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:

2002–16–23 Boeing: Amendment 39–12862. Docket 2002–NM–159–AD.

Applicability: Model 737–600, –700, –700C, –800, and –900 series airplanes; certificated in any category; line numbers 948 through 1108 inclusive.

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 (e) 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 reduced rudder pedal feel and centering force, which, combined with failure of the outer spring of the spring assembly, could result in pilot-induced oscillation and consequent loss of control of the airplane, accomplish the following:

Test or Inspection

(a) Within 10 days after the effective date of this AD, do the actions specified in either paragraph (a)(1) or (a)(2) of this AD, in accordance with Part A of paragraph 3.B. of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–27A1259, dated May 30, 2002. Repeat either action at least every 20 days until the terminating action required by paragraph (b) of this AD has been done.

(1) Test the force of the rudder pedal. If the pedal force is outside the limits specified in the alert service bulletin: Before further flight, do the terminating action specified by paragraph (b) of this AD.

(2) Perform a detailed inspection of the rudder feel and centering unit to determine the condition of the inner spring. If the inner spring is loose or broken: Before further flight, do the terminating action specified by paragraph (b) of this AD.

Note 2: For the purposes of this AD, a detailed inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Terminating Action

(b) Except as required by paragraphs (a)(1) and (a)(2) of this AD: Within 90 days after the effective date of this AD, replace the spring assembly on the rudder feel and centering unit with a new spring assembly, and ensure that the letter ''R'' is marked after the serial number; in accordance with Part B of paragraph 3.B. of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–27A1259, dated May 30, 2002.

Reporting Requirement

(c) At the applicable time specified in paragraph (c)(1) or (c)(2) of this AD: Submit the replaced spring assembly P/N 69–57900–5, if applicable, along with a report that includes identifying information to Richard Ranhofer, The Boeing Company, Spares Distribution Center, Repair and Overhaul Area SSA111, Building 2201, Door W10, 2201 South 142nd Street, SeaTac, Washington 98168; reference SB 737–27A1259. The report must include the airplane identification (line number, serial number, omni number, or registry number), and the serial number of the rudder feel and centering unit. This may be accomplished by submitting a completed Appendix B of Boeing Alert Service Bulletin 737–27A1259, dated May 30, 2002. Information collection requirements contained in this AD 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.

(1) For airplanes on which the inspection is accomplished after the effective date of this AD: Send the spring assembly and the report within 30 days after replacing the spring assembly, as required by paragraph (a) or (b), as applicable, of this AD.

(2) For airplanes on which the spring assembly has been replaced prior to the effective date of this AD: Send the spring assembly and the report within 30 days after the effective date of this AD.

Spare Parts

(d) As of the effective date of this AD, no person may install on any airplane a rudder feel and centering unit with a spring assembly that has a part number 69–57900–5 and a serial number in the range 2900 through 3101 inclusive—unless the feel and centering unit's serial number includes the suffix ''R'' to indicate that the spring assembly has been replaced.

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, Seattle 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 3: 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: Prohibited

(f) Special flight permits, in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are prohibited for the operation of the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(g) The actions must be done in accordance with Boeing Alert Service Bulletin 737–27A1259, dated May 30, 2002. 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 Airplane Group, PO Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Effective Date

(h) This amendment becomes effective on September 3, 2002.

Issued in Renton, Washington, on August 7, 2002.

Vi Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–20513 Filed 8–15–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–313–AD; Amendment 39–12852; AD 2002–16–13]

RIN 2120–AA64

Airworthiness Directives; Dornier Model 328–100 and 328–300 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328–100 and 328–300 series airplanes, that requires replacement of the bolts with new bolts with wirelocking on the Support One of the rudder spring tab. This action is necessary to ensure replacement of improper bolts installed on the rudder spring tab that could back out over time, which could result in reduced structural integrity of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective September 20, 2002.

The incorporation by reference of certain publications listed in the

regulations is approved by the Director of the Federal Register as of September 20, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Fairchild Dornier, Dornier Luftfahrt GmbH, PO Box 1103, D–82230 Wessling, Germany. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tom Groves, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1503; fax (425) 227–1149.

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 Dornier Model 328–100 and 328–300 series airplanes was published in the **Federal Register** on April 5, 2002 (67 FR 16331). That action proposed to require replacement of the bolts with new bolts with wirelocking on the Support One of the rudder spring tab.

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.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 53 Model 328–100 series airplanes and 20 Model 328–300 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $4,380, or $60 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:

2002–16–13 Dornier Luftfahrt GMBH: Amendment 39–12852. Docket 2001–NM–313–AD.

Applicability: Model 328–100 series airplanes having serial numbers 3005 through 3119 inclusive, and Model 328–300 series airplanes having serial numbers 3105 through 3167 inclusive, excluding serial number 3164; 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 (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 ensure replacement of improper bolts installed on the rudder spring tab that could back out over time, which could result in reduced structural integrity of the airplane, accomplish the following:

Bolt Replacement

(a) Within 90 days after the effective date of this AD, replace the bolts with new bolts with wirelocking on the Support One of the rudder spring tab (including torquing the bolts to the proper setting), per the Accomplishment Instructions of Dornier Service Bulletin SB–328–55–351 (for Model 328–100 series airplanes); or SB–328J–55–058, Revision 1 (for Model 328–300 series airplanes); both dated April 10, 2001; as applicable.

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, International Branch, ANM–116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(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.

Incorporation by Reference

(d) The replacement shall be done in accordance with Dornier Service Bulletin SB–328–55–351, dated April 10, 2001; or Dornier Service Bulletin SB–328J–55–058, Revision 1, dated April 10, 2001; as applicable. 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 Fairchild Dornier, Dornier Luftfahrt GmbH, PO Box 1103, D–82230 Wessling, Germany. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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 German airworthiness directives 2001–260 and 2001–261, both dated September 6, 2001.

Effective Date

(e) This amendment becomes effective on September 20, 2002.

Issued in Renton, Washington, on August 7, 2002.

Vi Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–20511 Filed 8–15–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–333–AD; Amendment 39–12850; AD 2002–16–11]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 777 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 777 series airplanes, that requires inspection of certain aft axle pivot pins of the main landing gear (MLG) for heat damage and either reworking of damaged pins or replacement of damaged pins with new or serviceable pins. This action is necessary to prevent breakage of the aft axle pivot pin of the MLG, which could overload the center axle, causing the tires to blow out upon landing, and could disengage the aft axle so that it jams the gear in the wheel well, preventing proper extension of the MLG. This action is intended to address the identified unsafe condition.

DATES: Effective September 20, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 20, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, PO Box 3707, Seattle, Washington 98124–2207. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: *Technical Information:* Suzanne Masterson, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2772; fax (425) 227–1181.

Other Information: Judy Golder, Airworthiness Directive Technical Editor/Writer; telephone (425) 687–4241, fax (425) 227–1232. Questions or comments may also be sent via the Internet using the following address: *judy.golder@faa.gov.* Questions or comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

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 Boeing Model 777 series airplanes was published in the **Federal Register** on January 4, 2002 (67 FR 541). That action proposed to require inspection of certain aft axle pivot pins of the main landing gear (MLG) for heat damage and either reworking of damaged pins or replacement of damaged pins with new pins.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Clarify Inspection Method

One commenter requests that the FAA revise paragraph (a)(2) of the proposed AD because the description of one of the appropriate inspection methods as a ''magnetic particle inspection'' is incomplete. The commenter states that the term should be changed to ''metallurgical inspection.''

We partially concur with the commenter's request. We acknowledge that the magnetic particle inspection is only one part of the inspection procedures described in Figure 2 of Boeing Special Attention Service Bulletin 777–32–0029, dated May 18, 2000. However, we find that the term ''metallurgical inspection'' is also not fully descriptive or inclusive of all of the steps in the inspection process. For clarification of the acceptable inspection methods, we have revised the wording of paragraph (a)(2) of this final rule to state that the required inspection ''must be done either by the Barkhausen Noise Inspection method for chromium-plated parts, or by following all of the procedures in Figure 2 of the service bulletin (including nital etching and a magnetic particle inspection), in accordance with the service bulletin.''

Allow Installation of Serviceable Pins

One commenter requests that we revise paragraph (a)(2)(ii) of the proposed AD to allow installation of a serviceable aft axle pivot pin. The commenter states that this paragraph is confusing because it may be interpreted to allow installation only of the same aft axle pivot pin removed from the MLG or a new pin. The commenter would like to be allowed to remove the existing pin, and install either a new pin or a pin that has been inspected in accordance with the proposed AD.

We concur that both paragraphs (a)(2)(i) and (a)(2)(ii) of this AD need to be clarified as the commenter describes. It is not our intention to prohibit installation of a serviceable pin that has been inspected. Therefore, we have revised paragraphs (a)(2)(i) and (a)(2)(ii) of this final rule to allow installation of a new or serviceable aft axle pivot pin in the MLG. We have also revised the Summary section of this AD accordingly.

Extend Compliance Time for Follow-on Inspection of Pivot Pin

One commenter requests that we extend the compliance time for the follow-on inspection for heat damage of any aft axle pivot pin with an EGL prefix, which would be required by paragraph (a)(1)(ii) of the proposed AD. The commenter states that operators should be allowed to remove and inspect the pins at the next maintenance opportunity, rather than ''prior to further flight,'' as long as the action is done within the 18-month compliance time.

We concur that we need to clarify the compliance time for the follow-on removal and inspection of the aft axle pivot pin described in paragraph (a)(1)(ii) of this AD. Inspecting an affected aft axle pivot pin for heat damage within 18 months after the effective date of this AD is acceptable for compliance with this AD. We have revised paragraph (a)(1)(ii) of this AD to clarify our intent.