

for pet birds imported into the United States under the provisions of § 93.101(c)(1) or § 93.101(c)(2) and for performing or theatrical birds imported under the provisions of § 93.101(f). Section 93.203(d) contains a list of limited ports of entry that are designated as having inspection facilities for the entry of poultry and poultry products such as poultry test specimens, or hatching eggs and day-old chicks which do not appear to require restraint and holding inspection facilities.

This rule will amend § 93.102(d) and § 92.203(d) in accordance with the procedures explained below under "Dates." The amendments will remove Boston, MA, from both lists of limited ports of entry. Very few pet birds, performing birds, theatrical birds, poultry, or poultry products are currently imported through the port of Boston, MA. Importers are opting to use other limited ports of entry to bring these commodities into the United States, so we do not believe that removing Boston, MA, as a limited port for the entry of pet birds, performing or theatrical birds, and poultry and poultry products will have any negative effects on U.S. importers of these animals and products.

#### Dates

We are publishing this rule without a prior proposal because we view this action as noncontroversial and anticipate no adverse public comment. This rule will be effective, as published in this document, on April 15, 2002, unless we receive written adverse comments or written notice of intent to submit adverse comments that are postmarked, delivered, or e-mailed by March 14, 2002.

Adverse comments are comments that suggest the rule should not be adopted or that suggest the rule should be changed.

If we receive written adverse comments or written notice of intent to submit adverse comments, we will publish a document in the **Federal Register** withdrawing this rule before the effective date. We will then publish a proposed rule for public comment.

As discussed above, if we receive no written adverse comments or written notice of intent to submit adverse comments that are postmarked, delivered, or e-mailed within 30 days of publication of this direct final rule, this direct final rule will become effective 60 days following its publication. We will publish a document in the **Federal Register**, before the effective date of this direct final rule, confirming that it is

effective on the date indicated in this document.

#### Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This rule will remove Boston, MA, as a limited port of entry for the importation into the United States of pet birds, performing or theatrical birds, and poultry and poultry products. Very few of these animals or products are imported through the port of Boston, MA, as importers most often use other limited ports of entry to bring these animals and products into the United States. Therefore, we expect that this action will have no economic impact on any entities, large or small.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

#### 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 inconsistent 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 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 93

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

Accordingly, 9 CFR part 93 is amended as follows:

#### PART 93—IMPORTATION OF CERTAIN ANIMALS, BIRDS, AND POULTRY, AND CERTAIN ANIMAL, BIRD, AND POULTRY PRODUCTS; REQUIREMENTS FOR MEANS OF CONVEYANCE AND SHIPPING CONTAINERS

1. The authority citation for part 93 continues to read as follows:

**Authority:** 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

#### § 93.102 [Amended]

2. In § 93.102, paragraph (d) is amended by removing the words "Boston, MA;".

#### § 93.203 [Amended]

3. In § 93.203, paragraph (d) is amended by removing the words "Boston, Massachusetts;".

Done in Washington, DC, this 6th day of February 2002.

**W. Ron DeHaven,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 02–3343 Filed 2–11–02; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001–NM–153–AD; Amendment 39–12635; AD 2002–02–07]

RIN 2120–AA64

#### Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A330 and A340 series airplanes, that requires repetitive inspections and operational checks of the spring function of the emergency exit door slider mechanism, and corrective action if necessary. This action is necessary to prevent failure of the spring locking function of the slider mechanism due to corrosion, which could result in the escape slide detaching from the airplane in an emergency evacuation. This action is intended to address the identified unsafe condition.

**DATES:** Effective March 19, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 19, 2002.

**ADDRESSES:** The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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:** Tim Backman, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2797; 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 all Airbus Model A330 and A340 series airplanes was published in the **Federal Register** on October 12, 2001 (66 FR 52068). That action proposed to require repetitive inspections and operational checks of the spring function of the emergency exit door slider mechanism, and corrective action if necessary.

### 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 Final Rule

The FAA's intention is for the following actions in paragraphs (a)(1) and (a)(2) of this AD (application of corrosion inhibitor to the sliders, and repair or replacement of the slider, if necessary) to be accomplished before further flight after accomplishment of the detailed visual inspection and operational check in paragraph (a) of this AD. However, the words "before further flight" were inadvertently omitted from paragraphs (a)(1) and (a)(2) of the proposal. The FAA finds that our intent in those paragraphs is clear based on the fact that the All Operators Telexes referred to in this AD clearly include the application of corrosion inhibitor as part of the inspection procedures, and also explicitly indicate that repair or replacement of the slider, if necessary, must be accomplished before further flight. However, for further clarification, the FAA has revised paragraphs (a)(1) and (a)(2) of this AD to state that the actions in those paragraphs are required "before further flight."

### Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

### Cost Impact

The FAA estimates that 9 Model A330 series airplanes of U.S. registry will be affected by this AD. No Model A340 series airplanes affected by this action are currently on the U.S. Register.

It will take approximately 3 work hours per airplane to accomplish the required inspection, at the average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$1,620, or \$180 per airplane, per inspection cycle.

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:

**2002-02-07 Airbus Industrie:** Amendment 39-12635. Docket 2001-NM-153-AD.

*Applicability:* All Model A330 and A340 series airplanes, 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 prevent failure of the spring locking function of the slider due to corrosion, which could result in the escape slide detaching from the airplane in an emergency evacuation, accomplish the following:

#### Inspection

(a) Within 18 months since date of manufacture, or within 550 flight hours after the effective date of this AD, whichever occurs later: Perform a detailed visual inspection and an operational check of the spring function of the emergency exit door slider mechanism, in accordance with Airbus All Operators Telex (AOT) A330-52A3063 (for Model A330 series airplanes) or A340-52A4075 (for Model A340 series airplanes), as applicable, both Revision 01, both dated January 3, 2001.

**Note 2:** For the purposes of this AD, a detailed visual 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."

(1) If all sliders lock properly: Before further flight, apply corrosion inhibitor to the sliders, in accordance with the applicable

AOT. Thereafter, repeat the inspection and operational check at least every 18 months.

(2) If any slider does not lock properly: Before further flight, repair the slider or replace it with a new part, and apply corrosion inhibitor to the sliders; in accordance with the applicable AOT. Thereafter, repeat the inspection and operational check at least every 18 months.

#### 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 3:** 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 actions shall be done in accordance with Airbus All Operators Telex A330-52A3063, Revision 01, dated January 3, 2001; or Airbus All Operators Telex A340-52A4075, Revision 01, dated January 3, 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 4:** The subject of this AD is addressed in French airworthiness directives 2001-053(B) and 2001-052(B), both dated February 7, 2001.

#### Effective Date

(e) This amendment becomes effective on March 19, 2002.

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

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 02-2929 Filed 2-11-02; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-332-AD; Amendment 39-12636; AD 2002-02-08]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 737-200, -200C, -300, and -500 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-200, -200C, -300, and -500 series airplanes, that requires replacement of the bolt and self-locking nut on the primary support pin of the main landing gear (MLG) support beam with a new bolt, castellated nut, washer, and cotter pin. This action is necessary to prevent the loosening and loss of the support pin retaining bolt on the MLG, which could result in the loosening and movement of the support pin and consequent cracked support fittings and collapse of the MLG. This action is intended to address the identified unsafe condition.

**DATES:** Effective March 19, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 19, 2002.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. 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:

James Blilie, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2131; fax (425) 227-1181.

**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 737-200, -200C, -300, and -500 series airplanes was published in the **Federal Register** on July 25, 2001 (66 FR

38587). That action proposed to require replacement of the bolt and self-locking nut on the primary support pin of the main landing gear (MLG) support beam with a new bolt, castellated nut, washer, and cotter pin.

#### 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.

#### Refer to New Service Information

One commenter, the airplane manufacturer, requests that the FAA revise the proposed AD to refer to Boeing Service Bulletin 737-57A1260, Revision 2, dated October 18, 2001, as the acceptable source of service information for the proposed actions. (The proposed AD refers to the original issue of the service bulletin, dated June 15, 2000, and Revision 1 of the service bulletin, dated October 12, 2000, as appropriate sources of service information for the proposed actions.)

The FAA concurs. Since the issuance of the proposed AD, we have reviewed and approved Revision 2 of the service bulletin. This revision provides significant detailed information on which airplanes need the work described in the service bulletin and which do not. For example, the actions in Boeing Service Bulletin 737-57A1260, Revision 2, do not apply to airplanes in Groups 3 and 4, as listed in the service bulletin, if the airplane has been modified per Boeing Service Bulletin 737-57-1172, dated October 15, 1987; OR Boeing Service Bulletin 737-57-1216, dated December 17, 1992, Revision 1, dated September 23, 1993, or Revision 2, dated May 6, 1999 (but not both of those service bulletins). Revision 2 of the service bulletin also provides instructions for certain airplanes in alternative configurations. Because these changes are relieving in nature, we find that it is appropriate to revise paragraph (a), as well as the applicability statement, of this final rule to refer to Revision 2 of the service bulletin. We have also added a new Note 2 to this AD (and reordered a subsequent note accordingly) to state that accomplishment of the actions before the effective date of this AD per the original issue or Revision 1 of Boeing Service Bulletin 737-57A1260 is acceptable for compliance with paragraph (a) of this AD.

Another commenter reports that, when it tried to do Boeing Service Bulletin 737-57A1260 on an affected airplane, it found that the bolt sizes identified in that service bulletin did