

(68 FR 8566). That action proposed to require replacement of the aileron control override quadrant with a modified unit. That action also proposed to revise the applicability of the original NPRM.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received. One commenter has a program in place to do the modification specified in the supplemental NPRM. Another commenter concurs with the contents of the supplemental NPRM and has no additional comments.

Request for Immediate Check of the Fleet Before Replacement

One commenter agrees that the replacement of the aileron control override quadrant with a modified unit that is not susceptible to corrosion, as specified in the supplemental NPRM, is necessary. However, the commenter states that it would have preferred that an additional immediate check of the fleet be added to the supplemental NPRM to identify any seized assemblies so that they could be replaced before a dormant failure became critical. The commenter adds that 18 months is a long time for airplanes to be exposed to the identified deficiency.

We do not agree that it is necessary to add an immediate check of the fleet to the final rule to identify seized assemblies of the aileron control override quadrant before accomplishment of the replacement. In developing the 18-month compliance time for the replacement of the aileron control override quadrant, we considered the effects of a jammed lateral system, combined with a seized override bearing (increased wheel load), and determined that such a compliance time would allow operators sufficient time to accomplish the replacement and would adequately address the unsafe condition. However, operators are always permitted to perform the actions earlier than the compliance time specified in an AD. No change to the final rule is necessary in this regard.

Request To Extend Compliance Time

One commenter asks that the compliance time specified in the supplemental NPRM be extended from 18 months to 24 months or at the next C-check, whichever is later. The commenter states it has reworked four of its airplanes and submits the following supporting data:

- No signs of corrosion or seizure of bearings was present.
- Currently, limited quantities of compliant spares exist in industry.
- Costs and turnaround times far exceed the supplemental NPRM estimates.

Paragraph (a) of the supplemental NPRM specifies an 18-month compliance period to replace the aileron control quadrant with a modified unit. The commenter does not have “in house” capabilities to accomplish the retrofit of the aileron quadrants, nor is its machine shop utilized for heavy maintenance. Therefore, the quadrants must be sent to Boeing for modification and/or repair, which exceeds the specified turnaround time and costs.

We do not agree with the commenter's request to extend the compliance time to 24 months or the next C-check, whichever is later. With regard to parts availability, as stated above, we find that an 18-month compliance time will be adequate for a sufficient quantity of parts to be available. With regard to extending the compliance time to allow the replacement to be accomplished at a C-check, we have already considered factors such as operators' maintenance schedules in setting a compliance time for the required replacement and determined that 18 months is an appropriate compliance time in which the replacement may be accomplished during scheduled airplane maintenance for the majority of affected operators. Since maintenance schedules vary from operator to operator, it would not be possible to guarantee that all affected airplanes could be modified during scheduled maintenance, even with a compliance time of 24 months. In any event, we find that 18 months represents the maximum time wherein the affected airplanes may continue to operate without compromising safety. No change to the final rule is necessary in this regard.

Alternate Method of Compliance

One commenter asks that, as an alternate method of compliance to the required roller swage installation procedures done during the specified replacement, operators be allowed to stake the subject bearings per the Boeing Standard Overhaul Practices Manual (SOPM), Chapter 20–50–03.

We infer that the commenter requests this alternate method because it's easier to do; however, we do not agree with the commenter that the suggested alternative method of staking the bearings per the SOPM, instead of doing the roller swage installation procedures, can be done. The replacement bearings and the bearing lugs of the aileron

control quadrant are specifically designed for roller swaging, not bearing staking. No change to the final rule is necessary in this regard.

Request To Change Cost Impact Section

One commenter asks that the Cost Impact section in the supplemental NPRM be changed. In addition to the supporting information provided in the Request To Extend Compliance Time section discussed previously, the commenter adds that two of the four aileron quadrant assemblies on its airplanes were damaged during the removal process. As a result of this damage, the assemblies were sent to Boeing for repair, at a cost of \$2,816.67, with an estimated turnaround time of 45 days. Boeing indicated that the damage caused is common to this type of bearing housing when removed. Two new units were purchased by the commenter to replace the damaged units at a cost of approximately \$13,000.00 per unit. The commenter notes that this cost is not specified in the referenced service bulletin, and adds that the supplemental NPRM should be re-evaluated for costs and work hours necessary for the replacement.

We have investigated the commenter's concerns regarding the cost information specified in the supplemental NPRM, and we do not agree with the request to re-evaluate the costs and work hours necessary for the replacement specified in the Cost Impact section of the supplemental NPRM. The Cost Impact section only includes the “direct” costs of the specific actions required, not costs associated with repair of parts damaged while performing the actions, costs of new parts to replace the damaged parts, or costs associated with the turnaround time for the repair. Such costs would be required regardless of AD direction, to correct an unsafe condition identified in an airplane and to ensure the airworthiness of that airplane, as required by the Federal Aviation Regulations. No change to the Cost Impact section in the final rule is necessary.

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 as proposed.

Changes to 14 CFR Part 39/Effect on the 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