

## Cost Impact

The FAA estimates that 160 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. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$9,600, 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:

**2003-14-17 Bombardier, Inc.** (Formerly Canadair): Amendment 39-13236. Docket 2001-NM-50-AD.

**Applicability:** Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes, as listed in Bombardier Alert Service Bulletin A601R-26-017, Revision 'A,' dated September 8, 2000; certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent fluid contamination inside the fire and overheat control unit, which could result in a false fire alarm and consequent emergency landing, accomplish the following:

### Installation of Protective Tape

(a) Within 250 flight hours or 30 days after the effective date of this AD, whichever occurs first, install protective tape on the external cover of the fire and overheat control unit located in the flight compartment per Bombardier Alert Service Bulletin A601R-26-017, Revision 'A,' dated September 8, 2000.

(b) Installation of protective tape on the external cover of the fire and overheat control in the flight compartment, done before the effective date of this AD per Bombardier Alert Service Bulletin A601R-26-017, dated August 4, 2000, is acceptable for compliance with the requirements of this AD.

### Alternative Methods of Compliance

(c) In accordance with 14 CFR 39.19, the Manager, New York Aircraft Certification Office (ACO), FAA is authorized to approve alternative methods of compliance for this AD.

### Incorporation by Reference

(d) Unless otherwise provided in this AD: The actions must be done in accordance with Bombardier Alert Service Bulletin A601R-26-017, Revision 'A,' dated September 8, 2000. 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:** The subject of this AD is addressed in Canadian airworthiness directive CF-2000-35, dated December 14, 2000.

## Effective Date

(e) This amendment becomes effective on August 22, 2003.

Issued in Renton, Washington, on July 9, 2003.

**Ali Bahrami,**

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

[FR Doc. 03-17816 Filed 7-17-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. 2001-NM-391-AD; Amendment 39-13241; AD 2003-14-22 ]

RIN 2120-AA64

### Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes. This AD requires modification of the No. 3 electrical equipment panel behind the avionics rack, and modification of the No. 2 propeller de-ice timer. This action is necessary to prevent incorrect altitude information transmitted by the Mode S transponder and simultaneous loss of the Traffic Alert and Collision Avoidance System (TCAS), and increasing the possibility of an air traffic conflict. This action is intended to address the identified unsafe condition.

**DATES:** Effective August 22, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 22, 2003.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, 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:**

Douglas G. Wagner, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7506; 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 DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes was published in the **Federal Register** on May 23, 2003 (68 FR 28177). That action proposed to require modification of the No. 3 electrical equipment panel behind the avionics rack, and modification of the No. 2 propeller de-ice timer.

Interested persons have been afforded an opportunity to participate in the making of this amendment. We received no comments on the proposal or on the 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.

**Changes to 14 CFR Part 39/Effect on the AD**

On July 10, 2002, we issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's airworthiness directives system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. However, for clarity and consistency in this final rule, we have retained the language of the NPRM regarding that material.

**Revised Labor Rate Estimate**

We have reviewed the figures we have used over the past several years to calculate AD costs to operators. To account for various inflationary costs in the airline industry, we find it necessary to increase the labor rate used in these calculations from \$60 per work hour to \$65 per work hour. The cost impact information, below, reflects this increase in the specified hourly labor rate.

**Cost Impact**

We estimate that 197 airplanes of U.S. registry will be affected by this proposed AD.

It will take about 4 work hours per airplane to modify the No. 3 electrical equipment panel behind the avionics rack, at an average labor rate of \$65 per work hour. The cost for required parts

will be minimal. Based on these figures, the cost impact of this modification on U.S. operators is estimated to be \$51,220, or \$260 per airplane.

It will take about 2 work hours per airplane to modify the No. 2 propeller de-ice timer, at an average labor rate of \$65 per work hour. The cost for required parts will be minimal. Based on these figures, the cost impact of this modification on U.S. operators is estimated to be \$25,610, or \$130 per airplane.

The cost impact figures discussed above are 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:

**2003-14-22 Bombardier, Inc. (Formerly de Havilland, Inc.):** Amendment 39-13241. Docket 2001-NM-391-AD.

**Applicability:** Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes; certificated in any category; having serial numbers 003 through 559 inclusive.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent incorrect altitude information transmitted by the Mode S transponder and simultaneous loss of the Traffic Alert and Collision Avoidance System (TCAS), and increasing the possibility of an air traffic conflict, accomplish the following:

**Modifications**

(a) Within 6 months after the effective date of this AD, accomplish the actions specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Modify the No. 3 electrical equipment panel behind the avionics rack (including changing the spacer lengths for the installation of the propeller timer units and the main harness run, and securing the wiring and harness in close proximity by installing 5 tie wraps to avoid fouling conditions) per Bombardier Service Bulletin 8-34-200, dated June 26, 2001.

(2) Modify the No. 2 propeller de-ice timer (including replacing the existing spacers that support the timer with shorter spacers) per Bombardier Service Bulletin 8-30-36, dated July 13, 2000.

**Alternative Methods of Compliance**

(b) In accordance with 14 CFR 39.19, the Manager, New York Aircraft Certification Office (ACO), FAA, is authorized to approve alternative methods of compliance for this AD.

**Incorporation by Reference**

(c) The actions must be done in accordance with Bombardier Service Bulletin 8-30-36, dated July 13, 2000; and Bombardier Service Bulletin 8-34-200, dated June 26, 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 Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, 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:** The subject of this AD is addressed in Canadian airworthiness directive CF-2001-38, dated October 11, 2001.

**Effective Date**

(d) This amendment becomes effective on August 22, 2003.

Issued in Renton, Washington, on July 11, 2003.

**Ali Bahrami,**

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

[FR Doc. 03-18083 Filed 7-17-03; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 2002-NM-205-AD; Amendment 39-13229; AD 2003-14-10]

**RIN 2120-AA64**

**Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 767-200 and -300 series airplanes. This action requires modification of the wire bundles of the video control center (VCC) of the passenger address and

entertainment system, and an operational test if necessary. This action is necessary to prevent chafing of the wire bundles of the VCC against the rudder and/or elevator control cables, which could result in arcing of the wires in the wire bundles and severing of the cables. Severed cables, if combined with an engine-out during takeoff, or a high crosswind during takeoff or landing, could result in reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective August 4, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 4, 2003.

Comments for inclusion in the Rules Docket must be received on or before September 16, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-205-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-iarcomment@faa.gov*. Comments sent via fax or the Internet must contain "Docket No. 2002-NM-205-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 or 2000 or ASCII text.

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 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.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Mudrovich, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6477; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:** During post-delivery modifications of certain Boeing Model 767-200 and -300 series airplanes, the manufacturer found that the rudder cables and the First Officer's elevator control cables may come in contact with the video control center (VCC) wires, which could result in possible chafing and subsequent arcing of the wires in the wire bundles and severing of the cables. Severed cables, if combined with an engine-out during takeoff, or a high crosswind during takeoff or landing, could result in reduced controllability of the airplane.

**Explanation of Relevant Service Information**

We have reviewed and approved the following Boeing alert service bulletins:

Service bulletin	Revision level	Date	Model
767-23A0147, including Appendix A .....	Original .....	April 6, 2000 .....	767-300
767-23A0154 .....	Original .....	March 15, 2001 .....	767-300
767-23A0155, including Appendix A .....	Original .....	March 29, 2001 .....	767-300
767-23A0156, including Appendix A .....	Original .....	April 19, 2001 .....	767-200, -300
767-23A0157 .....	Original .....	May 3, 2001 .....	767-300

These service bulletins describe procedures for modification of the wire bundles of the VCC of the passenger address and entertainment system. The modification includes, but is not limited to, installation of a wiring shroud and associated hardware between the VCC master control unit wiring and the flight control cables; re-routing of the VCC wire bundles above the flight control pulley box; and replacement of existing clamps with new clamps; as applicable. Service bulletins 767-23A0154 and 767-23A0157 also describe procedures for an operational test after

accomplishment of the modification. Accomplishment of the actions specified in the applicable service bulletin is intended to adequately address the identified unsafe condition.

**Explanation of Requirements of the Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to prevent chafing of the wire bundles of the VCC

against the rudder and/or elevator control cables, which could result in arcing of the wires in the wire bundles and severing of the cables. Severed cables, if combined with an engine-out during takeoff, or a high crosswind during takeoff or landing, could result in reduced controllability of the airplane. This AD requires modification of the wire bundles of the VCC of the passenger address and entertainment system. The actions are required to be accomplished in accordance with the applicable service bulletin described previously, except as discussed below.