

excluded from the AD or exempt from the Utility and Acrobatic category life limit requirements. We concur that there may be differences in the design of the aircraft, but we do not concur that the Model Z-242L is not affected by this subject matter. The CAA CZ has approved the life limits that are included in this AD for the Model Z-242L airplanes, and FAA has determined that they are valid for these airplanes that are registered in the United States. The FAA has to issue an AD to mandate the reduction in a life limit or a change or addition of an airworthiness limitation, even if the reduction, change, or addition is FAA-approved. Therefore, the AD is necessary in order to ensure the life limits are required.

We are not changing the final rule AD action as a result of this comment.

**Comment Issue No. 7: Why Issue an AD When the Life Limits Are Already Published in the Maintenance Manual**

*What Is the Commenter's Concern?*

One commenter states that the current life limits are already in force because the manufacturer included them in a revision to the maintenance manual. Because of this, the commenter believes the AD is unnecessary and requests that FAA withdraw the NPRM.

*What Is FAA's Response to the Concern?*

We do not concur that the AD is unnecessary and the NPRM should be withdrawn. There are distinct differences between the CAA CZ and FAA's rulemaking processes. If the CAA CZ determines an airworthiness limitation should be added or a life limit should be reduced, it only has to stamp CAA CZ approved on the document (service bulletin or maintenance manual revision) to enforce the change. The FAA has to issue an AD to mandate the reduction in a life limit or a change or addition of an airworthiness limitation, even if the reduction, change, or addition is FAA-approved. Therefore, the AD is necessary in order to ensure the life limits are required.

We are not changing the final rule AD action as a result of this comment.

**Comment Issue No. 8: Allow the Option of Repetitive Inspections Instead of Wing Replacement**

*What Is the Commenter's Concern?*

One commenter requests that FAA allow repetitive inspection of the wings once one of the affected airplanes reaches the life limit in Utility and Acrobatic operations. The commenter believes that the aircraft could then

continue to fly until it reached the total hours TIS life limit provided no cracks are found during the inspections. The commenter states that this would provide the same level of safety because cracks would be detected before failure, and then FAA could mandate replacement of the wings when the cracks were found.

*What Is FAA's Response to the Concern?*

There currently are no procedures available for detecting cracks in the wings of the affected airplanes. The CAA CZ has not approved inspections in this area and has approved the life limits. Therefore, we are mandating the life limits through this AD action.

We would consider repetitive inspections as an alternative method of compliance provided the method:

- included procedures that provided details on how the onset of the fatigue damage was going to be detected;
- was submitted in accordance with the procedures specified in this AD; and
- provided a level of safety that was acceptable to FAA.

We are not changing the final rule AD action as a result of this comment.

**Comment Issue No. 9: The Cost of This AD Is Too High**

*What Is the Commenters' Concern?*

Several commenters request that FAA not issue the AD because of the high cost.

*What Is FAA's Response to the Concern?*

The FAA does not concur. While we do take the cost impact into consideration on AD actions, the most important aspect is the safety issue. The passenger injuries that might be prevented through compliance with this AD outweigh the cost of compliance with this AD. We have determined that the CAA CZ life limits are valid and should be mandated for airplanes certificated for operation in the United States. We will approve any alternative method of compliance from the commenters provided it is submitted in accordance with the procedures in the AD and we determine that it provides an acceptable level of safety.

We are not changing the final rule AD action as a result of this comment.

**Comment Issue No. 10: How Do You Track Utility and Acrobatic Time?**

*What Is the Commenter's Concern?*

One commenter wants clarification on how time in the Utility and Acrobatic categories is calculated. This commenter states that no U.S. operator has an accurate account of acrobatic time at this point so all wings would have to be

replaced or no one is going to claim the right number of hours in these categories.

*What Is FAA's Response to the Concern?*

We concur that it could be difficult to account for the number of hours TIS previously accumulated in the Utility and Acrobatic categories. However, the CAA CZ established the limits in the Utility and Acrobatic categories at 190 or 450 hours TIS and we have determined that they are valid and should be mandated for airplanes certificated for operation in the United States. As previously discussed, we are adding a grace period of "90 days after the effective date of this AD" to the compliance time of the life limits in the Utility and Acrobatic categories. This would make the compliance time "upon accumulating either 190 hours TIS or 450 hours TIS in the Utility or Acrobatic category or on or before June 10, 2003 (90 days after the effective date of this AD), whichever occurs later."

All operators will have at least 90 days before they are restricted from operations in the Utility and Acrobatic categories.

We have added procedures to the AD on how to track time in the Acrobatic and Utility categories. These procedures are also specified in Moravan Mandatory Service Bulletin Z 242L/37a (Z 142C/17a), Rev. 1, dated October 31, 2000; and Moravan Mandatory Service Bulletin Z 242L/38a (Z 142C/18a), dated October 31, 2000.

**Comment Issue No. 11: Aircraft Equipped With Nitrogen Spars Should Be Exempt From the AD**

*What Is the Commenter's Concern?*

One commenter states that the life limits are not valid because the affected airplanes are equipped with nitrogen spars. With these spars, you can detect cracks through pressure leakage. The commenter believes that because of these early signs of failure, it is inconceivable that the wings will fall off due to stress. The commenter requests that FAA withdraw the NPRM.

*What Is FAA's Response to the Concern?*

We do not concur that the AD action is not valid because the affected airplanes are equipped with nitrogen spars. The CAA CZ was aware of this when it performed the analysis to determine the life limits. We have determined that the CAA CZ life limits are valid and should be mandated for airplanes certificated for operation in the United States.

We are not changing the final rule AD action as a result of this comment.