

fuselage and consequent reduced structural integrity of the airplane.

Other Related Rulemaking

On October 11, 2002, the FAA issued AD 2002-21-09, amendment 39-12915 (67 FR 65303, October 24, 2002), applicable to certain McDonnell Douglas Model DC-9-10, -20, -30, -40, and -50 series airplanes, which currently requires, among other actions, various inspections to detect cracks of the cockpit enclosure window sill, and follow-on and corrective actions, as applicable. That AD was prompted by reports of cracking of the internal doublers and frame structure of the fuselage skin of the cockpit enclosure window sill. The actions required by that AD are intended to prevent fatigue cracking of the internal doublers and frame structure of the fuselage skin of the cockpit enclosure window sill, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

Since issuance of that AD, the FAA has determined that the same unsafe condition addressed in that AD may exist on certain additional Model DC-9-31 and DC-9-32 airplanes. The FAA was advised that four Model DC-9-31 and DC-9-32 airplanes (manufacturer's fuselage numbers 0268, 0505, 1039, and 1046) were omitted inadvertently from the applicability of AD 2002-21-09 because those airplanes had been excluded inadvertently from the effectivity of paragraph 1.A. of Boeing Service Bulletin DC9-53-290, Revision 01, dated March 15, 2002. Therefore, these additional airplanes are also subject to the same unsafe condition addressed in AD 2002-21-09.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin DC9-53-290, Revision 02, dated January 30, 2003. The procedures specified by Revision 02 of the service bulletin are essentially the same as those procedures included in Boeing Service Bulletin DC9-53-290, Revision 01, dated March 15, 2002, as cited in AD 2002-21-09. However, this revision also adds four airplane fuselage numbers to the effectivity. No more work is necessary on the airplanes changed, as shown in Revision 01 of the service bulletin.

Accomplishment of the actions specified in AD 2002-21-09 is acceptable for compliance with the requirements of this AD.

Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to prevent fatigue cracking of the internal doublers and frame structure of the fuselage skin of the cockpit enclosure window sill, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane. This AD requires, among other actions, various inspections to detect cracks of the cockpit enclosure window sill, and follow-on and corrective actions, as applicable. The actions are required to be accomplished in accordance with the service bulletin described previously, except as discussed below.

Difference Between Rule and Service Bulletin

Operators should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this AD requires the repair of those conditions to be accomplished in accordance with a method approved by the FAA.

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 (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

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign

registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 4 work hours to accomplish the required actions, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of this AD would be \$260 per airplane.

Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

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 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 rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments,