

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:

#### 2002-01-24 McDonnell Douglas:

Amendment 39-12618. Docket 2000-NM-362-AD.

**Applicability:** Model DC-9-81, -82, -83, and -87 series airplanes, and Model MD-88 airplanes, as listed in Boeing Service Bulletin MD80-25-377, dated March 14, 2001; 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 replacement of dust seals of the lower passenger service unit (PSU) panel that may contribute to the spread of a fire when ignition occurs from electrical arcing of a failed light holder assembly, which could cause damage to adjacent structure and smoke emitting from the PSU panel into the passenger cabin, accomplish the following:

#### Replacement of Dust Seals

(a) Do the actions specified by either paragraph (a)(1) or (a)(2) of this AD.

(1) Within 24 months after the effective date of this AD, replace dust seals of the PSU panels of the overhead stowage compartment with new dust seals (including removing adhesive, cleaning the PSU rail, and removing/installing tape), per Boeing Service Bulletin MD80-25-377, dated March 14, 2001, or Revision 01, dated July 17, 2001. After the effective date of this AD, only Revision 01 of the service bulletin may be used.

(2) At the applicable times, do the actions specified by paragraphs (a)(2)(i), (a)(2)(ii), and (a)(2)(iii) of this AD.

(i) Within 24 months after the effective date of this AD, remove all the lower dust seals having part number (P/N) CD1149 (any configuration) from the left and right outboard PSU panels from station Y = 218.000 to Y = 1307.000, per Boeing Alert Service Bulletin MD80-25A376, dated September 21, 2000.

(ii) Within 24 months after the effective date of this AD, remove all visible traces of dust and dirt particles from the oxygen canisters installed in the PSU panels, and perform a general visual inspection to ensure that oxygen masks, hoses, and lanyards do not bind in the PSU door; per Boeing Alert Service Bulletin MD80-25A376, dated September 21, 2000. Thereafter, repeat the actions specified by paragraph (a)(2)(ii) of this AD at least every 14 months until the requirements of paragraph (a)(2)(iii) of this AD have been accomplished.

**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 under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, 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."

(iii) Within 42 months after the effective date of this AD, install new dust seals, part number (P/N) CD1437, of the PSU panels of the overhead stowage compartment, per Boeing Service Bulletin MD80-25-377, Revision 01, dated July 17, 2001. Installation of the new dust seals terminates the requirements of paragraph (a)(2)(ii) of this AD.

**Note 3:** Installation of the dust seal prior to the effective date of this AD in accordance with Boeing Service Bulletin MD80-25-377, dated March 14, 2001, is acceptable for compliance with the requirements of paragraph (a)(2)(iii) of this AD.

#### Spares

(b) As of the effective date of this AD, no person shall install a dust seal, P/N CD1149 (any configuration), 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 4:** 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.

#### Incorporation by Reference

(e) The actions shall be done in accordance with Boeing Alert Service Bulletin MD80-25A376, dated September 21, 2000; Boeing Service Bulletin MD80-25-377, dated March 14, 2001; and Boeing Service Bulletin MD80-25-377, Revision 01, dated July 17, 2001. 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 Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). Copies may be inspected 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; 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 March 6, 2002.

Issued in Renton, Washington, on January 18, 2002.

**Michael Kaszycki,**

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

[FR Doc. 02-1961 Filed 1-29-02; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-112-AD; Amendment 39-12620; AD 2002-01-25]

**RIN 2120-AA64**

#### Airworthiness Directives; Bombardier Model DHC-8-100, -200, and -300 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Bombardier Model DHC-8-100, -200, and -300 series airplanes, that requires repetitive inspections of the rudder pedal adjustment fittings for cracks and replacement of cracked fittings with new fittings. This amendment also provides an optional terminating action. This action is necessary to detect and correct cracking of the rudder pedal adjustment fittings, which could lead to deformation of the fittings, resulting in jammed rudder pedals and loss of rudder control, with consequent reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective March 6, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 6, 2002.

**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:** Dan Parrillo, Aerospace Engineer, ANE-172, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7505; 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-8-100, -200, and -300 series airplanes was published in the **Federal Register** on August 29, 2001 (66 FR 45653). That action proposed to require repetitive inspections of the rudder pedal adjustment fittings for cracks and replacement of cracked fittings with new fittings. That action also proposed to provide an optional terminating action.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No

comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

#### Explanation of Changes Made to Proposed AD

The FAA has added a note, Note 2, to the final rule to clarify the definition of the detailed visual inspection required by paragraph (a) of this AD. Subsequent notes have been renumbered accordingly.

Also, we have changed paragraph (c) of this AD to clarify that only "cracked" fittings are required to be replaced.

#### Clarification of Terminating Action

Since the issuance of the notice of proposed rulemaking (NPRM), the FAA has also determined that the optional terminating action specified in paragraph (d) of the NPRM needs to be clarified. That paragraph states, "Replacement of the rudder pedal adjustment fittings having P/N 82710038-101, with steel rudder pedal adjustment fittings having P/N 82710080-101, constitutes terminating action for the repetitive inspections required by paragraphs (a) and (b) of this AD." However, the inspection required by paragraph (a) of this AD is not a repetitive inspection. Additionally, it was our intent that operators may elect to accomplish the replacement in lieu of the inspections required by paragraphs (a) and (b) of this AD. Therefore, we have revised paragraph (d) of the final rule to state, "Replacement of rudder pedal adjustment fittings having P/N 82710038-101, with steel rudder pedal adjustment fittings having P/N 82710080-101, constitutes terminating action for the requirements of this AD."

#### Conclusion

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Cost Impact

The FAA estimates that 188 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 inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$11,280, or \$60 per airplane, per inspection cycle.

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:

**2002-01-25 Bombardier, Inc. (Formerly de Havilland, Inc.):** Amendment 39-12620. Docket 2001-NM-112-AD.

*Applicability:* Model DHC-8-100, -200, and -300 series airplanes, serial numbers 003 to 563 inclusive, 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 (e) 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 detect and correct cracking of the rudder pedal adjustment fittings, which could lead to deformation of the fittings, resulting in jammed rudder pedals and loss of rudder control, with consequent reduced controllability of the airplane, accomplish the following:

**Inspections**

(a) Perform a detailed visual inspection of the rudder pedal adjustment fittings having part number (P/N) 82710038-101 for cracks, in accordance with Bombardier Alert Service Bulletin A8-27-91, dated September 12, 2000, or Revision A, dated November 23, 2000, at the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Within 5,000 flight hours since the date of manufacture of the airplane or 500 flight hours after the effective date of this AD, whichever occurs later; and

(2) Prior to further flight, whenever an instance of stiff operation or jamming of the rudder pedals occurs during flight.

**Note 2:** For the purposes of this AD, a detailed visual 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."

(b) If no crack is detected: Repeat the inspection of the rudder pedal adjustment fittings having P/N 82710038-101, in accordance with Bombardier Alert Service Bulletin A8-27-91, dated September 12, 2000, or Revision A, dated November 23, 2000, at intervals not to exceed 1,000 flight hours, until accomplishment of paragraph (d) of this AD.

**Replacement**

(c) If any crack is detected: Prior to further flight, replace the cracked rudder pedal adjustment fitting having P/N 82710038-101 with a new aluminum fitting having the same P/N (82710038-101), or with a steel fitting having P/N 82710080-101, in accordance with Bombardier Alert Service Bulletin A8-27-91, dated September 12, 2000, or Revision A, dated November 23, 2000.

**Terminating Action**

(d) Replacement of rudder pedal adjustment fittings having P/N 82710038-101, with steel rudder pedal adjustment fittings having P/N 82710080-101, constitutes terminating action for the requirements of this AD.

**Alternative Methods of Compliance**

(e) 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, New York Aircraft Certification Office, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

**Special Flight Permits**

(f) 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**

(g) The actions shall be done in accordance with Bombardier Alert Service Bulletin A8-27-91, dated September 12, 2000; or Bombardier Alert Service Bulletin A8-27-91, Revision A, dated November 23, 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., 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 4:** The subject of this AD is addressed in Canadian airworthiness directive CF-2001-04, dated January 25, 2001.

**Effective Date**

(h) This amendment becomes effective on March 6, 2002.

Issued in Renton, Washington, on January 18, 2002.

**Michael Kaszycki,**

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

[FR Doc. 02-1962 Filed 1-29-02; 8:45 am]

**BILLING CODE 4910-13-U**

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

**[Docket No. 2001-NM-128-AD; Amendment 39-12613; AD 2002-01-19]**

**RIN 2120-AA64**

**Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F.28 Mark 0070 and 0100 series airplanes, that requires repetitive operational tests for discrepancies of the heating system of pitot tube #1, and replacement of the pitot tube, if necessary. This AD also requires eventual modification of the alternating current sensing circuit for pitot tube #1, which terminates the repetitive operational test requirement. This action is necessary to prevent failure of the heating system of pitot tube #1 due to a short circuit, which may go undetected and lead to the pilot receiving erroneous airspeed indications, resulting in reduced control of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective March 6, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 6, 2002.

**ADDRESSES:** The service information referenced in this AD may be obtained from Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands. 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:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA,