

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2002-NE-23-AD; Amendment 39-13143; AD 2003-09-14]

RIN 2120-AA64

**Airworthiness Directives; General Electric CF34-8C1 Turbofan Engines**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), that is applicable to General Electric (GE) CF34-8C1 turbofan engines. This amendment requires replacing combustion chamber assemblies, part number (P/N) 4126T87G04, before accumulating a new reduced cyclic life limit. This amendment is prompted by stress and life analysis conducted by GE. The actions specified by this AD are intended to prevent rupture of the combustion chamber assembly and possible engine fire.

**DATES:** Effective June 12, 2003.

**ADDRESSES:** Information regarding this action may be examined, by appointment, at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:**

Eugene Triozzi, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7148; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that is applicable to GE CF34-8C1 turbofan engines was published in the **Federal Register** on February 7, 2003, (68 FR 6379). That action proposed to require replacing combustion chamber assemblies, P/N 4126T87G04, before accumulating a new reduced cyclic life limit.

**Comments**

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

One commenter requests that the combustion chamber assembly life be reduced to 25,800 cycles-since-new (CSN) from the proposed 28,000 CSN. The commenter states that this limit is

specified in the GE CF34-8C1 Engine Maintenance Manual life limits section.

The FAA does not agree. The 28,000 life limit is the correct life limit approved by the FAA for combustion chamber assembly, P/N 4126T87G04. The GE manual incorrectly lists the lower life limit. That limit was submitted by GE for FAA approval in December, 2001. Subsequently, GE submitted a request to amend the cycle life limit to 28,000 CSN and the FAA approved it in March, 2002.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

**Economic Analysis**

There are approximately 115 GE CF34-8C1 turbofan engines of the affected design in the worldwide fleet. The FAA estimates that 75 engines are installed on airplanes of U.S. registry. The FAA also estimates that it would take approximately 24 work hours per engine to perform the actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$75,000 per engine. Based on these figures and the cost of lost life of 9,800 cycles-since-new per engine, the total cost of the AD to U.S. operators is estimated to be \$1,600,000.

**Regulatory Analysis**

This final rule does not have federalism implications, as defined in Executive Order 13132, because it 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this final rule.

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 the 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 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.

**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 a new airworthiness directive to read as follows:

**2003-09-14 General Electric:** Amendment 39-13143. Docket No. 2002-NE-23-AD.

**Applicability:** This airworthiness directive (AD) is applicable to General Electric (GE) CF34-8C1 turbofan engines with combustion chamber assembly, part number (P/N) 4126T87G04, installed. These engines are installed on, but not limited to Bombardier Inc. Model CL-600-2C10 (CRJ-700 & 701) airplanes.

**Note 1:** This AD applies to each engine 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 engines 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:** Compliance with this AD is required as indicated, unless already done.

To prevent rupture of the combustion chamber assembly and possible engine fire, do the following:

(a) Replace combustion chamber assembly, P/N 4126T87G04, at or before the combustion chamber assembly accumulates 28,000 cycles-since-new (CSN).

(b) After the effective date of this AD, do not install any combustion chamber assembly, P/N 4126T87G04, that exceeds 28,000 CSN.

**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, Engine Certification Office (ECO). Operators must submit their request through an appropriate

FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, ECO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ECO.

#### Effective Date

(d) This amendment becomes effective on June 12, 2003.

Issued in Burlington, Massachusetts, on May 1, 2003.

**Francis A. Favara,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 03-11266 Filed 5-7-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 902

#### 50 CFR Part 679

[Docket No. 020718172-3062-03; I. D. 051402C]

RIN 0648-AQ08

### Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures Correction

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Correcting amendments.

**SUMMARY:** This final rule corrects the regulatory text of the final rule published January 2, 2003, implementing Steller sea lion protection measures for the Alaska groundfish fishery.

**DATES:** Effective May 7, 2003.

**ADDRESSES:** Copies of the Supplemental Environmental Impact Statement on Steller Sea Lion Protection Measures in the Federal Groundfish Fisheries Off Alaska (SEIS), including the 2001 biological opinion (2001 BiOp) and regulatory impact review may be obtained from the Alaska Region, NMFS, P.O. Box 21668, Juneau, AK, 99802, Attn: Lori Durall. The SEIS is also available on the NMFS Alaska Region home page at <http://www.fakr.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Melanie Brown, NMFS, 907-586-7228 or e-mail at [melanie.brown@noaa.gov](mailto:melanie.brown@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

### Background

A final rule published January 2, 2003 (68 FR 204), implementing Steller sea lion protection measures for the groundfish fisheries of the Bering Sea and Aleutian Islands Management Area (BSAI) and the Gulf of Alaska (GOA), contains errors in its paragraph designations, cross-references, regulatory text, and tables which are corrected by this action.

#### *Corrections to the Office of Management and Budget (OMB) Control Numbers Table*

Two corrections are needed in the OMB control number references in the table at 15 CFR 902.1(b). The OMB control number assigned to § 679.20(a)(8)(iii) is incorrect. Also, the table is missing an OMB control number and corresponding paragraph that applies to the Steller sea lion protection measures. This action corrects the number assigned to § 679.20(a)(8)(iii) to read "-0206". OMB control number "-0269" that incorrectly was applied to § 679.20(a)(8)(iii) in the final rule is properly assigned to § 679.5(n)(2)(iii), which is added to the table with this action. This correction will accurately display the OMB control numbers for these collection-of-information approvals, as required by the Paperwork Reduction Act.

#### *Corrections to the Regulatory Text*

A number of corrections to the final rule for the Steller sea lion protection measures are needed for consistency with the final rule for Amendments 61/61/13/8 implementing the American Fisheries Act (AFA) (67 FR 79692, December 30, 2002, effective January 29, 2003). The AFA final rule at § 679.20(a)(5)(i)(A) and (a)(5)(ii) describes the Bering Sea subarea and Aleutian Islands subarea and Bogoslof district pollock AFA allocations, respectively. However, the Steller sea lion protection measures final rule provisions describing the seasonal apportionment of pollock in the BSAI and GOA also were codified at § 679.20(a)(5)(i)(A) and (a)(5)(ii)(B). This correction adds a new paragraph § 679.20(a)(5)(i)(B) describing the Steller sea lion protection measures seasonal apportionment of pollock in the Bering sea subarea. Section 679.20(a)(5)(i)(B) in the final rule regarding the Steller sea lion conservation area harvest limit is also redesignated as § 679.20(a)(5)(i)(C) to ensure proper paragraph designations. The seasonal apportionments for the GOA pollock fishery were codified by the AFA final rule at § 679.20(a)(5)(iii); therefore, no

additional changes are needed in the Steller sea lion protection measures final rule for the GOA pollock seasonal apportionments. Cross-references in § 679.22(a)(7) to the redesignated paragraph § 679.20(a)(5)(i)(C) also are corrected. This correction results in no substantive changes to the requirements of the AFA or the Steller sea lion protection measures.

In addition, the Steller sea lion protection measures final rule contains cross-references to § 679.20(a)(6)(ii) and (iii) at § 679.20(b)(2)(i) and (ii). These cross-referenced paragraphs were renumbered as (a)(6)(i) and (a)(6)(ii), respectively, when the AFA final rule was published. This action corrects these cross-references in § 679.20(b)(2)(i) and (ii) to § 679.20(a)(6)(i) and (ii). This correction does not substantively change the requirements of either the final rule for the AFA or the Steller sea lion protection measures final rule.

Table 4 in 50 CFR part 679 specifies closures to directed fishing for pollock with trawl gear around identified Steller sea lion rookeries and haulouts in the Gulf of Alaska, the Bering Sea and the Aleutian Islands. The Steller sea lion protection measures final rule incorrectly specified the closed areas around Uliaga and Kagamil haulouts. Table 4 currently specifies a 10 nm closure around each of these haulouts (68 FR 218, January 2, 2003). Although these 10 nm closures are correctly specified for the waters within the Bering Sea subarea around these haulouts, Table 4 should have closed all of the Steller sea lion critical habitat around these haulouts that extends west of 170 degrees W. longitude into the Aleutian Islands subarea. In the proposed rule for this amendment, NMFS announced that directed fishing for pollock inside critical habitat in the Aleutian Islands subarea would be prohibited (67 FR 56703, column 1, September 4, 2002). Steller sea lion critical habitat includes an aquatic zone that extends 20 nm seaward from Uliaga and Kagamil haulouts (50 CFR 226.202(a), Table 2). Therefore, this action corrects Table 4 in 50 CFR part 679 by closing the waters of the Aleutian Islands subarea that lie within 20 nm of Uliaga and Kagamil haulouts to directed fishing for pollock with trawl gear.

Table 5 in 50 CFR part 679 specifies closures to directed fishing for Pacific cod with trawl gear, hook-and-line gear, and pot gear around identified Steller sea lion rookeries and haulouts in the Gulf of Alaska, the Bering Sea, and the Aleutian Islands. The final rule resulted in several errors that require correction.