

statement is made: "Comments to Docket Number 2002-NM-306-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-306-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

On January 10, 1986, the FAA issued AD 85-25-06, amendment 39-5177 (50 FR 49833, December 5, 1985), applicable to certain McDonnell Douglas Model DC-9 and C-9 (military) series airplanes, to require inspection of the power feeder cable installation, repair if necessary, and modification of the power feeder cable installation between the electrical power center and the respective generators. That action was prompted by reports of chafing and/or abrasion of the power feeder cables and six instances of shorted 1 power feeder cables. The chafing and/or abrasion was attributed to power feeder cables riding against bulkhead feedthroughs, floor panel clipnuts, and lightening holes in transition areas below floor level. The requirements of that AD are intended to eliminate a potential fire ignition source from the generator power feeder cable installation.

Actions Since Issuance of Previous Rule

Since the issuance of that AD, the manufacturer has advised the FAA that additional airplanes have been identified that also may be subject to the identified unsafe condition.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin (ASB) DC9-24A078, Revision 04, dated May 25, 2000, which describes procedures for a general visual inspection for damage such as sharp object penetration or abrasion damage of the power feeder cables, a general visual inspection of the power feeder cables, troughs and associated hardware for secure and proper installation, and repair if necessary. That ASB also describes procedures for installing grommets on all lightening holes where the power feeder cables pass through, and performing a generator control relay test on any repaired power feeder cables. For certain airplanes, that ASB also describes modification of the power feeder cable installation (including installing lightening hole grommets,

replacing clipnuts with clipnuts specified in the ASB, as applicable, and performing a generator circuit relay test). Additionally, that ASB adds airplanes to the effectivity of the ASB. Accomplishment of the actions specified in the ASB is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 85-25-06 to require general visual inspections for proper installation, damage, or abrasion of the power feeder cables and trough installations; proper installation of caterpillar grommets in the lightening holes; and repair if necessary. For certain airplanes, this proposed AD would require modification, as described previously, of the power feeder cable installation. The actions would be required to be accomplished in accordance with the service bulletin described previously.

Explanation of Change to Applicability

The FAA has revised the applicability of this proposed AD to reference the appropriate models as listed in the current published Type Certification Data Sheet.

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 1,050 airplanes of the affected design in the

worldwide fleet. The FAA estimates that 475 airplanes of U.S. registry would be affected by this proposed AD.

The new actions that are proposed in this AD action would take approximately (depending on the applicable airplane group specified in the service bulletin) from 1 work hour per airplane to 25 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Certain airplane groups (1, 2, and 7) do not require parts. For certain other airplane groups (5 and 6), required parts would cost approximately \$291 to \$428 per airplane. Based on these figures, the cost impact of the proposed requirements of this AD on U.S. operators is estimated to be between \$65 per airplane for certain airplane groups, and \$2,053 per airplane for certain other airplane groups.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the current or proposed 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 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.