

be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.

- For each issue, state what specific change to the proposed AD is being requested.

- Include justification (*e.g.*, reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2001-NM-269-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. 2001-NM-269-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain Dassault Model Falcon 900 EX and Mystere-Falcon 900 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on January 30, 2003 (68 FR 4739). That NPRM (the "original NPRM") would have required installing an attachment support assembly for the fire extinguishing piping in the baggage compartment. The original NPRM was prompted by a report of a damaged (distorted) discharge nozzle. This condition, if not corrected, could result in poor diffusion of the fire

extinguishing agent in the event of a fire in the baggage compartment.

Comments

Due consideration has been given to the comments received in response to the original NPRM.

Request To Cite Revised Service Bulletin

The original issue of Dassault Service Bulletin F900-279 was cited in the original NPRM as the appropriate source of service information for the support assembly installation on Model Mystere-Falcon F900 series airplanes. The manufacturer (and sole commenter on the original NPRM) discovered that Dassault Service Bulletin F900-279 is not "totally efficient" for Model Mystere-Falcon F900 series airplanes, serial numbers (S/Ns) 1 through 59, that weren't modified in production (Modification M874). Modification M874 introduces a different angle of the nozzle and the associated cutting in the liner panel. The manufacturer has issued Dassault Service Bulletin F900-279, Revision 1, dated May 15, 2002, to provide procedures to reinforce the extinguishing diffuser fitting and ensure the proper upward direction of the nozzle. The manufacturer requests that the original NPRM be revised to cite Revision 1 of the service bulletin.

The FAA concurs. Revision 1 of the service bulletin adds procedures for airplanes having S/Ns 1 through 59 that were modified in accordance with the original issue of Service Bulletin F900-279. The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recognizing the need for different requirements for the different affected airplane models, issued French airworthiness directives 2001-192-034(B) R1 (for Model F900EX series airplanes) and 2002-261(B) (for Model Mystere-Falcon F900 series airplanes), both dated May 15, 2002, to account for the possible incorporation of Modification M874. Paragraph (a) in this supplemental NPRM has been revised to cite Revision 1 of Service Bulletin F900-279.

Request To Revise the Applicability

The commenter requests that the applicability specified in the original NPRM be revised, and suggests specific language intended to more correctly define the affected airplanes.

In light of the service bulletin revision and production modification for certain models, we concur with the request and have revised the applicability accordingly in this supplemental NPRM.

Request To Revise Requirement

The commenter notes that the paragraph numbering in the Accomplishment Instructions is no longer the same in both service bulletins. The commenter requests that paragraph (a) of the original NPRM be revised to reflect the additional steps in Service Bulletin F900-279, Revision 1, which account for the possible incorporation of Modification M874.

The FAA agrees. Paragraph (a) has been revised in this supplemental NPRM to more clearly identify the applicable service information for the corresponding actions.

Request To Cite New/Revised French Airworthiness Directives

The commenter requests that the original NPRM be revised to cite the new/revised French airworthiness directives.

We agree and have accordingly revised Note 1 in this supplemental NPRM (Note 3 in the original NPRM).

Request To Require Report

The commenter requests that the original NPRM be revised to require the compliance report recommended in the service bulletins. The commenter asserts that the reports help provide better customer support.

We do not concur with the request to require such a report. The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) requires agencies to consider the extent of the paperwork burden that will accompany any new rule. This Act is intended to reduce these burdens by requiring agencies not only to analyze the information collection and reporting costs they are imposing on the private sector, but to use those analyses to minimize the cost. Therefore, we cannot justify imposing this burden, which would not help to eliminate the unsafe condition.

Conclusion

Since certain changes expand the scope of the original NPRM, we have determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

Changes to 14 CFR Part 39/Effect on the Proposed AD

On July 10, 2002, we issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This 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