

| Labor cost | Parts cost | Total cost per airplane | Total cost on U.S. operators |
|--|---|-------------------------|------------------------------|
| 18 workhours × \$60 per hour = \$1,080 | No parts required to make the inspection opening. | \$1,080 | \$1,080 × 36 = \$38,880 |

We estimate the following costs to accomplish the inspection(s):

| Labor cost | Parts cost | Total cost per airplane | Total cost on U.S. operators |
|--|---|-------------------------|------------------------------|
| 15 workhours × \$60 per hour = \$300 | No parts required to perform the inspection | \$300 | \$300 × 36 = \$10,800 |

The FAA has no method of determining the number of repetitive inspections each owner/operator will incur over the life of each of the affected airplanes so the cost impact is based on the initial inspection.

The FAA has no method of determining the number of repairs each owner/operator will incur over the life of each of the affected airplanes based on the results of the inspections. We have no way of determining the number of airplanes that may need such repair. The extent of damage may vary on each airplane.

Accomplishing the flight manual and placard requirements of this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by § 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with § 43.9 of the Federal Aviation Regulations (14 CFR 43.9). The only cost impact of this action is the time it will take each owner/operator of the affected airplanes to insert the information into the flight manual and fabricate and install the placard.

What is the difference between the cost impact of this AD and the cost impacts of AD 98-12-10 and AD 99-21-23? The only difference between this AD and AD 98-12-10 and AD 99-21-23 is the change of inspection procedures. The FAA has determined that the costs of these changes are minimal and does not increase the cost impact over that already required by the previous ADs.

Regulatory Impact

Does this AD impact various entities? The regulations adopted herein will 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 final rule does not have federalism implications under Executive Order 13132.

Does this AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 final 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, Incorporation by Reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration

amends 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. FAA amends § 39.13 by removing Airworthiness Directive (AD) 98-12-10, Amendment 39-10566 (63 FR 31104, June 8, 1988), and AD 99-21-23, Amendment 39-11368 (64 FR 55416, October 13, 1999), and by adding a new AD to read as follows:

2003-04-02 Apex Aircraft (Avions Mudry et Cie previously held type certificate A36EU): Amendment 39-13050; Docket No. 2002-CE-04-AD; Supersedes AD 98-12-10, Amendment 39-10566, and AD 99-21-23, Amendment 39-11368.

(a) *What airplanes are affected by this AD?* This AD affects Model CAP 10B airplanes, all serial numbers, that are certificated in any category.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to provide the flight information necessary to the pilot so that excessive speed is not used during aerobatic maneuvers and to detect and correct structural cracks in the wing spar, which could result in the wing separating from the airplane. Such failure could lead to loss of control of the airplane.

(d) What actions must I accomplish to address this problem? To address this problem, you must accomplish the following:

| Actions | Compliance | Procedures |
|---|--|--|
| (1) For CAP 10 B airplanes, all serial numbers through 263, install a permanent inspection opening in the No. 1 wing rib. Inspection openings are incorporated during production for airplanes having a serial number of 264 or higher. | Within the next 100 hours time-in-service (TIS) after July 23, 1993 (the effective date of AD 93-10-11, which was superseded by AD 98-12-10), unless already accomplished. | In accordance with Avions Mudry Service Bulletin CAP10B No. 16 ATA (57-004), dated April 27, 1992. |