

perform an inspection of the pylon upper rear spar strap (cap) for bearing migration and correct staking and follow-on modification, if necessary, per Revision 05 of DC-9 Service Bulletin 54-031.

We also have further clarified paragraphs (k) and (l) of this supplemental NPRM to specify that if any cracking is detected, modification of the rear spar upper strap (cap) is required per Revision 05. We further specify in paragraph (n) of this supplemental NPRM that accomplishment of that modification per Revision 05 constitutes terminating action for the repetitive inspection requirements of the AD. As explained in the "Explanation of New Service Information" section of this supplemental NPRM, Boeing has also issued Alert Service Bulletin DC9-54A031, Revision 09, dated September 3, 2002, to reference accomplishment of the actions specified in Revision 05 of Service Bulletin DC9-54-031.

#### **Request To Clarify the Intent of Paragraph (f) and (n) of the NPRM**

One commenter questions whether paragraph (f)(2)(ii) of the NPRM is acceptable as terminating action for the requirements of the AD. The commenter requests that, if paragraph (f)(2)(ii) of the NPRM is acceptable as terminating action for the requirements of the AD, that such provision be added to paragraph (o) of the NPRM. (Paragraph (o) of the NPRM states that accomplishment of the modification required by paragraph (l) or (n) of the NPRM constitutes compliance with AD 96-10-11, amendment 39-9618 (61 FR 24675, May 16, 1996) and AD 72-09-01, amendment 39-2844 (42 FR 11235, February 28 1977).) For that same reason, the commenter also requests that a statement be added to paragraph (f)(2)(ii) of the NPRM indicating that, if the requirements of paragraph (f)(2)(ii) of the NPRM are accomplished, no further action is required by the AD. The commenter states that clarifying paragraph (f)(2)(ii) of the NPRM would eliminate any confusion as to whether further rework is required for previously modified airplanes. Additionally, the commenter states that paragraph (n) of the NPRM does not clearly specify that it does not apply to airplanes on which the modification specified in paragraph (f)(2)(ii) of the NPRM has been accomplished.

The FAA agrees that clarification of the intent of paragraphs (f) and (n) of the NPRM is necessary. The modification specified in paragraph (f)(2)(ii) of the NPRM does not specify or include certain actions that are described in

Revision 05 of Boeing Service Bulletin DC9-54-031, which was described previously in this supplemental NPRM. We have determined that the actions specified in Revision 05 must be accomplished in order to terminate the actions specified in this supplemental NPRM. We have revised paragraph (f)(2)(ii) of this supplemental NPRM to clearly specify that accomplishment of the modification specified in that paragraph only terminates the inspections specified in paragraph (f)(2)(i) of this supplemental NPRM. For those reasons, no change in this regard is necessary to paragraph (o) of the supplemental NPRM. Additionally, we have revised paragraph (n) of this supplemental NPRM to clarify that all airplanes must accomplish the modification specified in paragraph (n) of this supplemental NPRM, regardless of whether or not the modification specified in paragraph (f)(2)(ii) of this supplemental NPRM has been accomplished previously.

#### **Explanation of Change to Applicability**

We have revised the applicability of the original NPRM to identify model designations as published in the most recent type certificate data sheet for the affected models. This change also is reflected in the Cost Impact section of this supplemental NPRM. In addition, the Cost Impact section has been updated to reflect the correct number of affected airplanes in the worldwide and U. S. fleet.

#### **Conclusion**

Since these changes expand the scope of the original NPRM, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

#### **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. This 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 (*i.e.*, paragraph (p)(1) of this supplemental NPRM). Note 6 of the original NPRM, which discusses AMOCs approved previously, has been incorporated into paragraph (p)(2) of this supplemental NPRM. Accordingly, Note 1, Note 5, and paragraph (g) of the

original NPRM have been removed from this supplemental NPRM.

#### **Change in Labor Rate Estimate**

The FAA has recently reviewed the figures it has used over the past several years in calculating the economic impact of AD activity. In order 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 cost impact information, below, has been revised to reflect the increase in the specified hourly labor rate.

#### **Cost Impact**

There are approximately 577 Model DC-9-10, DC-9-20, DC-9-30, DC-9-40, and DC-9-50 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 350 airplanes of U.S. registry would be affected by this proposed AD.

The ultrasonic inspection that is currently required by AD 78-01-16, and retained in this proposed AD, takes approximately 3 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of this currently required action on U.S. operators is estimated to be \$195 per airplane, per inspection cycle.

The new ultrasonic inspection that is proposed in this AD action would take approximately 4 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 new ultrasonic inspection proposed by this AD on U.S. operators is estimated to be \$260 per airplane, per inspection cycle.

The new modification of the rear spar upper strap (cap) that is proposed in this AD action would take between approximately 349 and 412 work hours to accomplish (depending on the configuration of the affected airplane), at an average labor rate of \$65 per work hour. The cost of required parts would be between approximately \$1,865 and \$7,947 per airplane. Based on these figures, the cost impact of the new modification proposed by this AD on U.S. operators is estimated to be between \$24,550 and \$34,727 per airplane.

For certain airplanes, the repetitive visual inspections of the upper rear spar (cap) for bearing migration and correct pin staking would take approximately 20 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of that