

this request, but one commenter notes that the stowage bins at Station 680 on its airplanes are above a galley, so no passenger sits under the subject stowage bins.

We do not concur with the commenters' request. The commenters provide no data to substantiate that their request would provide an acceptable level of safety. However, an affected operator may request approval of an alternative method of compliance as provided by paragraph (d) of this AD. We may consider approving such an alternative method of compliance if data are submitted to support that an alternative repair method would provide an acceptable level of safety. No change is necessary in this regard.

Request To Issue Supplemental NPRM

The commenters who request extension of the compliance time for installation of the intercostal, reduction of the compliance time for the initial inspection, and inclusion of a provision for stop-drilling cracks, recommend that we issue a supplemental NPRM, supported by a revised service bulletin.

We do not concur with the commenters' request. Under the provisions of the Administrative Procedure Act, we issue a supplemental NPRM and reopen the period for public comment when we determine that a change to a proposed AD will either increase the economic burden on an operator or increase the scope of the proposed AD. The change that we are making to this AD—extension of the compliance time for installing the intercostal—does not increase the economic burden on any operator nor does it expand the scope of the proposed AD. Also, the airplane manufacturer has not issued a revised service bulletin. For these reasons, as well as the potentially adverse effect on safety that delaying issuance of this final rule may cause, we find it unnecessary to issue a supplemental NPRM. Thus, no change has been made in this regard.

Conclusion

After careful review of the available data, including the comments noted above, we have determined that air safety and the public interest require the adoption of the rule with the change previously described. We have determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 403 Model 757-200 series airplanes of the affected

design in the worldwide fleet. We estimate that 219 airplanes of U.S. registry will be affected by this AD.

The required inspection will take up to 2 work hours per airplane (1 work hour per side of the airplane), at the 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 up to \$26,280, or \$120 per airplane.

Should an operator be required to do the installation, it will take up to 2 work hours per airplane (1 work hour per side of the airplane), at the average labor rate of \$60 per work hour. Required parts will cost approximately \$1,310 per airplane. Based on these figures, the cost impact of this installation is estimated to be \$1,430 per airplane.

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 described 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 Regulation (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 adding the following new airworthiness directive:

2002-26-09 Boeing: Amendment 39-12997. Docket 2000-NM-402-AD.

Applicability: Model 757-200 series airplanes, certificated in any category, as listed in Boeing Service Bulletin 757-25-0194, dated February 11, 1999, and having stowage bins installed forward of door 2 at Station 680.

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 (d) 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 failure of the stowage bin attachment fitting at Station 680, which could result in the overhead stowage bin falling onto the passenger seats below and injuring passengers or impeding the evacuation of passengers in an emergency, accomplish the following:

One-Time Inspection

(a) Within 24 months after the effective date of this AD, do a one-time general visual inspection to determine if an intercostal is installed between stringers 8 and 9 for support of the overhead stowage bin at Station 680, on the left and right sides of the airplane, as applicable, according to Boeing Service Bulletin 757-25-0194, dated February 11, 1999. If an intercostal is installed on each side that has an overhead stowage bin at Station 680, no further action is necessary.