

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin DC9–25A350, Revision 01, dated June 14, 2002 (for Model DC–9–14, DC–9–15, and DC–9–15F airplanes; Model DC–9–20, –30, –40, and –50 series airplanes; and Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), and MD–88 airplanes); and Boeing Alert Service Bulletin MD90–25A009, Revision 01, dated July 1, 2002 (for Model MD–90–30 airplanes).

These service bulletins describe procedures for a detailed inspection of the captain's and first officer's seat locking pins for minimum engagement with the detent holes in the seat tracks; a detailed inspection of the seat lockpins for excessive wear; and corrective actions, if necessary. The corrective actions include adjusting/replacing the seat locking pin with a new pin and/or adjusting/repairing/replacing the seat track with a new track, as applicable. Accomplishment of the actions specified in these service bulletins is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously.

Cost Impact

There are approximately 2,166 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,355 airplanes of U.S. registry would be affected by this proposed AD. It would

take approximately between 1 and 3 work hours per seat (depending on airplane configuration) to accomplish the proposed inspection. Each airplane has 2 seats (the captain and first officer seats); therefore, it will take approximately between 2 and 6 work hours per airplane (depending on airplane configuration) to accomplish the required inspection, at the average labor rate of \$65 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be between \$176,150 and \$528,450, or between \$130 and \$390 per airplane, depending on airplane configuration.

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:

McDonnell Douglas: Docket FAA–2003–16647.

Applicability: This AD applies to the airplanes listed in Table 1 of this AD, certificated in any category:

TABLE 1.—APPLICABILITY

McDonnell Douglas model	As listed in
DC–9–14, DC–9–15, DC–9–15F, DC–9–21, DC–9–31, DC–9–32, DC–9–32 (VC–9C), DC–9–32F, DC–9–33F, DC–9–34, DC–9–34F, DC–9–32F (C–9A, C–9B), DC–9–41, DC–9–51, DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), and MD–88 airplanes.	Boeing Alert Service Bulletin DC9–25A350, Revision 01, dated June 14, 2002.
MD–90–30 airplanes	Boeing Alert Service Bulletin MD90–25A009, Revision 01, dated July 1, 2002

Compliance: Required as indicated, unless accomplished previously.

To prevent uncommanded seat movement during takeoff and/or landing, which could result in interference with the operation of the airplane and consequent temporary loss of control of the airplane, accomplish the following:

Service Bulletin Reference

(a) The term "service bulletin," as used in this AD, means the Accomplishment Instructions of the applicable service bulletins listed in Table 1 of this AD.

Inspection for Engagement and Excessive Wear of the Seat Locking Pins

(b) Within 18 months after the effective date of this AD, do the actions specified in paragraphs (b)(1) and (b)(2) of this AD, per the service bulletin.

(1) Do a detailed inspection of the seat locking pin for minimum engagement with