

Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5224; fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F, DC-10-30F (KC10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F airplanes was published in the **Federal Register** on September 4, 2002 (67 FR 56503). That action proposed to require a one-time inspection to determine the thickness of the walls of the rudder pedal arm assembly for the captain's and first officer's rudder pedals, and follow-on actions.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

No Objection to the Proposed AD

Two commenters have no objection to the technical content or compliance time of the proposed AD.

Request To Use High Frequency Eddy Current Inspection

Certain commenters request that the proposed AD be revised to allow the use of a high frequency eddy current inspection, developed by Boeing, as an optional alternative to the dye penetrant inspection in paragraphs (a)(1) and (b) of the proposed AD. The commenters contend that the eddy current inspection is more convenient, less labor intensive, and yields better results.

We do not agree with the request to allow the eddy current inspection as an optional alternative to the dye penetrant inspection in paragraphs (a)(1) and (b) of the AD. While we have determined that the eddy current inspection would allow operators to have flexibility in the inspection techniques without compromising safety, Boeing has not provided a copy of this inspection to the FAA for approval. However, under the provisions of paragraph (f) of the final rule, we may consider requests for approval of an alternative method of compliance if sufficient data are submitted to substantiate that such an eddy current inspection would provide an acceptable level of safety. No change to the final rule is necessary in this regard.

Request To Extend the Inspection Interval

Certain commenters request an extension of the repetitive inspection interval in paragraph (b)(1) of the proposed AD from 5,200 flight hours to 6,300 flight hours. The commenters contend that 6,300 flight hours would better suit their maintenance schedules.

We do not agree with the request to extend the repetitive inspection interval in paragraph (b)(1) of the AD to 6,300 flight hours. We have reviewed previous occurrences, considered the likelihood and severity of the unsafe condition, and determined that the proposed inspection threshold and repetitive intervals are appropriate. No change to the final rule is necessary in this regard.

Request To Allow Use of Certain Parts

Certain commenters request that the proposed AD be revised to allow parts that are in operators' stock that meet the thickness requirements of paragraph (b) of the proposed AD to be installed and inspected in accordance with paragraph (b)(1) or (b)(2), as applicable. These commenters point out that the proposed AD allows parts that meet these requirements to be inspected indefinitely. Therefore, it would be an unnecessary cost to purge an operator's stock or not be able to replace cracked or unacceptable parts with these parts.

The FAA agrees with the request. We have revised paragraph (e) of the AD so that the crack-free parts with the dimensions defined in paragraph (b) of the AD are acceptable for continued service provided that the repetitive inspections required by paragraph (b) of the AD are accomplished.

Editorial Changes

In reviewing these comments, we noted that, while the service bulletin and the "Differences" section of the proposed AD both correctly state the proposed repetitive inspection interval in terms of flight hours, the proposed AD text erroneously states the interval in terms of flight cycles. We have corrected this error in the final rule. Since both the service bulletin and the preamble of the proposed AD used the correct term, and we did not indicate an intention to deviate from the service bulletin in this regard, we consider that the public has had a reasonable opportunity to comment on the compliance times for this AD.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes

previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

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. However, for clarity and consistency in this final rule, we have retained the language of the NPRM regarding that material.

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 594 airplanes of the affected design in the worldwide fleet. We estimate that 366 airplanes of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per airplane to accomplish the inspection to determine wall thickness, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$95,160, or \$260 per airplane.

Should an operator be required to accomplish the follow-on inspection to detect cracking, the inspection will take approximately 1 work hour per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of this inspection will be approximately \$65 per airplane, per inspection cycle.

Should an operator be required to accomplish the replacement of a rudder pedal arm assembly, the replacement will take approximately 4 work hours per assembly, per airplane, at an average labor rate of \$65 per work hour. Parts will cost approximately \$2,943 per assembly. Based on these figures, the cost impact of this replacement will be approximately \$3,203 per rudder pedal arm assembly, per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of