

and to determine adequate clearance between the disconnect panel structure and the wires above the aft left lavatory; and corrective actions, if necessary. This action is necessary to prevent damage to certain wires due to contact between the wires and the adjacent structure, which could result in electrical arcing and consequent smoke and fire in the cabin. This action is intended to address the identified unsafe condition.

DATES: Effective April 4, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 4, 2003.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: George Mabuni, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5341; 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 MD-90-30 airplanes was published in the **Federal Register** on August 30, 2002 (67 FR 55735). That action proposed to require a one-time general visual inspection to find wire chafing damage and to determine adequate clearance between the disconnect panel structure and the wires above the aft left lavatory; and corrective actions, if necessary.

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.

Request for Withdrawal of Proposed AD

One commenter disagrees with the need for an AD to require accomplishment of Boeing Alert Service Bulletin MD90-24A074, Revision 01, dated August 8, 2001. The commenter notes that the incident that prompted the proposed AD occurred on a McDonnell Douglas Model MD-88 airplane, not an MD-90-30 airplane. The commenter notes that the affected wire bundle on the incident airplane chafed on a disconnect bracket on an extruded angle. The commenter states that, after considering the design of the disconnect panel on Model MD-90-30 airplanes, it is confident that no wire chafing will be found on Model MD-90-30 airplanes. The commenter points out that the design of the subject disconnect bracket on the Model MD-90-30 airplane is significantly different, especially in length, from that on the Model MD-88 airplane. The bracket on the Model MD-90-30 airplane does not extend to the area where the wire bundle chafing occurred on the Model MD-88 airplane. The commenter requests that the proposed AD, if issued, include information about inspection findings on Model MD-90-30 airplanes.

The FAA infers that the commenter is requesting that we withdraw the proposed AD. We do not agree. The airplane manufacturer has reviewed the installation drawings and has confirmed that the same disconnect bracket (*i.e.*, same part number) is installed in the same location on both Model MD-88 and Model MD-90-30 airplanes. Therefore, Model MD-90-30 airplanes may be subject to the same unsafe condition revealed on the Model MD-88 airplanes, even though no wire chafing damage has been found to date on Model MD-90-30 airplanes. No change to the final rule is necessary in this regard.

Request To Extend Compliance Time

The same commenter requests that, if we deem it necessary to issue an AD, we extend the compliance time from 4 months after the effective date of the AD, as proposed, to 12 months after the effective date of the AD. Aside from its comments regarding the appropriateness of the AD, discussed previously, the commenter provides no further justification for its request.

We concur that the compliance time of this AD may be extended. We have determined that a compliance time of 12 months will ensure that the identified unsafe condition is addressed in a timely manner, while allowing the majority of affected operators to

complete the required actions during a scheduled maintenance visit. We have revised paragraph (a) of the final rule accordingly.

Explanation of Editorial Change

In the NPRM, we stated that the proposed actions were to be accomplished "per the Accomplishment Instructions of Boeing Alert Service Bulletin MD90-24A074, Revision 01, including Appendix A, dated August 8, 2001." However, the service bulletin's appendix contains a form for reporting inspection findings. This AD does not include such a requirement. Therefore, we have changed the service bulletin citation throughout this final rule to exclude the appendix of the service bulletin.

Also, we have changed the service bulletin citation throughout this final rule to exclude the Evaluation Form. The form is intended to be completed by operators and submitted to the airplane manufacturer to provide input on the quality of the service bulletin; however, this AD does not include such a requirement.

Also, the Cost Impact section of the NPRM did not include information about warranty remedies that may be available. We have revised the Cost Impact section of this final rule to refer to warranty remedies.

Conclusion

After careful review of the available data, including the comments noted above, we have determined that air safety and the public interest require the adoption of the rule with the changes previously described. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 113 Model MD-90-30 airplanes of the affected design in the worldwide fleet. We estimate that 21 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of inspection required by this AD on U.S. operators is estimated to be \$1,260, or \$60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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