

Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: *9-anm-nprmcomment@faa.gov*. Comments sent via fax or the Internet must contain "Docket No. 2001-NM-240-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Suzanne Masterson, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6441; fax (425) 917-6590.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact

concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2001-NM-240-AD." The postcard will be date stamped and returned to the commenter.

##### **Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-240-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

On April 19, 2001, the FAA issued AD 2001-08-28, amendment 39-12205 (66 FR 21077, April 27, 2001), applicable to certain Boeing Model 767 series airplanes, to require revising the Airworthiness Limitations Section of the Maintenance Planning Data (MPD) Document (767 Airworthiness Limitations Instructions (ALI)). The revision will incorporate into the ALI certain inspections and compliance times to detect fatigue cracking of principal structural elements (PSE). That action was prompted by analysis of data that identified specific initial inspection thresholds and repetitive inspection intervals for certain PSEs to be added to the ALI. The requirements of that AD are intended to ensure that fatigue cracking of various PSEs is detected and corrected; such fatigue cracking could adversely affect the structural integrity of these airplanes.

##### **Actions Since Issuance of Previous Rule**

In the preamble to AD 2001-08-28, we indicated that the actions required by that AD were considered "interim action" and that further rulemaking action was being considered. We now have determined that further rulemaking action is indeed necessary, and this proposed AD follows from that determination.

##### **New Revisions of ALI**

We have reviewed and approved Subsection B, Section 9, of Boeing Document D622T001-9, entitled "Airworthiness Limitations and Certification Maintenance Requirements," Revisions June 2000, February 2001, and October 2002, of the Boeing 767 MPD Document. That document describes specific initial inspection thresholds and repetitive inspection intervals for certain PSEs

(identified as structural significant items in the ALI). That document explicitly identifies all of the PSEs that are to be inspected in accordance with the requirements of the ALI. Boeing Document D622T001-9, Revision June 1997, was referenced in the existing AD for accomplishment of the actions specified.

Subsection B, Section 9, of Boeing Document D622T001-9 of the Boeing 767 MPD Document references Appendix B, Revision December 2002, which provides Damage Tolerance Rating (DTR) Check Forms and the procedures for using the forms after accomplishment of the initial inspections identified in the MPD to determine the repetitive inspection thresholds.

##### **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 supersede AD 2001-08-28 to expand the applicability in the existing AD and require operators to revise the Boeing Model 767 ALI to incorporate Boeing Document D622T001-9, Revisions June 2000, February 2001, and October 2002 of the Boeing 767 MPD Document. However, nothing in this proposed AD is intended to affect any of the requirements related to the life limits or certification maintenance requirements that are contained elsewhere in the MPD. This proposed AD is intended to address only those PSE inspections that are referred to in Subsection B, Section 9, entitled "Airworthiness Limitations—Structural Inspections" of Boeing Document D622T001-9, Revision October 2002.

##### **Cost Impact**

There are approximately 884 airplanes of the affected design in the worldwide fleet. We estimate that 393 airplanes of U.S. registry would be affected by this proposed AD.

The actions that are currently required by AD 2001-08-28 take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the currently required actions is estimated to be \$60 per airplane.

The new actions that are proposed in this AD action would take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed requirements of this AD on U.S.