

change to this supplemental NPRM is necessary regarding this issue.

#### **Request To Allow Alternative Finishes**

One commenter prefers that the service bulletin avoid specifying the finish (for the primer or topcoat) to be used to conceal the flush rivets. Because some operators may have already painted the container assemblies with an unspecified finish, the operator suggests that the original NPRM be revised to specifically allow use of an "equivalent" finish.

The FAA does not agree. An "operator's equivalent procedure" may be used only if approved as an alternative method of compliance (AMOC) in accordance with paragraph (d) of this supplemental NPRM. No change to this supplemental NPRM is necessary regarding this issue.

#### **Request To Revise Reference to Service Bulletin Figure**

One operator suggests that Boeing Service Bulletin 737-25-1430 depicts the latch assembly in use before AD 2001-15-01 was issued. This latch assembly, part number 65C19901-20, is depicted in Figure 2, Sheet 2 of 6, of that service bulletin. The commenter suggests this was an oversight, but expresses concern about the potential confusion it may raise for other operators. The FAA infers that the commenter requests that reference to this figure be revised or removed from the proposed AD.

The FAA agrees. As stated earlier, this supplemental NPRM has been revised to cite Revision 1 of the service bulletin, which includes the commenter's suggested change.

#### **Request To Revise Part Reidentification Method**

One commenter requests a revision of the method of reidentification (reidentifying the part number) specified in the original NPRM. The commenter doubts that the existing part number would be present on all affected escape slide covers, which may have been subject to prior maintenance, repair, or repainting. The commenter suggests reidentifying the reworked escape slide compartment by adding "SB 737-25-1430 Compliant" adjacent to any existing part numbers.

The FAA does not agree with the request. Reidentification with the new part number, as proposed in this supplemental NPRM, would ensure that the correct part number is installed. However, the FAA may consider requests for AMOCs if submitted with detailed procedures that would ensure an acceptable level of safety, under the

provisions of paragraph (d) of this supplemental NPRM.

#### **Request To Revise Description of Unsafe Condition**

The manufacturer states that an escape slide released from its compartment into the airplane interior would not always automatically inflate. The commenter requests that the original NPRM be revised to imply only the potential for the slide to inflate—the slide "could," rather than "would," automatically inflate. The original NPRM refers to one incident of the escape slide inflating inside the airplane; in that instance, the commenter suggests that the severe swerving motion of the airplane likely caused the escape slide to move across the floor and inflate. The FAA infers that the commenter requests that the discussion of the unsafe condition identified in the original NPRM be reworded accordingly.

The FAA agrees that the commenter's suggested wording is clearer than the wording in the Discussion section of the original NPRM. Although this supplemental NPRM does not repeat that section, the events associated with the identified unsafe condition are clarified in the discussion under "Request to Withdraw the Proposed AD."

#### **Request To Revise Cost Estimate**

Several commenters report that the price of the replacement parts has increased since the original NPRM was issued. The manufacturer has confirmed that the current parts cost is \$1,569. The Cost Impact section has been revised accordingly in this supplemental NPRM.

#### **Additional Changes to the Original NPRM**

In the original NPRM, the heading for paragraph (b) is "Spare Parts." In this supplemental NPRM, the heading for that paragraph (reidentified as paragraph (c)) has been renamed "Part Installation" to more accurately define the proposed requirement.

#### **Conclusion**

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

#### **Cost Impact**

There are approximately 1,974 airplanes of the affected design in the worldwide fleet. The FAA estimates that

793 airplanes of U.S. registry would be affected by this supplemental NPRM.

Replacement of the hinge assemblies, if necessary, would take approximately 5 work hours per airplane, at an average labor rate of \$65 per work hour. Required parts would cost approximately \$1,569 per airplane. Based on these figures, the cost impact of the proposed hinge replacement is estimated to be \$1,894 per airplane.

The inspection, if necessary, would take approximately 1 to 3 work hours per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the proposed inspection is estimated to be \$65 to \$195 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 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.