

materials that could spread END from the quarantined area. This rule also amends the regulations to provide that the prohibitions and restrictions that apply to the interstate movement of birds, poultry, products, and materials that could spread END will also apply to the intrastate movement of those articles in situations where the Secretary of Agriculture has issued a declaration of extraordinary emergency. These actions are necessary on an emergency basis to prevent the spread of END from the quarantined area.

This emergency situation makes timely compliance with section 604 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) impracticable. We are currently assessing the potential economic effects of this action on small entities. Based on that assessment, we will either certify that the rule will not have a significant economic impact on a substantial number of small entities or publish a final regulatory flexibility analysis.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 82

Animal diseases, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 82 is amended as follows:

PART 82—EXOTIC NEWCASTLE DISEASE (END) AND CHLAMYDIOSIS; POULTRY DISEASE CAUSED BY SALMONELLA ENTERITIDIS SEROTYPE ENTERITIDIS

1. The authority citation for part 82 is revised to read as follows:

Authority: 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

2. In § 82.3, paragraph (c) is revised to read as follows:

§ 82.3 Quarantined areas.

* * * * *

(c) The following areas are quarantined because of END:

California

Imperial County. The entire county.

Los Angeles County. The entire county.

Orange County. The entire county.

Riverside County. The entire county.

San Bernardino County. The entire county.

San Diego County. The entire county.

Santa Barbara County. The entire county.

Ventura County. The entire county.

3. In “Subpart A—Exotic Newcastle Disease (END),” a new § 82.16 is added to read as follows:

§ 82.16 Extraordinary emergencies; applicability of regulations.

When, in accordance with sec. 10407 of the Animal Health Protection Act (7 U.S.C. 8306), the Secretary of Agriculture determines that an extraordinary emergency exists because of END, the regulations in this subpart regarding interstate movement shall be applicable to intrastate movement within any State or portion of a State subject to the Secretary's declaration of extraordinary emergency until such time as the Secretary terminates that declaration.

Done in Washington, DC, this 7th day of January, 2003.

Bobby R. Acord,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 03–573 Filed 1–10–03; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–250–AD; Amendment 39–13013; AD 2003–01–02]

RIN 2120–AA64

Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD),

applicable to certain Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) series airplanes, that requires replacement of the existing smoke detectors in the cargo compartment with new, improved smoke detectors. This amendment is prompted by mandatory continuing airworthiness information from a civil airworthiness authority. The actions specified by this AD are intended to prevent false smoke warnings from the smoke detectors in the cargo compartment. A false smoke warning prompts the flightcrew to discharge fire extinguisher bottles, leaving those bottles depleted in the event of an actual fire. Repeated false smoke warnings create uncertainty as to whether an emergency landing and emergency evacuation of passengers and flightcrew is warranted.

DATES: Effective February 18, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 18, 2003.

ADDRESSES: The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Dan Parrillo, Aerospace Engineer, ANE–172, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; telephone (516) 256–7505; fax (516) 568–2716.

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 Bombardier Model CL–600–2B19 series airplanes was published as a second supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on August 16, 2002 (67 FR 53525). That action proposed to require replacement of the existing smoke detectors in the cargo compartment with new, improved smoke detectors. That action also proposed to include spare part information.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Explanation of Change to Applicability

We have revised the applicability of the final rule to identify model designations as published in the most recent type certificate data sheet for the affected models.

Explanation of Editorial Change

We have changed the service bulletin citations throughout this final rule to exclude the CRJ 100/200 Service Bulletin Compliance Facsimile Reply Sheet and Service Bulletin Comment Sheet—Facsimile Reply Sheet. (Those forms are intended to be completed by operators and submitted to the manufacturer to provide input on the quality of the service bulletins and report compliance; however, this AD does not include such requirements.)

Conclusion

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

The FAA estimates that 281 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required replacement of the existing smoke detectors in the cargo compartment with new, improved smoke detectors, and that the average labor rate is \$60 per work hour. The cost of required parts is approximately \$4,136 (\$876 for one smoke detector kit and \$1,630 each for two smoke detectors). Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$1,195,936, or \$4,256 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 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 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, Incorporation by reference, 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:

2003-01-02 Bombardier, Inc. (Formerly Canadair): Amendment 39-13013. Docket 2001-NM-250-AD.

Applicability: Model CL-600-2B19 (Regional Jet Series 100 & 440) series airplanes, serial numbers 7003 through 7480 inclusive; certificated in any category.

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 prevent false smoke warnings from the smoke detectors in the cargo compartment, which prompt the flightcrew to discharge fire extinguisher bottles, leaving those bottles depleted in the event of an actual fire, or which create uncertainty as to whether an emergency landing and emergency evacuation of passengers and flightcrew is warranted, accomplish the following:

Replacement

(a) Within 18 months after the effective date of this AD: Replace the existing smoke detectors having part number (P/N) 473052, which are located in the cargo compartment, with new, improved smoke detectors having P/N 473597-19, in accordance with Bombardier Service Bulletin 601R-26-016, Revision B, dated August 10, 2001, excluding CRJ 100/200 Service Bulletin Compliance Facsimile Reply Sheet and Service Bulletin Comment Sheet—Facsimile Reply Sheet; or Revision C, dated August 17, 2001, excluding CRJ 100/200 Service Bulletin Compliance Facsimile Reply Sheet and Service Bulletin Comment Sheet—Facsimile Reply Sheet.

Spares

(b) As of the effective date of this AD, no person shall install Walter Kidde Aerospace smoke detectors having P/N 473052 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.

Incorporation by Reference

(e) The replacement shall be done in accordance with Bombardier Service Bulletin 601R-26-016, Revision B, dated August 10, 2001, excluding CRJ 100/200 Service Bulletin Compliance Facsimile Reply Sheet and

Service Bulletin Comment Sheet—Facsimile Reply Sheet; or Bombardier Service Bulletin 601R-26-016, Revision C, dated August 17, 2001, excluding CRJ 100/200 Service Bulletin Compliance Facsimile Reply Sheet and Service Bulletin Comment Sheet—Facsimile Reply Sheet. 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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centreville, Montreal, Quebec H3C 3G9, Canada. Copies may be inspected 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.

Note 3: The subject of this AD is addressed in Canadian airworthiness directive CF-2001-21, dated May 23, 2001.

Effective Date

(f) This amendment becomes effective on February 18, 2003.

Issued in Renton, Washington, on December 31, 2002.

Kevin Mullin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 03-332 Filed 1-10-03; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002-NE-44-AD; Amendment 39-13016; AD 2003-01-05]

RIN 2120-AA64

Airworthiness Directives; General Electric Co. CF6-80A Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to General Electric Co. (GE) CF6-80A series turbofan engines. This action requires the following initial and repetitive inspections of certain part number (P/N) stage 1 high pressure turbine (HPT) rotor disks for cracks:

- Etch preparations and fluorescent penetrant inspections.
- Visual inspections.
- Eddy current inspections.

This amendment is prompted by a Boeing 767 airplane recently

experiencing a stage 1 HPT rotor disk separation resulting in uncontained engine failure. The actions specified in this AD are intended to detect cracks in the bottoms of the dovetail slots that could propagate to failure of the disk and cause an uncontained engine failure.

DATES: Effective January 28, 2003. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of January 28, 2003.

Comments for inclusion in the Rules Docket must be received on or before March 14, 2003.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002-NE-44-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may be inspected at this location, by appointment, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Comments may also be sent via the Internet using the following address: "9-ane-adcomment@faa.gov". Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from General Electric Company via Lockheed Martin Technology Services, 10525 Chester Road, Suite C, Cincinnati, Ohio 45215, telephone (513) 672-8400, fax (513) 672-8422. This information may be examined, by appointment, at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Anthony W. Cerra Jr., Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone: (781) 238-7128, fax: (781) 238-7199.

SUPPLEMENTARY INFORMATION: On December 8, 2002, a Boeing 767-200 equipped with GE CF6-80A series engines experienced an uncontained failure of a stage 1 HPT rotor disk during climb. The results of the investigation indicate that the stage 1 HPT rotor disk failure was the result of a crack that initiated in an aft corner edge of the bottom of a dovetail slot. The crack propagated in fatigue to critical crack size, and subsequently resulted in disk rupture and separation.

In September 2000, a U.S. operator experienced a similar uncontained failure of the stage 1 HPT rotor disk during a ground maintenance run of a CF6-80C2 engine. The investigation of that failure had indicated that a crack initiated in the dovetail slot bottom aft edge. The root cause of the crack initiation remains unknown. However, cracks, burrs, or damage sustained in the dovetail slot bottom corner radii from improper handling and processing during new part manufacture and/or during maintenance were suspect for the September 2000 event. AD 2001-10-07, which became effective on June 28, 2001, was issued to mandate inspections of the CF6-80C2 stage 1 HPT rotor disk dovetail slot bottoms.

Since 1995, shop level inspections have found eleven stage 1 HPT rotor disks from CF6-80A series engines and CF6-80C2 series engines with crack-like indications in the dovetail slot bottoms. These indications resulted from material inclusions, toolmarks, broach burrs, and unknown causes. Of these eleven disks, three have been CF6-80A series engine stage 1 HPT rotor disks, with cracks in the dovetail slot bottom aft corner radius. Of the three that have been -80A series engine disks, two indications were associated with non-propagating broaching burrs occurring during manufacture, while no root cause was identified for the third. Only the third disk had crack propagation.

The failure of the disk involved in the recent CF6-80A series engine event was also caused by a crack that initiated in the dovetail slot bottom aft edge. This event is still under investigation. Therefore, this final rule; request for comments is an interim action until a root cause is established for the crack initiation and/or additional corrective actions are identified. The actions specified by this AD are intended to detect cracks in the bottoms of the dovetail slots that could propagate to failure of the disk and cause an uncontained engine failure. This condition, if not corrected, could result in stage 1 HPT rotor disk separation resulting in uncontained engine failure.

Manufacturer's Service Information

The FAA has reviewed and approved the technical contents of GE Service Bulletin (SB) CF6-80A S/B 72-0779, dated March 20, 2002 that describes procedures for etch preparation, fluorescent penetrant, visual, and eddy current inspections of the following stage 1 HPT rotor disks P/N's used on CF6-80A, -80A1, -80A2, and -80A3 series turbofan engines: