

Has FAA Taken Any Action to This Point?

We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Models 401, 401A, 401B, 402, 402A, 402B, 411, and 411A airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on May 15, 2003 (68 FR 26239). The NPRM proposed to require you to either (depending on the aircraft configuration):

- *For airplanes that do not incorporate one of certain Cessna Service Kits:* Repetitively inspect the wing spar caps for fatigue cracks and repair or replace the wing spar caps as necessary and incorporate a spar strap modification on each wing spar; or
- *For airplanes that incorporate one of certain Cessna Service Kits:* Repetitively inspect the wing spar caps for fatigue cracks and repair or replace the wing spar caps as necessary.

You would have to accomplish the proposed actions in accordance with Cessna Service Bulletin MEB01-06 and Cessna Service Kit SK402-46, both dated September 24, 2001; and Cessna

Service Bulletin MEB01-07 and Cessna Service Kit SK411-59, both dated September 24, 2001.

Was the Public Invited To Comment?

The FAA encouraged interested persons to participate in the making of this amendment. During the comment period, we received requests to extend the comment period. Consequently, we extended the comment period from August 8, 2003, to September 8, 2003.

We have received an additional comment to extend the comment period an additional 6 months action in order to allow more time to evaluate the impact of the actions of the proposed AD. We have evaluated this request and determined the following:

- An additional 60 days is a more appropriate time than 6 months; and
- Instead of extending the comment period, we will need to reopen the comment period because the comment ending date has passed.

The Supplemental NPRM

The FAA's Determination?

We have determined that an additional 60 days (total of 150 days) is a reasonable time period to allow the public to comment on the proposed AD.

Therefore, we are issuing a supplemental NPRM and reopening the comment period to allow the public additional time to comment.

How Does the Revision to 14 CFR Part 39 Affect This Proposed AD?

On July 10, 2002, FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs FAA's AD system. This regulation now includes material that relates to special flight permits, alternative methods of compliance, and altered products. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

Cost Impact

How Many Airplanes Would This Proposed AD Impact?

We estimate that this proposed AD affects 400 airplanes in the U.S. registry.

What Would Be the Cost Impact of This Proposed AD on Owners/Operators of the Affected Airplanes?

We estimate the following costs to accomplish the proposed modification and initial inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
485 workhours × \$60 per hour = \$29,100 per airplane.	\$1,763 per airplane	\$29,100 + \$1,763 = \$30,863 per airplane.	\$30,863 × 400 = \$12,345,200.

The above figures do not take into account the cost of repetitive inspections. The FAA does not have any way of determining the number of repetitive inspections each owner/operator would incur during the operating life of the affected airplanes.

Regulatory Impact

Would This Proposed AD Impact Various Entities?

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 proposed rule would not have federalism implications under Executive Order 13132.

Would This Proposed AD Involve a Significant Rule or Regulatory Action?

For the reasons discussed above, I certify that this proposed 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) 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 has been placed 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.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. FAA amends § 39.13 by removing Airworthiness Directive (AD) 79-10-15 R2, Amendment 39-3711, and by adding a new AD to read as follows:

Cessna Aircraft Company: Docket No. 2002-CE-05-AD; Supersedes AD 79-10-15 R2, Amendment 39-3711.

(a) *What airplanes are affected by this AD?* This AD affects Models 401, 401A, 401B, 402, 402A, 402B, 411, and 411A airplanes, all serial numbers, that are certificated in any category.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to prevent wing spar cap failure due to undetected fatigue cracks. Such failure could result in loss of a wing with consequent loss of airplane control.