

the installation of the new anti-swivel plates, the engines will have to be modified to include the new drain tube configuration, at significant cost to the operator.

The FAA does not concur with the request to delete the requirement to install new anti-swivel plates and weights on the engine fan cowl door latches. We have determined that, if the latches are not properly engaged, the new anti-swivel plates and weights both ensure that the latches will hang down farther than they did with the previous latch design, thus providing greater visibility of non-engaged latches. In addition, even if a mechanic re-latches the latch handle to the hook and the latch swings into the flush position during closing, the hold open device that is also required by this AD will provide a clear indication that the engine fan cowl doors are not closed and latched. Furthermore, the new anti-swivel plates prevent the hook from rising above the keeper ensuring that the hook and latch hang down if not properly engaged. Finally, Airbus has not received any reports of new anti-swivel plates that have been bent in production or in-service. We do agree that the new anti-swivel plates may create a clearance problem at the number 3 latch location on some older airplanes. We have coordinated with Airbus and the Direction Générale de l'Aviation Civile, the airworthiness authority for France, and they are aware of the potential clearance problem. Operators may request approval of an alternative method of compliance if any interference is discovered during accomplishment of this AD. We have not changed this final rule regarding this issue.

Request To Remove Concurrent Service Bulletin Referenced in Secondary Service Information

The same commenter asks that International Aero Engines Service Bulletin V2500-NAC-71-0227 not be included in this final rule. That service bulletin recommends the latch handles of the engine fan cowl doors be painted red. The commenter states that the paint is susceptible to screwdriver scratches and chips during opening of the engine fan cowl doors and is often covered with oil and grease. Furthermore, the commenter states that painting the latches would not increase the level of safety. The commenter also requests that definition be provided as to what percentage of the latch handles should be painted red to provide a minimum level of compliance.

We concur with the commenter. The proposed AD does not require operators

to do the actions of International Aero Engines Service Bulletin V2500-NAC-71-0227. The proposed AD requires accomplishment of the actions of Airbus Service Bulletin A320-71-1028, dated March 23, 2001, which refers to International Aero Engines Service Bulletin V2500-NAC-71-0256, dated June 23, 1999, as an additional source of service information for accomplishment of the actions. Service Bulletin V2500-NAC-71-0256 recommends accomplishment of International Aero Engines Service Bulletin V2500-NAC-71-0227 as a concurrent service bulletin. It was not our intent to require accomplishment of Service Bulletin V2500-NAC-71-0227. Therefore, it is up to the operator to determine whether or not to incorporate Service Bulletin V2500-NAC-71-0227. A new Note 2 has been included in this final rule to clarify that accomplishment of Service Bulletin V2500-NAC-71-0227 is not required; and all subsequent notes have been renumbered accordingly.

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 with the change described previously. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

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 that relates to altered products, special flight permits, and alternative methods of compliance. However, for clarity and consistency in this final rule, we have retained the language of the NPRM regarding that material.

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

The FAA estimates that 154 airplanes of U.S. registry will be affected by this AD.

For certain airplanes, it will take approximately 5 work hours per airplane to accomplish the modification (*i.e.*, installation of new anti-swivel plates and weights), at an average labor rate of \$65 per work hour. Required parts will cost approximately \$1,400 per airplane. Based on these figures, the cost impact of the modification required by this AD is estimated to be \$1,725 per airplane.

For all airplanes, it will take approximately 3 work hours per airplane to accomplish the installation of the hold-open device, at an average labor rate of \$65 per work hour. Required parts will cost approximately \$100 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$45,430, or \$295 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 discussed 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