

### Inspection and Records Check

(a) Within 90 days after the effective date of this AD, do the actions specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Do a general visual inspection of the fuel pipes within the fuel "float switch" test pipelines in the left and right inner wings for evidence of damage, cracks, misalignment, or fuel leakage; per BAE Systems (Operations) Limited Service Bulletin ATP-28-019, dated March 16, 2001.

**Note 2:** 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."

(2) Perform a check of the airplane records to determine the actual time on the fuel pipes within the "float switch" test pipelines, per BAE Systems (Operations) Limited Service Bulletin ATP-28-020, dated January 25, 2002. This records check may be performed either by the cockpit flight crew or by certificated maintenance personnel.

### Repetitive Replacement

(b) If no damage, crack, misalignment, or fuel leakage is found during the inspection required by paragraph (a)(1) of this AD, prior to further flight, reinstall the fuel pipes within the "float switch" test pipelines per BAE Systems (Operations) Limited Service Bulletin ATP-28-020, dated January 25, 2002. Thereafter, replace those pipes with new pipes at the applicable times specified in paragraph (b)(1) or (b)(2) of this AD per the service bulletin.

(1) For fuel pipes that, as of the effective date of this AD, have accumulated less than 10,000 total flight hours or 12,000 total landings since the date of installation on the airplane: Do the replacement prior to the accumulation of 10,000 total flight hours or 12,000 total landings on the pipes since the date of installation, or within 10 months after the effective date of this AD, whichever occurs latest. Thereafter, replace the fuel pipes with new pipes at intervals not to exceed 10,000 total flight hours or 12,000 total landings on the pipes, whichever occurs first. Replacement of the fuel pipes with serviceable pipes instead of new pipes is acceptable for compliance with the requirements of this paragraph, provided that: The total number of flight hours or total number of landings on those pipes can be verified, they have not accumulated 10,000 or more total flight hours or 12,000 or more total landings at the time of installation, and they are replaced prior to the accumulation of 10,000 total flight hours or 12,000 total landings (on the pipes).

(2) For fuel pipes that, as of the effective date of this AD, have accumulated 10,000 or more total flight hours or 12,000 or more total

landings since the date of installation on the airplane: Do the replacement within 10 months after the effective date of this AD. Thereafter, replace the fuel pipes at intervals not to exceed 10,000 total flight hours or 12,000 total landings on the pipes, whichever occurs first. Replacement of the fuel pipes with serviceable pipes instead of new pipes is acceptable for compliance with the requirements of this paragraph, provided that: The total number of flight hours or total number of landings on those pipes can be verified, they have not accumulated 10,000 or more total flight hours or 12,000 or more total landings at the time of installation, and they are replaced prior to the accumulation of 10,000 total flight hours or 12,000 total landings (on the pipes).

(c) If any damage, crack, misalignment, or fuel leakage is found during the inspection required by paragraph (a)(1) of this AD, prior to further flight, replace the fuel pipes with new pipes, per BAE Systems (Operations) Limited Service Bulletin ATP-28-020, dated January 25, 2002. Before or upon the accumulation of 10,000 total flight hours or 12,000 total landings on the pipes, whichever occurs first, after the replacement required by this paragraph, replace the fuel pipes with new pipes. Thereafter, replace the fuel pipes at intervals not to exceed the accumulation of 10,000 total flight hours or 12,000 total landings on the pipes, whichever occurs first. Replacement of the fuel pipes with serviceable pipes instead of new pipes is acceptable for compliance with the requirements of this paragraph, provided that: The total number of flight hours or total number of landings on those pipes can be verified, they have not accumulated 10,000 or more total flight hours or 12,000 or more total landings at the time of installation, and they are replaced prior to the accumulation of 10,000 total flight hours or 12,000 total landings (on the pipes).

### Alternative Methods of Compliance

(d) 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

(e) 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.

**Note 4:** The subject of this AD is addressed in British airworthiness directives 003-03-2001 and 008-01-2002.

Issued in Renton, Washington, on February 20, 2003.

**Ali Bahrami,**

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

[FR Doc. 03-4588 Filed 2-26-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-125-AD]

RIN 2120-AA64

### Airworthiness Directives; McDonnell Douglas Model MD-90-30 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 all McDonnell Douglas Model MD-90-30 airplanes. This proposal would require replacing the lanyards on the pressure relief door for the thrust reverser with new, improved lanyards, and doing associated modifications. This action is necessary to ensure that the lanyards on the pressure relief door have adequate strength. Lanyards of inadequate strength could allow the pressure relief door to detach from the thrust reverser in the event that an engine bleed air duct bursts, which could result in the detached door striking and damaging the horizontal stabilizer, and consequent reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by April 14, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2001-NM-125-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](mailto:9-anm-nprmcomment@faa.gov). Comments sent via fax or the Internet must contain "Docket No. 2001-NM-125-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); and BF Goodrich, 850 Lagoon Drive, Chula Vista, California 91910-2098. 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:** William S. Bond, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5253; 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-125-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-125-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The FAA has received a report indicating that, on all McDonnell Douglas Model MD-90-30 airplanes, the lanyards on the pressure relief door for the thrust reversers do not meet the certification requirements for strength. Lanyards of inadequate strength could allow the pressure relief door to detach from the thrust reverser in the event that an engine bleed air duct bursts, which could result in the detached door striking and damaging the horizontal stabilizer.

**Explanation of Relevant Service Information**

The FAA has reviewed and approved Boeing Service Bulletin MD90-78-048, including Evaluation Form, dated February 15, 2001, which describes procedures for replacing the lanyards on the pressure relief door for the thrust reverser with new, improved lanyards, and doing associated modifications.

Boeing Service Bulletin MD90-78-048 refers to International Aero Engines Service Bulletin V2500-NAC-78-0184, dated February 16, 2001, as the appropriate source of service information for replacing the door lanyards and doing the associated modifications. The procedures in that service bulletin include removing the pressure relief door, replacing the door lanyard assemblies with new, improved assemblies, modifying the pressure relief door (including replacing existing brackets with new brackets and reidentifying the door with a new part number), modifying the lower track beam (including removing terminals, replacing the aft quick-release pin with a new pin, and reidentifying the beam with a new part number), modifying the heat shield on the lanyard assembly attach lugs, and re-installing the pressure relief door.

Accomplishment of the actions specified in the service bulletins 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 bulletins described previously, except as discussed below.

**Clarification of Applicability**

Boeing Service Bulletin MD90-78-048 specifies an effectivity of Model MD-90-30 airplanes "equipped with V2500-D5 thrust reversers prior to serial number 0701001." All Model MD-90-30 airplanes are equipped with the subject thrust reversers; thus, all Model MD-90-30 airplanes are subject to this proposed AD.

**Differences Between Proposed AD and Service Information**

The service bulletins recommend replacing the door lanyards and doing associated modifications at the next scheduled maintenance visit when manpower, materials, and facilities are available. The FAA has determined that such a non-specific compliance time would not ensure that the identified unsafe condition is addressed in a timely manner. In developing an appropriate compliance time for this AD, the FAA considered not only the manufacturer's recommendation, but also the degree of urgency associated with addressing the subject unsafe condition, and the time necessary to perform the proposed actions. In light of all of these factors, the FAA finds that a compliance time of 18 months after the effective date of the AD for completing the proposed actions is warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety.

**Cost Impact**

There are approximately 110 airplanes of the affected design in the worldwide fleet. The FAA estimates that 21 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 8 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would be provided at no cost to the operator. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$10,080, or \$480 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–125–AD.

**Applicability:** All Model MD–90–30 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 (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 ensure that the lanyards on the pressure relief door for the thrust reverser have adequate strength so that the door will not detach from the thrust reverser in the event that an engine bleed air duct bursts, which could result in the door striking and damaging the horizontal stabilizer, accomplish the following:

#### Replacement of Lanyards on the Thrust Reverser Pressure Relief Door

(a) Within 18 months after the effective date of the AD, replace the lanyards on the pressure relief door for the thrust reverser with new, improved lanyards, and accomplish associated modifications, per the Accomplishment Instructions of Boeing Service Bulletin MD90–78–048, excluding Evaluation Form, dated February 15, 2001. The associated modifications include removing the pressure relief door, modifying the pressure relief door (including replacing existing brackets with new brackets and reidentifying the door with a new part number), modifying the lower track beam (including removing terminals, replacing the aft quick-release pin with a new pin, and reidentifying the beam with a new part number), modifying the heat shield on the lanyard assembly attach lugs, and re-installing the pressure relief door.

**Note 2:** Boeing Service Bulletin MD90–78–048, excluding Evaluation Form, dated February 15, 2001, refers to International Aero Engines Service Bulletin V2500–NAC–78–0184, dated February 16, 2001, for instructions on replacing the lanyards on the pressure relief door for the thrust reverser.

#### Spares

(b) After the effective date of this AD, no person may install a lanyard having part number (01–250) or (01–255) on the pressure relief door for the thrust reverser 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, 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 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 February 20, 2003.

**Ali Bahrami,**

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

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket No. S–030]

RIN 1218–AC01

#### Safety Standards for Cranes and Derricks

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Notice of proposed Negotiated Rulemaking Committee membership; request for comments.

**SUMMARY:** The Occupational Safety and Health Administration is planning to establish a Crane and Derrick Negotiated Rulemaking Advisory Committee (C–DAC) under the Negotiated Rulemaking Act (NRA) and the Federal Advisory Committee Act (FACA). The Committee will negotiate issues associated with the development of a proposed revision of the existing construction safety standards for the cranes and derricks portion. The Committee will include representatives of parties who would be significantly affected by the final rule. The public may submit comments on the proposed list of members.

**DATES:** Comments submitted by mail must be postmarked not later than March 31, 2003. Emailed or faxed comments must be received by March 31, 2003.

**ADDRESSES:** Written comments may be submitted in any of three ways: by mail, by fax, or by email. Please include "Docket No. S–030" on all submissions.

By mail, the address is: OSHA Docket Office, Docket No. S–030, U.S.