

initial detailed inspection which was contained in paragraph (a) of AD 2001-14-08, amendment 39-12319. Operators who have previously accomplished the initial detailed inspection in accordance with paragraph (a) of AD 2001-14-08 need not repeat that inspection.

#### Initial Inspection

(b) Do a detailed inspection of the number 1 and 2 electric motors of the auxiliary hydraulic pumps for electrical resistance, continuity, mechanical rotation, and associated airplane wiring resistance/voltage, as specified in paragraph (b)(1), (b)(2), or (b)(3) of this AD, as applicable.

(1) For Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A, KDC-10), DC-10-40, DC-10-40F, MD-10-10F, and MD-10-30F airplanes: Do the detailed inspection within 6 months after August 16, 2001 (the effective date of AD 2001-14-08), in accordance with the service bulletin.

(2) For Model MD-11 and MD-11F airplanes that have accumulated 3,000 flight hours or more as of August 16, 2001: Do the detailed inspection within 6 months after August 16, 2002, in accordance with the service bulletin.

(3) For Model MD-11 and MD-11F airplanes that have accumulated fewer than 3,000 flight hours as of August 16, 2002: Do the inspection within 6 months after accumulating 3,000 flight hours, in accordance with the service bulletin.

**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."

#### Repetitive Inspections

(c) Repeat the inspection required by paragraph (b) of this AD prior to accumulating an additional 2,500 flight hours after the effective date of this AD or prior to accumulating 6,000 flight hours since the previous inspection, whichever occurs first.

#### Condition 1, No Failures Detected

(d) If no failures are detected during the inspection required by paragraph (b) or (c) of this AD, repeat the inspection at intervals not to exceed 2,500 flight hours.

#### Condition 2, Failure of Any Pump Motor

(e) If any pump motor fails during any inspection required by paragraph (b) or (c) of this AD, before further flight, replace the auxiliary hydraulic pump with a serviceable pump in accordance with the applicable service bulletin. Repeat the inspection required by paragraph (c) of this AD thereafter at intervals not to exceed 2,500 flight hours.

#### Condition 3, Failure of Any Wiring

(f) If any airplane wiring fails during any inspection required by paragraph (b) or (c) of

this AD, before further flight, troubleshoot and repair the wiring in accordance with the applicable service bulletin. Repeat the inspection required by paragraph (c) of this AD thereafter at intervals not to exceed 2,500 flight hours.

#### Alternative Methods of Compliance

(g) In accordance with 14 CFR 39.19, the Manager, Los Angeles Aircraft Certification Office, FAA, is authorized to approve alternative methods of compliance for this AD.

Issued in Renton, Washington, on January 9, 2004.

**Kalene C. Yanamura,**

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

[FR Doc. 04-1308 Filed 1-21-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-256-AD]

RIN 2120-AA64

#### Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Series 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 certain Fokker Model F.28 Mark 0070 and 0100 series airplanes. This proposal would require a magnetic inspection of the sliding members in the main landing gear (MLG) for cracking, and replacement of the sliding members with serviceable parts, if necessary. This action is necessary to prevent fatigue cracking of the sliding member, which could result in possible separation of the MLG from the airplane and consequent reduced controllability of the airplane upon landing and possible injury to passengers. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by February 23, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-256-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*. Comments sent via fax or the Internet must contain "Docket No. 2002-NM-256-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 the proposed rule may be obtained from Fokker Services B.V., PO Box 231, 2150 AE Nieuw-Vennep, the Netherlands. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

#### FOR FURTHER INFORMATION CONTACT:

Thomas Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1137; fax (425) 227-1149.

#### 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 2002–NM–256–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. 2002–NM–256–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

#### Discussion

The Civil Aviation Authority—The Netherlands (CAA–NL), which is the airworthiness authority for the Netherlands, notified the FAA that an unsafe condition may exist on certain Fokker Model F.28 Mark 0070 and 0100 series airplanes. The CAA–NL advises that it received a report of the sliding member of a main landing gear (MLG) breaking off during pushback of the airplane from the gate. The failure occurred during braking while the airplane was moving backwards, immediately after the tow bar was inadvertently disconnected. Investigation revealed that the separation had been caused by overload, initiated by a fatigue crack on the aft side of the sliding member of the MLG. Further investigation on spare parts and airplanes in service revealed additional units with cracks in the affected area. Such fatigue cracking, if not corrected, could result in possible separation of the MLG from the airplane and consequent reduced controllability of the airplane upon landing and possible injury to passengers.

#### Explanation of Relevant Service Information

Fokker Services B.V. has issued Fokker Service Bulletin SBF100–32–133, dated April 1, 2002, which describes procedures for performing a magnetic inspection of the sliding members of the MLG for cracking, and replacing the sliding members with serviceable parts, if necessary. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The CAA–NL classified this service bulletin as mandatory and issued Dutch airworthiness directive 2002–060, dated April 29, 2002, to ensure the continued airworthiness of these airplanes in the Netherlands.

#### Explanation of Secondary Service Information

The Fokker service bulletin references Messier-Dowty Service Bulletin F100–32–103, dated March 11, 2002, as an additional source of service information for accomplishment of the magnetic inspection.

#### FAA's Conclusions

These airplane models are manufactured in the Netherlands and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA–NL has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA–NL, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

#### Difference Between Proposed Rule and Referenced Service Bulletin

Operators should note that, although the Accomplishment Instructions of the referenced Fokker service bulletin describe procedures for reporting inspection findings to Fokker Services B.V., this proposed AD would not require that action. The FAA does not need this information from operators.

#### Cost Impact

The FAA estimates that 110 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 4 or 12 work hours per airplane, depending on the airplane configuration, to accomplish the proposed inspection, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$28,600 or \$85,800, or \$260 or \$780 per airplane, depending on the airplane configuration.

The cost impact figures discussed above are 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 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:

**Fokker Services B.V.:** Docket 2002–NM–256–AD.

*Applicability:* Model F.28 Mark 0070 and 0100 series airplanes, certificated in any

category, equipped with any Dowty or Messier-Dowty main landing gear (MLG) listed in Table 1 of this AD.

TABLE 1.—AFFECTED MLGS.

MLG having part number (P/N)—	Which have sliding member P/N—
201072011 .....	201072301 or 201072305.
201072012 .....	201072301 or 201072305.
201072013 .....	201072301 or 201072305.
201012014 .....	201072301 or 201072305.
201072015 .....	201072301 or 201072305.
201072016 .....	201072301 or 201072305.

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

To prevent fatigue cracking of the sliding member, which could result in possible separation of the MLG from the airplane and consequent reduced controllability of the airplane upon landing and possible injury to passengers, accomplish the following:

**Inspection and Replacement If Necessary**

(a) Within 1,000 flight cycles or six months after the effective date of this AD, whichever occurs first, perform a magnetic inspection of the sliding members of the MLG for cracking, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-32-133, dated April 1, 2002. If any crack is found during the inspection, before further flight, replace the sliding members with serviceable parts in accordance with the Accomplishment Instructions of the service bulletin.

**Note 1:** Fokker Service Bulletin SBF100-32-133, dated April 1, 2002, refers to Messier-Dowty Service Bulletin F100-32-103, dated March 11, 2002, as an additional source of service information.

**Parts Installation**

(b) As of the effective date of this AD, no person may install a sliding member of the MLG, P/N 201072301 or P/N 201072305, on any airplane, unless it has been inspected in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-32-133, dated April 1, 2002, and found to be serviceable.

**Reporting Requirement Difference**

(c) Although the service bulletin referenced in this AD specifies to submit certain information to the manufacturer, this AD does not include such a requirement.

**Alternative Methods of Compliance**

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, FAA, Transport Airplane Directorate, is authorized to approve alternative methods of compliance for this AD.

**Note 2:** The subject of this AD is addressed in Dutch airworthiness directive 2002-060, dated April 29, 2002.

Issued in Renton, Washington, on January 9, 2004.

**Kalene C. Yanamura,**

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

[FR Doc. 04-1307 Filed 1-21-04; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. 2002-NM-232-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Dassault Model Mystere-Falcon 50 Series 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 certain Dassault Model Mystere-Falcon 50 series airplanes. This proposal would require one-time detailed inspections for structural discrepancies of various fuselage attachments; and corrective actions, if necessary, to restore the structure to the original design specifications. This action is necessary to prevent early fatigue, corrosion, or fretting, which could result in structural failure of major components of the airplane and reduced structural integrity of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by February 23, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-232-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*. Comments sent via fax or the Internet must contain "Docket No. 2002-NM-232-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 the proposed rule may be obtained from Dassault Falcon Jet, PO Box 2000, South Hackensack, New Jersey 07606. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1137; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

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**Availability of NPRMs**

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