

replacement of the MLG axles following an evaluation of the service history that showed the maximum number of allowable landings that could be accumulated on the MLG axles before replacement is necessary.

Explanation of Relevant Service Information

Bombardier has issued Service Bulletin 215–A462, Revision 3, dated January 17, 2000 (Canadair Alert Service Bulletin 215–A462, dated June 2, 1993, was referenced for accomplishment of the actions specified in the existing AD). Revision 3 contains the same inspection procedures as those in the original issue of the service bulletin, but a new dimensional check is added to determine whether the MLG axle has been reworked outside the dimensions specified in the Overhaul Manual. If the axle has been reworked outside those dimensions, has unknown rework dimensions, or has an unknown service life, repetitive ultrasonic inspections (as specified in the existing AD) are recommended until the MLG axle is replaced with a serviceable axle. Revision 3 also recommends replacement of the MLG axles after accumulation of the maximum number of allowable landings on the axles. The replacement eliminates the need for the repetitive inspections. TCCA classified this service bulletin as mandatory and issued Canadian airworthiness directive CF–1993–08R3, dated March 30, 2000, to ensure the continued airworthiness of these airplanes in Canada.

FAA's Conclusions

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, TCCA has kept the FAA informed of the situation described above. We have examined the findings of TCCA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede AD 95–22–04 to continue to require repetitive inspections to detect cracking of MLG axles that have been

reworked by chromium plating, and replacement of cracked axles with serviceable axles. The proposed AD would add a dimensional check and follow-on corrective actions, mandate terminating action for certain airplanes, add three airplanes to the applicability in the existing AD, and remove the reporting requirement. The actions would be required to be accomplished in accordance with the service bulletin described previously, except as discussed below.

Difference Between Service Bulletin and Proposed AD

The service bulletin referenced in this proposed AD specifies to submit certain inspection findings to the manufacturer; however, this proposed AD does not include such a requirement.

Revised Labor Rate

After the existing AD was issued, we reviewed the figures we use to calculate the labor rate to do the required actions. To account for various inflationary costs in the airline industry, we find it appropriate to increase the labor rate used in these calculations from \$60 per work hour to \$65 per work hour. The economic impact information, below, has been revised to reflect this increase in the specified hourly labor rate.

Cost Impact

There are approximately 3 airplanes of U.S. registry that would be affected by this proposed AD.

The inspections that are currently required by AD 95–22–04 take about 2 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the currently required inspections on U.S. operators is estimated to be \$390, or \$130 per airplane, per inspection cycle.

The dimensional check and ultrasonic inspection proposed in this AD action would take about 2 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of these checks and inspections on U.S. operators is estimated to be \$390, or \$130 per airplane, per inspection cycle.

The replacement proposed in this AD action, if done, would take about 8 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Required parts would cost approximately \$13,000 per assembly (two per airplane). Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators is estimated to be \$26,520 per airplane.

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

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 removing amendment 39–9411 (60 FR