

to require revising the AFM and eventual disconnection of the precooler differential pressure switches. The proposed AD would add airplanes to the applicability. The proposed AD also would require a one-time visual inspection of those additional airplanes to ensure the disconnection and insulation of the electrical connectors of certain precooler differential pressure switches located in the left and right pylons; and disconnection and insulation of the connectors, if necessary. Certain actions would be required to be accomplished in accordance with the alert service bulletin described previously.

Differences Between the Proposed AD and the Brazilian Airworthiness Directive

Operators should note that, for certain airplanes, this proposed AD would require, within 24 hours after the effective date of this proposed AD, revising the Limitations and Abnormal Procedures sections of the AFM as described previously. The Brazilian airworthiness directive does not require revising the AFM and states that dispatch with the APU inoperative is prohibited immediately upon receipt of their airworthiness directive 2000-04-01R2, until the accomplishment of the actions specified in EMBRAER Alert Service Bulletin 145-36A018, Change 01. The Brazilian airworthiness directive provides some guidance for engine starting assisted by the APU but does not provide the full details of this restart procedure. The FAA finds that the revision of the Limitations section described previously is necessary to mitigate the effects of incorrect operation of the precooler differential pressure switches until the switches are disconnected. The FAA also finds that replacement of the existing "Engine Airstart" procedure in the Abnormal Procedures section of the AFM is necessary to ensure that the procedure is clear and that the flightcrew is properly advised of how to restart a failed engine using the APU.

Changes to 14 CFR Part 39/Effect on the Proposed AD

On July 10, 2002, the FAA issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's airworthiness directives system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance (AMOC). Because we have now included this material in part 39, only the office authorized to approve AMOCs is identified in each individual AD. Therefore, Note 1 and paragraph (e)

of AD 2000-13-02 are not included in this proposed AD, and paragraph (d) of that AD has been revised in this proposed AD.

Cost Impact

There are approximately 365 Model EMB-135 and EMB-145 series airplanes of U.S. registry that would be affected by this proposed AD.

The AFM revision that is currently required by AD 2000-13-02 takes 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 currently required AFM revision on U.S. operators is estimated to be \$60 per airplane.

The disconnection of switches that is currently required by AD 2000-13-02 takes 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 currently required disconnection of switches on U.S. operators is estimated to be \$60 per airplane.

The new AFM revision that is proposed in this AD would 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 proposed new AFM revision on U.S. operators is estimated to be \$21,900, or \$60 per airplane.

The inspection that is proposed in this AD would 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 proposed inspection on U.S. operators is estimated to be \$21,900, or \$60 per airplane.

The disconnection of switches that is proposed by this AD would take approximately 2 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed modification on U.S. operators is estimated to be \$43,800, or \$120 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or proposed 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 proposed herein would 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 proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 39-11801 (65 FR 39541, June 27, 2000), and by adding a new airworthiness directive (AD), to read as follows:

Empresa Brasileira de Aeronautica S.A. (EMBRAER): Docket 2001-NM-292-AD. Supersedes AD 2000-13-02, Amendment 39-11801.

Applicability: Model EMB-135 and EMB-145 series airplanes; as identified in EMBRAER Alert Service Bulletin 145-36-A018, Change 01, dated October 20, 2000; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.