

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, Seattle ACO.

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

Issued in Renton, Washington, on May 23, 2003.

**Vi L. Lipski,**

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

[FR Doc. 03-13657 Filed 5-30-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-30-AD]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 777 Series Airplanes

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to all Boeing Model 777 series airplanes. That action would have required repetitive inspections for cracking of the floor beam structure located at body station 246; and repair, if necessary. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data that indicate that the unsafe condition does not exist on the airplanes identified in the proposed rule. Accordingly, the proposed rule is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Gary Oltnan, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6443; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to all Boeing Model 777

series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on June 19, 2002 (67 FR 41640). The NPRM would have required repetitive inspections for cracking of the floor beam structure located at body station 246; and repair, if necessary. That action was prompted by numerous reports of fatigue cracking of the floor beam structure located at body station (BS) 246 on several Boeing Model 777 series airplanes. The proposed actions were intended to find and fix such cracking, which could extend and sever the floor beam, resulting in rapid depressurization of the airplane and consequent collapse of the floor structure.

#### Actions That Occurred Since the NPRM Was Issued

Since the issuance of that NPRM, the FAA has received new information as a comment from the airplane manufacturer (Boeing). The manufacturer indicated that even though the BS 246 floor beam cracking is not desirable, it did not result in an unsafe condition. As a result, we met with the manufacturer on December 5, 2002, and the manufacturer presented additional supporting data and analysis results.

We have reviewed the data and concur with the manufacturer's conclusion that operators continue to find cracks, and that the type and extent of the floor beam cracking remains unchanged since the original findings. The analysis also showed that the cracked beam is prevented from deflecting to the point of affecting critical flight control.

Based on these facts, we agree with the manufacturer's assessment that the cracking will not result in an unsafe condition, and the critical structural elements in the floor beam will continue to retain the required structural integrity throughout the life of the airplane.

#### FAA's Conclusions

Upon further consideration, the FAA has determined that the unsafe condition does not exist on the airplanes identified in the NPRM. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action in the future, nor does it commit the agency to any course of action in the future.

#### Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and

therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 2001-NM-30-AD, published in the **Federal Register** on June 19, 2002 (67 FR 41640), is withdrawn.

Issued in Renton, Washington, on May 27, 2003.

**Vi L. Lipski,**

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

[FR Doc. 03-13647 Filed 5-30-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-387-AD]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and MD-88 Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas airplane models. This proposal would require a one-time inspection for chafing or signs of arcing of the wire bundle for the auxiliary hydraulic pump, follow-on actions, and corrective actions if necessary. This action is necessary to prevent shorted wires or arcing at the auxiliary hydraulic pump, which could result in loss of auxiliary hydraulic power, or a fire in the wheel well of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by July 17, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-387-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-nprmcomment@faa.gov*. Comments sent via fax or the Internet must contain "Docket No. 2001-NM-387-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 or 2000 or ASCII text.

The service information referenced in the proposed rule 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 FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

**FOR FURTHER INFORMATION CONTACT:** Elvin Wheeler, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5344; fax (562) 627-5210.

#### **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-387-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-387-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

The FAA has received reports of shorted wires and evidence of arcing on the power cables of the auxiliary hydraulic pump on several McDonnell Douglas Model DC-9-83 airplanes. One incident of arcing resulted in a fire in the airplane wheel well. Investigation revealed that the backshell connector assembly was damaged from sharp bending of the wires and chafed wires in the wheel well. This condition, if not corrected, could lead to shorted wires or arcing at the auxiliary hydraulic pump, which could result in loss of auxiliary hydraulic power, or a fire in the wheel well of the airplane.

The wire bundle for the auxiliary hydraulic pump on certain Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-87 (MD-87), and MD-88 airplanes is identical to that installed on the affected Model DC-9-83 (MD-83) airplanes. Therefore, all of these models may be subject to the same unsafe condition.

##### **Explanation of Relevant Service Information**

The FAA has reviewed and approved Boeing Alert Service Bulletin MD80-29A068, Revision 02, dated November 19, 2002. (That service bulletin "supersedes and cancels" McDonnell Douglas Service Bulletins MD80-29-042 and MD80-29-048.) Boeing Alert Service Bulletin MD80-29A068, Revision 02, describes procedures for a one-time inspection for chafing or signs of arcing of the wire bundle for the auxiliary hydraulic pump, follow-on actions, and corrective action if

necessary. Follow-on actions include rerouting the wire bundle, replacing the existing straight connector backshell assembly with a new 90-degree backshell connector assembly, replacing an existing bracket with a new improved bracket, replacing existing connector contacts with new contacts, and installing protective sleeving. Corrective actions, depending on conditions found during the inspection, include repairing chafing damage or replacing any damaged wire with a new wire. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

##### **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 require accomplishment of the actions specified in the service bulletin described previously.

##### **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. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. Because we have now included this material in part 39, we no longer need to include it in each individual AD.

##### **Cost Impact**

There are approximately 1,063 Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and MD-88 airplanes of the affected design in the worldwide fleet. The FAA estimates that 732 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 1 work hour per airplane to accomplish the proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed inspection on U.S. operators is estimated to be \$43,920, or \$60 per airplane.

It would take approximately 3 work hours per airplane to accomplish the proposed follow-on actions, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$48 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$166,896, or \$228 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions. The manufacturer may cover the cost of replacement parts associated with this proposed AD, subject to warranty conditions. Manufacturer warranty remedies may also be available for labor costs associated with this proposed AD. As a result, the costs attributable to the proposed AD may be less than stated above.

### Regulatory Impact

The regulations proposed herein would 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 proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 draft regulatory 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, Safety.

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

**McDonnell Douglas:** Docket 2001–NM–387–AD.

**Applicability:** Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), and MD–88 airplanes; as listed in Boeing Alert Service Bulletin MD80–29A068, Revision 02, dated November 19, 2002; certificated in any category.

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

To prevent shorted wires or arcing at the auxiliary hydraulic pump, which could result in loss of auxiliary hydraulic power, or a fire in the wheel well of the airplane, accomplish the following:

#### One-Time Inspection

(a) Within 18 months after the effective date of this AD, do a one-time general visual inspection for chafing or signs of arcing of the wire bundle for the auxiliary hydraulic pump, per the Accomplishment Instructions of Boeing Alert Service Bulletin MD80–29A068, Revision 02, dated November 19, 2002. Start inspecting at the P1–32 plug and end at the fuel tank bulkhead. Before further flight after the inspection, do paragraphs (a)(1) and (a)(2) of this AD, as applicable, per the Accomplishment Instructions of the service bulletin.

**Note 1:** For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

**Note 2:** Boeing Alert Service Bulletin MD80–29A068, Revision 02, dated November 19, 2002, "supersedes and cancels" McDonnell Douglas Service Bulletins MD80–29–042 and MD80–29–048.

#### Corrective Actions

(1) If any chafing or sign of arcing is found, repair chafing damage or replace any damaged wire with a new wire, as applicable.

#### Follow-On Actions

(2) Perform all applicable follow-on actions specified in the service bulletin, including, but not limited to, rerouting the wire bundle, replacing the existing straight connector backshell assembly with a new 90-degree

connector backshell assembly, replacing an existing bracket with a new improved bracket, replacing existing connector contacts with new contacts, and installing protective sleeving.

### Alternative Methods of Compliance

(b) In accordance with 14 CFR 39.19, the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, is authorized to approve alternative methods of compliance for this AD.

Issued in Renton, Washington, on May 23, 2003.

**Ali Bahrami,**

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

[FR Doc. 03–13659 Filed 5–30–03; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001–NM–109–AD]

**RIN 2120–AA64**

**Airworthiness Directives; Bombardier Model DHC–8–102, –103, and –106 Airplanes; Model DHC–8–201 and –202 Airplanes; and Model DHC–8–301, –311, and –315 Airplanes**

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

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to certain Bombardier Model DHC–8–102, –103, and –106 airplanes; Model DHC–8–201 and –202 airplanes; and Model DHC–8–301, –311, and –315 airplanes; that would have required replacement of the elevator stop bumpers of the horizontal stabilizer with new bumpers. Among other actions, this new action revises the proposed rule by incorporating revised replacement intervals for the elevator stop bumpers into the applicable airworthiness limitation. This action is necessary to prevent damage to the elevator trailing edge due to a broken or missing elevator stop bumper, which could result in jamming of the spring tab and consequent reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by June 27, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport