

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:

**2001-16-20 Boeing:** Amendment 39-12389. Docket 2000-NM-235-AD.

**Applicability:** Model 767-200 series airplanes modified by supplemental type certificate (STC) SA5134NM, 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 prevent the inability of the flight crew to remove power from the in-flight entertainment (IFE) system when necessary, which, during a non-normal or emergency

situation, could result in inability to control smoke or fumes in the airplane flight deck or cabin; accomplish the following:

#### Modification

(a) Within 18 months after the effective date of this AD, modify the IFE system to change the source of electrical power for the IFE system from the main bus to a utility bus, in accordance with Flight Structures Service Bulletin 90FS062-23-01, Revision 2, dated September 21, 2000.

#### Spares

(b) As of the effective date of this AD, no person may install an IFE system in accordance with STC SA5134NM, on any airplane, unless it is modified in accordance with this AD.

#### 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, Seattle 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, Seattle ACO.

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

#### Incorporation by Reference

(e) The actions shall be done in accordance with Flight Structures Service Bulletin 90FS062-23-01, Revision 2, dated September 21, 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 Flight Structures, Inc., 4407 172nd Street NE, Arlington, Washington 98223. 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.

#### Effective Date

(f) This amendment becomes effective on September 21, 2001.

Issued in Renton, Washington, on August 9, 2001.

**Vi L. Lipski,**

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

[FR Doc. 01-20587 Filed 8-16-01; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-234-AD; Amendment 39-12388; AD 2001-16-19]

**RIN 2120-AA64**

#### Airworthiness Directives; Boeing Model 747-100 and -200 Series Airplanes Modified by Supplemental Type Certificate ST00196SE

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Boeing Model 747-100 and -200 series airplanes modified by supplemental type certificate ST00196SE, that requires modification of the in-flight entertainment (IFE) system and revision of the Airplane Flight Manual. This action is necessary to ensure that the flight crew is able to remove electrical power from the IFE system when necessary and is advised of appropriate procedures for such action. Inability to remove power from the IFE system during a non-normal or emergency situation could result in inability to control smoke or fumes in the airplane flight deck or cabin. This action is intended to address the identified unsafe condition.

**DATES:** Effective September 21, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 21, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from JAMCO America, Inc., 1018 80th Street SW, Everett, Washington 98023. 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:

Stephen S. Oshiro, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2793; 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 all Boeing Model 747-100 and -200 series airplanes

modified by supplemental type certificate (STC) ST00196SE was published in the **Federal Register** on March 29, 2001 (66 FR 17118). That action proposed to require modification of the in-flight entertainment (IFE) system and revision of the Airplane Flight Manual (AFM).

#### Comments

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

#### Request To Extend Compliance Time

The commenter asks the FAA to extend the compliance time for the proposed actions. The commenter states that it operates the 11 airplanes affected by this AD. Of these 11 airplanes modified by STC ST00196SE, 3 airplanes were further modified by a second STC, which involved installation of another entertainment system. Due to the nature of the modifications by the second STC, the commenter is unable to comply with the requirements of the proposed AD. Because it will need additional service information to fulfill the intent of the proposed AD, the commenter asks the FAA to extend the compliance time of this AD until 18 months after the issuance of such new service information.

We do not concur. First, the commenter provides no justification for an extension of the compliance time of this AD for the 8 airplanes that were not modified by a second STC. Thus, we find that no extension of the compliance time is necessary for these airplanes.

Second, with regard to the 3 airplanes that cannot be modified according to the procedures specified in this AD, the operator may request approval of an alternative method of compliance as provided by paragraph (c) of this AD. We will consider approving both the alternative method of compliance as well as an adjustment of the compliance time for the required actions. No change to the final rule is necessary.

#### Conclusion

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.

#### Cost Impact

There are approximately 11 Model 747-100 and -200 series airplanes modified by STC ST00196SE in the worldwide fleet. None of the airplanes affected by this AD are on the U.S.

Register. All airplanes included in the applicability of this AD currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 8 work hours per airplane to accomplish the required modification, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$450 per airplane. Based on these figures, the cost impact of the required modification will be \$930 per airplane.

Should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 1 work hour per airplane to accomplish the required AFM revision, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the required AFM revision will be \$60 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

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#### 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:

**2001-16-19 Boeing:** Amendment 39-12388. Docket 2000-NM-234-AD.

**Applicability:** Model 747-100 and -200 series airplanes modified by supplemental type certificate (STC) ST00196SE, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 flight crew is able to remove electrical power from the in-flight entertainment (IFE) system when necessary and is advised of appropriate procedures for such action, accomplish the following:

#### Modification

(a) Within 18 months after the effective date of this AD, accomplish paragraphs (a)(1) and (a)(2) of this AD.

(1) Modify the IFE system in accordance with JAMCO America Service Bulletin 747-25-M025, dated August 30, 2000.

**Airplane Flight Manual Revision**

(2) Revise the procedures for "Electrical System Smoke or Fire" of the "Emergency Procedures" section of the FAA-approved Airplane Flight Manual (AFM) to include the following information. This may be accomplished by inserting a copy of this AD into the AFM.

*"IF SMOKE SOURCE IS UNDETERMINED:*

Galley Power, Recirculating and Gasper Fans, and supplemental vent fans (if installed)  
 . . . OFF

Establish communications with cabin crew.  
 Instruct cabin crew to depress in-flight entertainment (IFE) system Master Control System Power 'OFF' switch.

Obtain confirmation from cabin crew that electrical power to the IFE system has been removed."

**Spares**

(b) As of the effective date of this AD, no person shall install an IFE system in accordance with STC ST00196SE on any airplane, unless it is modified and the FAA-approved AFM is revised in accordance with this AD.

**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, Seattle 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, Seattle ACO.

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

**Incorporation by Reference**

(e) The modification shall be done in accordance with JAMCO America Service Bulletin 747-25-M025, dated August 30, 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 JAMCO America, Inc., 1018 80th Street SW, Everett, Washington 98023. 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.

**Effective Date**

(f) This amendment becomes effective on September 21, 2001.

Issued in Renton, Washington, on August 9, 2001.

**Vi L. Lipski,**

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

[FR Doc. 01-20586 Filed 8-16-01; 8:45 am]

**BILLING CODE 4910-13-U**

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

**[Docket No. 2000-NM-233-AD; Amendment 39-12387; AD 2001-16-18]**

**RIN 2120-AA64**

**Airworthiness Directives; Boeing Model 767-300 Series Airplanes Modified by Supplemental Type Certificate ST00157SE**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Boeing Model 767-300 series airplanes modified by supplemental type certificate ST00157SE, that requires modification of the electrical circuits that supply power to the in-flight entertainment (IFE) system. This action is necessary to prevent the inability of the flight crew to remove power from the IFE system when necessary. Inability to remove power from the IFE system during a non-normal or emergency situation could result in inability to control smoke or fumes in the airplane flight deck or cabin. This action is intended to address the identified unsafe condition.

**DATES:** Effective September 21, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 21, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from JAMCO America, Inc., 1018 80th Street SW., Everett, Washington 98023. 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:** Stephen S. Oshiro, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton,

Washington 98055-4056; telephone (425) 227-2793; 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 all Boeing Model 767-300 series airplanes modified by supplemental type certificate (STC) ST00157SE was published in the **Federal Register** on March 29, 2001 (66 FR 17121). That action proposed to require modification of the electrical circuits that supply power to the in-flight entertainment (IFE) system.

**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.

One commenter states that it does not operate any of the airplanes affected by the proposed AD, and thus has no comment.

**Use Modification Developed by Airplane Manufacturer**

One commenter requests that the FAA revise the proposed AD to require modification per procedures developed by the airplane manufacturer (Boeing) rather than by the STC holder (JAMCO America). The commenter states that a modification developed by the airplane manufacturer is appropriate because installation of an IFE system per the subject STC does not change the power distribution from the production configuration. The commenter states that it acknowledges the intent of the proposed AD, but it would prefer a solution developed by Boeing to ensure commonality among all Boeing Model 767-300 series airplanes. The commenter notes that such commonality is important for operating and maintenance procedures. The commenter also adds that, if the FAA adopts its recommendation, the compliance time for the proposed AD should be extended to allow time for Boeing to release a service bulletin and for the affected operators to do the modification.

We do not concur with the commenter's request. The IFE system—including the electrical components and wiring that provides electrical power to the system—was installed by the STC holder and is not common to all Boeing Model 767-300 series airplanes. The fact that installation of the subject IFE system was approved by STC indicates that it represents a major change from the design previously approved under the type certificate for the Model 767-300 series airplanes. As such, the STC