

Thereafter, repeat the inspections at the applicable interval listed in the "Repeat Interval" column of the table in TR AWL 2-19, until paragraph (c) of this AD has been accomplished on all affected hook roller shafts. Where the TR specifies compliance intervals in "flights," for the purposes of this AD, "flights" means "flight cycles."

(3) For Model DHC-8-300 series airplanes: For Pre Mod 8Q101103 hook roller shafts having part number (P/N) 85750362-103 or 85750362-105, do the initial inspection at the compliance time specified in the "Threshold" column of the table in De Havilland Inc. Airworthiness Limitations List TR AWL 3-83, or within 12 months after the effective date of this AD, whichever occurs later, according to De Havilland Inc. Dash 8 Series 300 Maintenance Program Manual PSM 1-83-7. Thereafter, repeat the inspection at the applicable interval specified in the "Initial Interval" column of the table in TR AWL 3-83, until the airplane reaches the applicable threshold listed in the "Repeat Cut-In" column of the table in TR AWL 3-83. Thereafter, repeat the inspections at the applicable interval listed in the "Repeat Interval" column of the table in TR AWL 3-83 until paragraph (c) of this AD has been accomplished on all affected hook roller shafts. Where the TR specifies compliance intervals in "flights," for the purposes of this AD, "flights" means "flight cycles."

#### Replacement

(c) At the applicable time specified in paragraph (c)(1) or (c)(2) of this AD, replace hook roller shafts having P/N 85750362-103 or 85750362-105 with new or serviceable hook roller shafts having P/N 85750362-107, according to Sections 57-50-44 and 57-50-53 of the De Havilland Inc. Dash 8 Aircraft Maintenance Manual, as applicable. Replacement of all hook roller shafts, P/N 85750362-103 or 85750362-105, with new hook roller shafts, P/N 85750362-107, ends the repetitive inspections at the intervals required by paragraph (a) of this AD.

(1) For hook roller shafts on which any corrosion or crack is found during any inspection per paragraph (b) of this AD: Do the replacement before further flight.

(2) For uncracked or uncorroded hook roller shafts: Do the replacement within 20,000 flight cycles or 5 years after the effective date of this AD, whichever is first.

#### Post-Replacement Inspections

(d) Following the replacement of hook roller shafts according to paragraph (c) of this AD, do the Structural Inspection Program for the hook roller shafts of the flap carriage, as specified in paragraph (d)(1), (d)(2), or (d)(3) of this AD, as applicable.

(1) For Model DHC-8-100 series airplanes: Using the criteria for Mod 8Q101103 hook roller shafts having P/N 85750362-107, do the initial inspection at the compliance time specified in the "Threshold" column of the table in De Havilland Inc. Airworthiness Limitations List TR AWL-75 and AWL-76, both dated July 14, 2000, according to De Havilland Inc. Dash 8 Series 100 Maintenance Program Manual PSM 1-8-7. Thereafter, repeat the inspection at the applicable interval specified in the "Initial

Interval" column of the table in TRs AWL-75 and AWL-76, until the airplane reaches the applicable threshold listed in the "Repeat Cut-In" column of the table in TRs AWL-75 and AWL-76. Thereafter, repeat the inspections at the applicable interval listed in the "Repeat Interval" column of the table in TRs AWL-75 and AWL-76. Where the TR specifies compliance intervals in "flights," for the purposes of this AD, "flights" means "flight cycles."

(2) For Model DHC-8-200 series airplanes: Using the criteria for Mod 8Q101103 hook roller shafts having P/N 85750362-107, do the initial inspection at the compliance time specified in the "Threshold" column of the table in De Havilland Inc. Airworthiness Limitations List TR AWL 2-19, dated July 14, 2000, according to De Havilland Inc. Dash 8 Series 200 Maintenance Program Manual PSM 1-82-7. Thereafter, repeat the inspection at the applicable interval specified in the "Initial Interval" column of the table in TR AWL 2-19, until the airplane reaches the applicable threshold listed in the "Repeat Cut-In" column of the table in TR AWL 2-19. Thereafter, repeat the inspections at the applicable interval listed in the "Repeat Interval" column of the table in TR AWL 2-19. Where the TR specifies compliance intervals in "flights," for the purposes of this AD, "flights" means "flight cycles."

(3) For Model DHC-8-300 series airplanes: Using the criteria for Mod 8Q101103 hook roller shafts having P/N 85750362-107, do the initial inspection at the compliance time specified in the "Threshold" column of the table in De Havilland Inc. Airworthiness Limitations List TR AWL 3-83, according to De Havilland Inc. Dash 8 Series 300 Maintenance Program Manual PSM 1-83-7. Thereafter, repeat the inspection at the applicable interval specified in the "Initial Interval" column of the table in TR AWL 3-83, until the airplane reaches the applicable threshold listed in the "Repeat Cut-In" column of the table in TR AWL 3-83. Thereafter, repeat the inspections at the applicable interval listed in the "Repeat Interval" column of the table in TR AWL 3-83. Where the TR specifies compliance intervals in "flights," for the purposes of this AD, "flights" means "flight cycles."

#### Alternative Methods of Compliance

(e) 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 3:** 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

(f) Special flight permits may be issued in accordance with §§ 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 4:** The subject of this AD is addressed in Canadian airworthiness directive CF-1999-10R2, dated September 12, 2000.

Issued in Renton, Washington, on March 14, 2002.

**Ali Bahrami,**

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

[FR Doc. 02-6794 Filed 3-20-02; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-130-AD]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model MD-90-30 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 McDonnell Douglas Model MD-90-30 airplanes, that would have required installation of two arcing protection brackets below and behind the circuit breakers located in the generator control rack in the electrical/electronics compartment. This new action revises the proposed rule by adding certain airplanes and removing certain other airplanes from the applicability. The actions specified by this new proposed AD are intended to prevent arcing between circuit breaker terminals and adjacent equipment and structure located in the generator control rack in the electrical/electronics compartment, which, if not corrected, could result in possible electrical shock to maintenance personnel during maintenance operations. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by May 6, 2002.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-130-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 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-nprncomment@faa.gov*. Comments sent via fax or the Internet must contain "Docket No. 2001-NM-130-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 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 the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

**FOR FURTHER INFORMATION CONTACT:** George Y. 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:**

**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-130-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-130-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add an airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-90-30 airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on August 29, 2001 (66 FR 45655). That NPRM would have required installation of two arcing protection brackets below and behind the circuit breakers located in the generator control rack in the electrical/electronics compartment. That condition, if not corrected, could result in arcing between circuit breaker terminals and adjacent equipment and structure located in the generator control rack in the electrical/electronics compartment, which, if not corrected, could result in possible electrical shock to maintenance personnel during maintenance operations.

**Comments**

Due consideration has been given to the comments received in response to the NPRM.

**Support for the Proposed Rule**

One commenter mentions that it generally supports the proposed rule.

**Request to Add Additional Service Information**

One commenter advises that Boeing has revised Service Bulletin MD90-24-007 by issuing Revision 01, dated August 31, 2000, and Revision 02, dated July 16, 2001. The commenter notes that Revision 01 and Revision 02 add certain airplanes and delete certain other airplanes from the effectivity of the original service bulletin. Since the procedures described in the original service bulletin did not change in the

revised service bulletins, the commenter requests that credit also be given for the accomplishment of Revision 01 or 02 of the service bulletin.

The FAA agrees that the procedures described in the original service bulletin are the same as those described in Revision 01 and Revision 02 of the original service bulletin. Since Boeing Service Bulletin MD90-24-007, Revision 02, dated July 16, 2001, contains the correct airplane effectivity, we have revised the applicability of this proposed rule to specify Revision 02. We have also added a new "Note 2" that provides credit for those procedures accomplished per the original service bulletin and Revision 01 of the service bulletin.

**Conclusion**

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

**Cost Impact**

There are approximately 26 Model MD-90-30 airplanes of the affected design in the worldwide fleet. The FAA estimates that 13 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$200 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$4,160, or \$320 per airplane.

The cost impact figure discussed above is 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.

**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–130–AD.

**Applicability:** Model MD–90–30 airplanes, certificated in any category; as identified in Boeing Service Bulletin MD90–24–007, Revision 02, dated July 16, 2001.

**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 (b) 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 prevent arcing between circuit breaker terminals and adjacent equipment and structure located on the generator control rack in the electrical/electronics compartment, and consequent electrical shock to maintenance personnel during maintenance operations, accomplish the following:

#### Installation

(a) Within one year after the effective date of this AD, install two arcing protection brackets below and behind the circuit breakers located in the generator control rack in the electrical/electronics compartment per the Accomplishment Instructions of McDonnell Douglas Service Bulletin MD90–24–007, Revision 02, dated July 16, 2001.

**Note 2:** Installation of two arcing protection brackets below and behind the circuit breakers located in the generator control rack in the electrical/electronics compartment per the Accomplishment Instructions of Boeing Service Bulletin MD90–24–007, dated February 7, 1996, or Revision 01, dated August 31, 2000, is considered acceptable for compliance with the requirements of this AD.

#### Alternative Methods of Compliance

(b) 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 3:** 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 Permit

(c) Special flight permits may be issued in accordance with §§ 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 March 14, 2002.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 14 CFR Parts 200 and 212

[Docket OST–2002–11741]

#### Standards for Approving International Charter Flights; Petition of the National Air Carrier Association for Rulemaking

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Petition for rulemaking; request for comments.

**SUMMARY:** The Department is inviting comments on the petition for rulemaking filed by the National Air Carrier Association (NACA) to add, delete and amend certain provisions of 14 CFR Parts 200 and 212 of the Department's Regulations. In its petition, NACA proposes, among other things, changes in the definitions and standards the Department uses in determining whether to grant or deny foreign air carrier requests to conduct certain types of international charter flights. In order that we may have a complete record on which to base our decision on NACA's petition, we solicit the views of all interested persons and entities, including direct air carriers (both U.S. and foreign), indirect air carriers (both U.S. and foreign), trade associations, labor unions, travel agents, shippers, communities, and the general public, on the proposals set forth in that petition. The proposal is in OST Docket 2002–11741 and can be accessed via the internet by searching Docket 11741 at the DOT Docket website (<http://dms.dot.gov>). Hard copies may also be obtained by calling the contact person listed below.

**DATES:** Comments to the Petition for Rulemaking are due May 6, 2002. If comments are filed, reply comments are due June 4, 2002.

**ADDRESSES:** To make sure your comments and related material are not entered more than once in the docket, please submit them (marked with docket number OST–2002–11741) by only one of the following means:

(1) By mail to the Docket Management Facility, U.S. Department of Transportation, Room PL–401, 400 Seventh Street SW., Washington, DC 20590.

(2) By hand delivery to room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(3) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>. Comments must be filed in Docket OST–2002–11741, U.S. Department of Transportation, 400 7th St. SW., Washington, DC 20590. Late filed comments will be considered to the extent possible. Due to security procedures in effect since October 2001 on mail deliveries, mail received through the Postal Service may be subject to delays. Commenters should consider using an express mail firm to ensure the timely filing of any