

**Follow-on/Corrective Actions****Condition 1: For a 5-inch Support Seal Tube**

(1) Reidentify the rudder trim and load-feel actuator assembly, and apply a nylon or polyurethane clear coating, per Condition 1, paragraphs 1 through 3, paragraph 3.B. of the Accomplishment Instructions of the service bulletin. Where there are differences between the AD and the service information, the AD prevails.

**Condition 2: For a 6-inch Support Seal Tube**

(2) Modify (including removing sealant from around the screw heads and flange of the support seal tube; removing safety wire from screws; removing the support seal tube; cleaning any excess sealant compound from the support seal tube, cover, and front cap; applying sealing compound to the support tube at certain locations; installing and securing a new support seal tube, using six screws having a specified torque value and securing them with safety wire; reidentifying the actuator identification plate; and applying a clear coating to the flange of the support seal tube) and reidentify the rudder trim and load-feel actuator assembly; and install the modified and reidentified actuator assembly; per Condition 2, paragraphs 1 through 14, paragraph 3.B. of the Accomplishment Instructions of the service bulletin.

**Note 4:** Although the BFGoodrich service bulletin specifies that the action for Condition 1 is for a 5.25-inch support seal tube and Condition 2 is for a 6.25-inch support seal tube, this AD specifies 5 inches and 6 inches respectively, as cited in the Boeing service bulletin.

**Reporting Requirement**

(b) Within 10 days after accomplishing the one-time inspection required by paragraph (a) of this AD, submit a report of the inspection results (both positive and negative findings) to the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, or to Boeing, per the Appendix of Boeing Alert Service Bulletin 717-27A0016, dated April 9, 2001. The report must include the part number and serial number of the rudder trim load feel actuator, date of inspection, fuselage number, and number of flight hours or flight cycles on the airplane. The report also must include whether the support seal tube found installed on the airplane during the detailed visual inspection required by paragraph (a) of this AD is 5 inches or 6 inches. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

**Spares**

(c) As of the effective date of this AD, no person shall install on any airplane, a support seal tube, part number (P/N) A9543, Revision A, on a rudder trim and load-feel actuator, P/N DL4528M1MOD5 or P/N DL4528M1MOD6.

**Alternative Methods of Compliance**

(d) An alternative method of compliance or adjustment of the compliance time that

provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

**Note 5:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

**Special Flight Permits**

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

**Incorporation by Reference**

(f) The actions shall be done in accordance with Boeing Alert Service Bulletin 717-27A0016, including Appendix, dated April 9, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies 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). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or 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.

**Effective Date**

(g) This amendment becomes effective on October 1, 2001.

Issued in Renton, Washington, on September 4, 2001.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 01-22996 Filed 9-13-01; 8:45 am]

**BILLING CODE 4910-13-U**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. 2001-NM-39-AD; Amendment 39-12440; AD 2001-19-01]**

**RIN 2120-AA64**

**Airworthiness Directives; Bombardier Model DHC-8-301 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Bombardier Model DHC-8-301 series airplanes. This action requires removal of the access panels of the upper wings to determine the manufacturing date of the panels to verify compliance with Model 301 wing specifications, and corrective action, if necessary. This action is necessary to find and fix panels that do not meet such specifications, which could result in elongation of the attachment holes in the panels due to critical design loads, and consequent reduced structural integrity of the wings. This action is intended to address the identified unsafe condition.

**DATES:** Effective October 1, 2001.

Comments for inclusion in the Rules Docket must be received on or before October 15, 2001.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-39-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. 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-iarcomment@faa.gov](mailto:9-anm-iarcomment@faa.gov). Comments sent via fax or the Internet must contain "Docket No. 2001-NM-39-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 this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Serge Napoleon, Aerospace Engineer, ANE-171, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7512; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** Transport Canada Civil Aviation (TCCA), which is the airworthiness authority for Canada,

notified the FAA that an unsafe condition may exist on certain Bombardier Model DHC-8-301 series airplanes. TCCA advises that a report was received that during a routine inspection an operator questioned the conformity of the wing access panels located between stations Y42 and Y139 of the upper wing. Investigation revealed that the panels were not built per the design drawing specifications. The panels were manufactured per the design specifications of the DHC-8-100; therefore, the doublers on the panels were manufactured with less than the required thickness. Structural analysis done by the manufacturer indicates that, if the affected panels are exposed to critical design loads during flight, the attachment holes in the panels may elongate, which could result in reduced structural integrity of the wings.

#### Explanation of Relevant Service Information

De Havilland Dash 8 Maintenance Manual, Product Support Manual 1-83-2, Chapter 57-30-10, dated March 31, 1995, describes procedures for removal and replacement of the access panels of the left and right wings with new panels. TCCA issued Canadian airworthiness directive CF-99-27, dated September 28, 1999, in order to assure the continued airworthiness of these airplanes in Canada.

#### FAA's Conclusions

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, TCCA has kept the FAA informed of the situation described above. The FAA has examined the findings of TCCA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to find and fix panels that do not meet Model 301 wing specifications, which could result in discrepancies and reduced structural integrity of the wings. This AD requires removal of the two upper wing access panels to determine the manufacturing

date of the panels to verify compliance with Model 301 specifications, and corrective action, if necessary. The actions are required to be accomplished in accordance with the service information described previously.

#### Cost Impact

None of the Model DHC-8-301 series airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 1 work hour to accomplish the required actions, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$60 per airplane.

#### Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

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 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 rule that might suggest a need to modify the 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 that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2001-NM-39-AD." The postcard will be date stamped and returned to the commenter.

#### Regulatory Impact

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.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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.

#### Adoption of the Amendment

Accordingly, pursuant to 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. Section 39.13 is amended by adding the following new airworthiness directive:

**2001-19-01 Bombardier, Inc.** (Formerly de Havilland, Inc.): Amendment 39-12440. Docket 2001-NM-39-AD.

**Applicability:** Model DHC-8-301 series airplanes having the serial numbers listed below, certificated in any category: 100, 108, 116, 124, 131, 137, 143, 149, 154, 159, 164, 169, 174, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To find and fix the access panels of the upper wings that do not meet Model 301 wing specifications, which could result in elongation of the attachment holes in the panels due to critical design loads, and consequent reduced structural integrity of the wings; accomplish the following:

#### Determine Manufacturing Date/Corrective Action

(a) Within 12 months after the effective date of this AD: Remove the two access panels of the upper wings, part number (P/N) 85711539-003, to determine the manufacturing date, which is stamped on the underside of each panel; per de Havilland Dash 8 Maintenance Manual, Product Support Manual 1-83-2, Chapter 57-30-10, dated March 31, 1995.

(1) If the manufacturing date on any panel is September 30, 1997, or earlier, before further flight, replace with a new panel, P/N 85711539-003, having a manufacturing date of October 1, 1997, or later; per the maintenance manual.

(2) If the manufacturing date on any panel is October 1, 1997, or later, reinstall that panel per the maintenance manual. No further action is required for that panel.

#### Spares

(b) As of the effective date of this AD: No person may install an access panel, P/N 85711539-003, having a manufacturing date of September 30, 1997, or earlier, on any airplane.

## Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

## Special Flight Permits

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

**Note 3:** The subject of this AD is addressed in Canadian airworthiness directive CF-99-27, dated September 28, 1999.

## Effective Date

(e) This amendment becomes effective on October 1, 2001.

Issued in Renton, Washington, on September 7, 2001.

**Vi L. Lipski,**

*Manager, Transport Airplane Directorate,  
Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Parts 4022 and 4044

#### Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Pension Benefit Guaranty Corporation's regulations on Benefits Payable in Terminated Single-Employer Plans and Allocation of Assets in Single-Employer Plans prescribe interest assumptions for valuing and paying benefits under terminating single-employer plans. This final rule amends the regulations to adopt interest assumptions for plans with valuation dates in October 2001. Interest assumptions are also published on the PBGC's Web site (<http://www.pb.gc.gov>).

**EFFECTIVE DATE:** October 1, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Harold J. Ashner, Assistant General Counsel, Office of the General Counsel,

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:** The PBGC's regulations prescribe actuarial assumptions—including interest assumptions—for valuing and paying plan benefits of terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions are intended to reflect current conditions in the financial and annuity markets.

Three sets of interest assumptions are prescribed: (1) A set for the valuation of benefits for allocation purposes under section 4044 (found in Appendix B to part 4044), (2) a set for the PBGC to use to determine whether a benefit is payable as a lump sum and to determine lump-sum amounts to be paid by the PBGC (found in Appendix B to part 4022), and (3) a set for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology (found in Appendix C to part 4022).

Accordingly, this amendment (1) adds to Appendix B to Part 4044 the interest assumptions for valuing benefits for allocation purposes in plans with valuation dates during October 2001, (2) adds to Appendix B to Part 4022 the interest assumptions for the PBGC to use for its own lump-sum payments in plans with valuation dates during October 2001, and (3) adds to Appendix C to Part 4022 the interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology for valuation dates during October 2001.

For valuation of benefits for allocation purposes, the interest assumptions that the PBGC will use (set forth in Appendix B to part 4044) will be 6.10 percent for the first 20 years following the valuation date and 6.25 percent thereafter. These interest assumptions represent a decrease (from those in effect for September 2001) of 0.20 percent for the first 20 years following the valuation date and are otherwise unchanged.

The interest assumptions that the PBGC will use for its own lump-sum payments (set forth in Appendix B to part 4022) will be 4.50 percent for the period during which a benefit is in pay status, and 4.00 percent during any years preceding the benefit's placement in pay status. These interest