

Although we acknowledge and agree with both commenters' remarks on the section in the preamble of the proposed AD titled "Explanation of Relevant Service Information," that section is not restated in this final rule.

We do not agree with the second commenter's request to add S/Ns to the applicability specified in the final rule. In the section of the proposed AD titled "Differences Between Service Information and This Proposed AD," we stated that we have determined that the proposed AD applies to all Model 777 series airplanes. The reason for this is that the subject STCMs are line-replaceable units and may have been installed on other airplanes not included in the effectivity of the referenced service bulletin. Therefore, no change to the final rule is necessary in this regard.

Request To Reduce Compliance Time for Terminating Action

Two commenters ask that the compliance time for the terminating action specified in paragraph (b) of the proposed AD be reduced from "Within 2 years after the effective date of this AD" to "Within 1 year after the effective date of this AD." The first commenter gives no reason for this request. The second commenter, the STCM component manufacturer, states that after inspecting 83 percent of STCMs with S/N 006 through 556, the only requirement on the majority of the components was to stamp either the identification plate or the modification plate for the STCM. The commenter also notes that it has accommodated operators in getting their units inspected and returned within 10 days, and adds that a 2-year compliance period is not warranted.

We do not agree to reduce the compliance time to "Within 1 year after the effective date of this AD." In developing an appropriate compliance time for this terminating action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the practical aspect of doing the terminating action within an interval of time that parallels normal scheduled maintenance for the majority of affected operators. In addition, we find that the repetitive tests required by paragraph (a)(1) of the final rule, along with adequate maintenance, will provide an acceptable level of safety until the affected STCMs are replaced. However, operators are always permitted to accomplish the actions earlier than the compliance time specified in an AD. No change to the final rule is necessary in this regard.

Request for Editorial Changes

One commenter suggests that the following editorial changes should be made to the proposed AD:

- Change all references from "the trim system of the horizontal stabilizer" to "the horizontal stabilizer trim system."
- Discussion section: Add the word "airplane" right before "nose-down," add that a single STCM seal failure can result in an uncommanded valve motion in the airplane nose-down direction, and add that two static seals in one STCM combined with failure of the automatic shutdown function could result in loss of pitch control and consequent loss of control of the airplane.

- Add the date to the reference to Revision 2 of the service bulletin in the last paragraph of the Explanation of Relevant Service Information section.

We do not agree that these are substantial changes, nor do they make any essential change to the unsafe condition specified in the proposed AD. Therefore, no change to the final rule is necessary in this regard.

Request for Clarification of Terminating Action

One commenter recommends that the wording specified in paragraph (b) of the proposed AD be clarified. The commenter states that there has been confusion in the past, since the directions have been unclear to several operators and maintenance personnel in the field. The commenter reiterates the wording on page 5, Note 2, of MOOG Aircraft Group Service Bulletin Number 160300-27-124, and recommends adding it to paragraph (b) of the proposed AD to ensure that the STCM units that have already been modified are not removed from service.

We agree with the commenter and have added a new Note 3 to this final rule, for clarification, which specifies that STCM assemblies that have been reworked and marked per Part 2 of the Work Instructions of Boeing Service Bulletin 777-27A0047, Revision 2, dated October 11, 2001, are acceptable for compliance with paragraph (b) of this final rule. Subsequent notes have been renumbered accordingly.

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 404 airplanes of the affected design in the worldwide fleet. The FAA estimates that 131 airplanes of U.S. registry will be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the inspection/review, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection/review required by this AD on U.S. operators is estimated to be \$7,860, or \$60 per airplane.

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.

Should an operator be required to do the functional test, it will take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the functional test on U.S. operators is estimated to be \$60 per airplane, per test cycle.

Should an operator be required to do the replacement, it will take approximately 3 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be provided by the vendor at no cost to operators. Based on these figures, the cost impact of the replacement on U.S. operators is estimated to be \$180 per airplane.

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