

of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the FAA to make such findings.

Also, while McDonnell Douglas Service Bulletin DC8-57-072 R03, Revision 03, states that, for airplanes listed in Group 3 of the service bulletin, modification of the front spar stiffeners may be deferred until DC-8 Service Bulletin 57-30 is accomplished, this proposed AD would not allow such a deferral. We find that the proposed 4-year compliance time represents an appropriate interval of time for affected airplanes to continue to operate without compromising safety.

#### 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 (AMOCs). Because we have now included this material in part 39, only the office authorized to approve AMOCs is identified in each individual AD.

#### Change to Labor Rate Estimate

We have reviewed the figures we have used over the past several years to calculate AD costs to operators. To account for various inflationary costs in the airline industry, we find it necessary to increase the labor rate used in these calculations from \$60 per work hour to \$65 per work hour. The cost impact information, below, reflects this increase in the specified hourly labor rate.

#### Cost Impact

There are approximately 303 airplanes of the affected design in the worldwide fleet. The FAA estimates that 229 airplanes of U.S. registry would be affected by this proposed AD.

For airplanes in Group 1, the electrical conductivity test would take approximately 1 work hour per airplane, at the average labor rate of \$65 per work hour. Based on these figures, the cost impact of this proposed inspection is estimated to be \$65 per airplane.

For airplanes subject to the inspection for corrosion or previous repairs, as applicable, and the modification, these actions would take between 110 and 416 work hours per airplane, at the average labor rate of \$65 per work hour. Required parts would cost between \$4,554 and \$19,687. Based on these figures, the cost impact of these proposed actions is estimated to be

between \$11,704 and \$46,727 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed 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 adding the following new airworthiness directive:

**McDonnell Douglas:** Docket 2001-NM-343-AD.

**Applicability:** Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, DC-8-43, DC-8-51, DC-8-52, DC-8-53, DC-8-55, DC-8F-54, DC-8F-55, DC-8-61, DC-8-62, DC-8-63, DC-8-61F, DC-8-62F, DC-8-63F, DC-8-71, DC-8-72, DC-8-73, DC-8-71F, DC-8-72F, and DC-8-73F airplanes; certificated in any category; as listed in McDonnell Douglas Service Bulletin DC8-57-072 R03, Revision 03, dated October 2, 1995.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent stress corrosion cracking in the forward tang of the upper inboard spar cap of the wing, which could result in structural damage to adjacent components of the wing and consequent reduced structural integrity of the airplane, accomplish the following:

#### Group 1 Airplanes: Inspection and Follow-On Actions

(a) For airplanes in Group 1 as defined by McDonnell Douglas Service Bulletin DC8-57-072 R03, Revision 03, dated October 2, 1995: Within 4 years after the effective date of this AD, perform a one-time eddy current conductivity test of the upper inboard spar cap of the wing to determine the type of material, per the Accomplishment Instructions of the service bulletin.

(1) If the test reveals that the upper inboard spar cap is made from 7075-T73 material (as defined in the service bulletin), before further flight, perform a detailed inspection for corrosion and modify the slant panel cap of the wing leading edge assembly per the figure and chapter of the structural repair manual (SRM) specified in the service bulletin, per the Accomplishment Instructions of the service bulletin. It is not necessary to modify the wing spar cap. The modification of the slant panel cap involves removing any evidence of corrosion, installing fillers, and installing an external rework doubler, as applicable. For conditions in which the referenced SRM figure specifies to contact the manufacturer for appropriate action: Before further flight, repair per a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA; or per data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Los Angeles ACO, to make such findings. For a repair method to be approved, the approval must specifically reference this AD.

**Note 1:** For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface