

list a grace period in the compliance times, this proposal adds a grace period to the compliance times. The FAA finds that such a grace period will keep airplanes from being grounded unnecessarily.

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 848 airplanes of the affected design in the worldwide fleet. The FAA estimates that 357 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 14 work hours per airplane to accomplish the proposed inspection, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact

of the proposed AD on U.S. operators is estimated to be \$324,870, or \$910 per airplane, per inspection cycle.

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 proposed 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.

The Proposed Amendment

Accordingly, pursuant to 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. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Docket 2003–NM–49–AD.

Applicability: Model 767–200, –300, –300F series airplanes, as listed in Boeing Alert Service Bulletin 767–53A0087, dated October 21, 1999; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct fatigue cracks in the aft pressure bulkhead web, which could result in uncontrolled rapid decompression, accomplish the following:

Initial and Repetitive Inspections

(a) Do high frequency eddy current inspections of the aft pressure bulkhead web, per the Accomplishment Instructions of Boeing Alert Service Bulletin 767–53A0087, dated October 21, 1999; at the later of the applicable "Threshold" and "Grace Period" times specified in Table 1 of this AD. Table 1 as follows:

TABLE 1.—COMPLIANCE TIMES FOR INSPECTION

For	Compliance times	
	Threshold	Grace period
(1) Group 1 airplanes as identified in the service bulletin.	Prior to the accumulation of 37,500 total flight cycles.	Within 18 months or within 3,000 flights after the effective date of this AD, whichever comes first.
(2) Group 2 and 3 airplanes as identified in the service bulletin.	Prior to the accumulation of 50,000 total flight cycles.	Within 18 months or within 3,000 flights after the effective date of this AD, whichever comes first.
(3) Group 4 airplanes as identified in the service bulletin.	Prior to the accumulation of 40,000 total flight cycles.	Within 18 months or within 3,000 flights after the effective date of this AD, whichever comes first.

(b) If no crack is found during any inspection required by paragraph (a), repeat the high frequency eddy current inspections at intervals specified in paragraphs (b)(1) or (b)(2) of this AD, as applicable:

(1) For Group 1 and 2 airplanes, at intervals not to exceed 6,000 flight cycles, per the Accomplishment Instructions of Boeing Alert Service Bulletin 767–53A0087, dated October 21, 1999.

(2) For Group 3 and 4 airplanes, at intervals not to exceed 12,000 flight cycles, per the Accomplishment Instructions of Boeing Alert Service Bulletin 767–53A0087, dated October 21, 1999.