

a location to examine the regulatory evaluation.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

#### 2004-22-20 McDonnell Douglas:

Amendment 39-13848. Docket No. FAA-2004-18572; Directorate Identifier 2003-NM-72-AD.

#### Effective Date

(a) This AD becomes effective December 14, 2004.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to McDonnell Douglas Model MD-11 and MD-11F airplanes, as listed in McDonnell Douglas Alert Service Bulletin MD11-24A175, Revision 01, dated April 25, 2003; certificated in any category.

#### Unsafe Condition

(d) This AD was prompted by arcing between a power feeder cable and terminal board support bracket. We are issuing this AD to prevent arcing damage to the power feeder cables, terminal boards, and adjacent structure, which could result in smoke and/or fire in the cabin.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Service Bulletin References

(f) The term "service bulletin," as used in this AD, means the Accomplishment Instructions of McDonnell Douglas Alert Service Bulletin MD11-24A175, Revision 01, dated April 25, 2003, including Boeing Information Notices MD11-24A175 IN 01, dated November 6, 2003, and MD11-24A175 IN 02, dated December 17, 2003.

#### Replacement, Related Investigative Action, and Corrective Actions

(g) Within 18 months after the effective date of this AD, replace low base terminal boards with higher base terminal boards in

accordance with the applicable figure in the service bulletin, and do all related investigative action/applicable corrective actions by accomplishing all the actions in the service bulletin, except as provided by paragraph (h) of this AD. Any related investigative action/applicable corrective actions must be done before further flight.

(h) If, during the corrective actions required by paragraph (g) of this AD, the type of structural material that has been damaged is not covered in the structural repair manual, before further flight, repair in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA.

#### Parts Installation

(i) As of the effective date of this AD, no person may install a terminal board, as listed in section 1.A.2. "Spares Affected" of the Planning Information of the service bulletin, on any airplane.

#### No Reporting

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

#### Alternative Methods of Compliance (AMOCs)

(k) The Manager, Los Angeles ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

#### Material Incorporated by Reference

(l) You must use McDonnell Douglas Alert Service Bulletin MD11-24A175, Revision 01, dated April 25, 2003, including Boeing Information Notice MD11-24A175 IN 01, dated November 6, 2003, and Boeing Information Notice MD11-24A175 IN 02, dated December 17, 2003, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approves the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For copies of the service information, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). For information on the availability of this material at the National Archives and Records Administration (NARA), call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). You may view the AD docket at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC.

Issued in Renton, Washington, on October 25, 2004.

#### Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-24623 Filed 11-8-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-18573; Directorate Identifier 2003-NM-71-AD; Amendment 39-13847; AD 2004-22-19]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model MD-11 Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain McDonnell Douglas Model MD-11 airplanes. This AD requires revising the cable connection stackups for mid-cabin terminal strips, replacing the terminal strips, and removing a nameplate, as applicable. This AD also requires an inspection for arcing damage in the mid-cabin area, and corrective actions if necessary. This AD is prompted by an incident in which arcing occurred between the power feeder cables and support bracket of the terminal strips. We are issuing this AD to prevent arcing damage to the terminal strips and damage to the adjacent structure, which could result in smoke and/or fire in the mid-cabin compartment.

**DATES:** This AD becomes effective December 14, 2004.

The incorporation by reference of a certain publication listed in the AD is approved by the Director of the Federal Register as of December 14, 2004.

**ADDRESSES:** For service information identified in this AD, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). You can examine this information at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**Docket:** The AD docket contains the proposed AD, comments, and any final disposition. You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on

the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section.

**FOR FURTHER INFORMATION CONTACT:**  
*Technical information:* Brett Portwood, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5350; fax (562) 627-5210.

*Plain language information:* Marcia Walters, [marcia.walters@faa.gov](mailto:marcia.walters@faa.gov).

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with an AD for certain McDonnell Douglas Model MD-11 airplanes. That action, published in the **Federal Register** on July 13, 2004 (69 FR 41990), proposed to require revising the cable connection stackups for mid-cabin terminal strips, replacing the terminal strips, and removing a nameplate, as applicable. That action also proposed to require an inspection for arcing damage in the mid-cabin area, and corrective actions if necessary.

#### Comments

We provided the public the opportunity to participate in the development of this AD. No comments have been submitted on the proposed AD or on the determination of the cost to the public.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### Costs of Compliance

This AD will affect about 23 airplanes of U.S. registry and 90 airplanes worldwide. The required actions will take between 5 and 6 work hours per airplane depending on the airplane configuration, at an average labor rate of \$65 per work hour. Required parts will cost between \$673 and \$975 depending on the airplane configuration. The airplane configuration group requiring the fewest number of work hours requires parts that cost approximately \$710. Based on these figures, the estimated cost of the AD for U.S. operators is between \$1,035 and \$1,365 per airplane depending on the airplane configuration.

#### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

- (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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2004-22-19 McDonnell Douglas:**  
Amendment 39-13847. Docket No. FAA-2004-18573; Directorate Identifier 2003-NM-71-AD.

#### Effective Date

(a) This AD becomes effective December 14, 2004.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to McDonnell Douglas Model MD-11 series airplanes, as listed in paragraph 1.A.1. of McDonnell Douglas Alert Service Bulletin MD11-24A176, dated May 27, 2003; certificated in any category.

#### Unsafe Condition

(d) This AD was prompted by an incident in which arcing occurred between the power feeder cables and support bracket of the terminal strips. We are issuing this AD to prevent arcing damage to the terminal strips and damage to the adjacent structure, which could result in smoke and/or fire in the mid-cabin compartment.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Revise Wire Connection Stackups; Remove Nameplate, as Applicable; and Inspect for Damage

(f) Within 18 months after the effective date of this AD, do the actions specified in paragraphs (f)(1) and (f)(2) of this AD, in accordance with the Accomplishment Instructions of McDonnell Douglas Alert Service Bulletin MD11-24A176, dated May 27, 2003. Although the service bulletin specifies to submit information to the manufacturer in paragraph 4, "Appendix," this AD does not include that requirement.

(1) Revise the wire connection stackups, replace the terminal strips for the power feeder cables, and remove nameplates, as applicable, at the affected mid-cabin locations.

(2) Do a general visual inspection to detect arcing damage of the surrounding structure, adjacent system component, and electrical cables in the mid-cabin area.

**Note 1:** 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 from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight 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."

#### Corrective Action If Necessary

(g) If any damage is detected during the inspection required by paragraph (f) of this AD, before further flight, repair damage or replace the damaged part with a new part, in accordance with the Accomplishment Instructions of McDonnell Douglas Alert Service Bulletin MD11-24A176, dated May 27, 2003. If the type of structural material that has been damaged is not covered in the Structural Repair Manual, before further flight, repair in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA.

#### Alternative Methods of Compliance (AMOCs)

(h) The Manager, Los Angeles ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

#### Material Incorporated by Reference

(i) You must use McDonnell Douglas Alert Service Bulletin MD11-24A176, dated May 27, 2003, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approves the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For

copies of the service information, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). For information on the availability of this material at the National Archives and Records Administration (NARA), call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). You may view the AD docket at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., room PL-401, Nassif Building, Washington, DC.

Issued in Renton, Washington, on October 25, 2004.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service

[FR Doc. 04-24622 Filed 11-8-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-32-AD; Amendment 39-13846; AD 2004-22-18]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model MD-11 and -11F Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-11 and -11F airplanes, that requires an inspection of the auto throttle servo (ATS) assembly and corrective actions if necessary. The actions specified by this AD are intended to prevent electrical shorting of the brake coils of the ATS, which could result in smoke in the cockpit and/or passenger cabin. This action is intended to address the identified unsafe condition.

**DATES:** Effective December 14, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 14, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). This information may be

examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

#### FOR FURTHER INFORMATION CONTACT:

Brett Portwood, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5350; fax (562) 627-5210.

#### 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 McDonnell Douglas Model MD-11 and -11F airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on July 13, 2004 (69 FR 41985). That action proposed to require an inspection of the auto throttle servo assembly and corrective actions if necessary.

#### Comments

We provided the public the opportunity to participate in the development of this AD. No comments have been submitted on the proposed AD or on the determination of the cost to the public.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### Cost Impact

There are about 195 McDonnell Douglas Model MD-11 and -11F airplanes of the affected design in the worldwide fleet. We estimate that 62 airplanes of U.S. registry will be affected by this AD, that it will take about 1 work hour per airplane to accomplish the inspection, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$4,030, or \$65 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: