 89–12–07

Repetitive Inspections/Cleaning

(a) Within 15 months after July 10, 1989 (the effective date of AD 89–12–07, amendment 39–6232), unless accomplished 3 months before July 10, 1989, and thereafter at intervals not to exceed 18 months: Gain access to the cavity aft of the wing center section and remove all debris and foreign material, clean the cavity, and verify all drains are open and clean.

New Requirements of This AD

Repetitive Tests/Inspections of the Drainage System/Corrective Action

(b) At the later of the times specified in paragraphs (b)(1) and (b)(2) of this AD, do the actions required by paragraph (c) of this AD.