

the Manager, Los Angeles ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

#### New Requirements of This AD

##### No Requirement to Submit Information

(d) Although Boeing Service Bulletin MD90-32-012, Revision 03, dated June 29, 2001, specifies to submit information to the manufacturer, this AD does not include such a requirement.

##### Clarification of Inspection Sequence

(e) For inspections accomplished after the effective date of this AD: Where this AD requires fluorescent penetrant and magnetic particle inspections, accomplishment of the fluorescent penetrant inspection must precede accomplishment of the magnetic particle inspection.

##### Inspection of MLG Piston P/Ns 5935347-1 through -509, -511, and -513; and SR09320081-3 through -13

(f) For any MLG piston having P/N 5935347-1 through -509, -511, or -513; or P/Ns SR09320081-3 through -13: Perform fluorescent penetrant and magnetic particle inspections to detect fatigue cracking of the MLG pistons, in accordance with Boeing Service Bulletin MD90-32-012, Revision 03, dated June 29, 2001. Do the initial inspections at the later of the times specified in paragraphs (f)(1) and (f)(2) of this AD, except as provided by paragraph (g) of this AD. Repeat the inspections thereafter at intervals not to exceed 5,000 landings.

(1) Prior to the accumulation of 4,000 total landings; or

(2) Within 2,500 landings or 12 months after the effective date of this AD, whichever is first.

#### MLG Pistons Inspected Per Paragraph (a) or (b) of This AD

(g) MLG pistons having P/N 5935347-509, -511, or -513 that have been inspected as required by paragraph (a) or (b) of this AD, as applicable, are not required to be reinspected per paragraph (f) of this AD.

##### Repetitive Inspections for Evidence of Cracking and Follow-on Actions

(h) During the first brake change after the effective date of this AD, perform a general visual inspection to find evidence of cracking in the paint topcoat of the MLG piston, per the Accomplishment Instructions of Boeing Service Bulletin MD90-32-012, Revision 03, dated June 29, 2001. Repeat this inspection during every brake change.

(1) If any evidence of cracking in the paint topcoat, as described in the service bulletin, is found: Within 7 days or 50 landings after the evidence is found, whichever is first, perform a non-destructive test (NDT) inspection of the MLG piston to determine if there is any cracking.

(2) If any crack is found during the NDT inspection required by paragraph (h)(1) of this AD, before further flight, repair per a method approved by the Manager, Los Angeles ACO. For a repair method to be approved by the Manager, Los Angeles ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

**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."

#### Inspections Accomplished Per Previous Issue of Service Bulletin

(i) Inspections accomplished before the effective date of this AD per McDonnell Douglas Service Bulletin MD90-32-012, Revision 02, dated June 29, 1999, are considered acceptable for compliance with the corresponding actions specified in this AD.

#### Replacement of MLG Shock Strut Piston Assemblies

(j) Before the accumulation of 30,000 total landings on the MLG shock strut piston assemblies, or within 5,000 landings after June 20, 2002 (the effective date of AD 2002-10-03, amendment 39-12749), whichever occurs later: Replace the MLG shock strut piston assemblies, left- and right-hand sides, with new or serviceable improved assemblies, per the Accomplishment Instructions of Boeing Service Bulletin MD90-32-031, Revision 01, dated April 25, 2001. If the MLG shock strut piston is not serialized or the number of landings on the piston cannot be conclusively determined, consider the total number of landings on the piston assembly to be equal to the total number of landings accumulated by the airplane with the highest total number of landings in the operator's fleet.

**Note 2:** Paragraph (a) of AD 2002-10-03, amendment 39-12749, requires the same actions as paragraph (j) of this AD.

#### Compliance With Requirements of Other ADs

(k) Accomplishment of the replacement required by paragraph (j) of this AD constitutes terminating action for the requirements of this AD and AD 2002-10-03, amendment 39-12749, for the Model MD-90-30 airplanes listed in Boeing Service Bulletin MD90-32-012, Revision 03, dated June 29, 2001.

#### Alternative Methods of Compliance

(l)(1) In accordance with 14 CFR 39.19, the Manager, Los Angeles ACO, is authorized to approve alternative methods of compliance for this AD.

(2) Alternative methods of compliance, approved previously per AD 2000-03-08, amendment 39-11567, are approved as alternative methods of compliance with paragraphs (a), (b), and (c) of this AD.

#### Incorporation by Reference

(m) Unless otherwise specified in this AD, the actions must be done in accordance with

McDonnell Douglas Service Bulletin MD90-32-012, dated May 19, 1997, or McDonnell Douglas Service Bulletin MD90-32-012, Revision 01, dated June 2, 1998; Boeing Service Bulletin MD90-32-012, Revision 03, dated June 29, 2001; and Boeing Service Bulletin MD90-32-031, Revision 01, dated April 25, 2001; as applicable.

(1) The incorporation by reference of Boeing Service Bulletin MD90-32-012, Revision 03, dated June 29, 2001, is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Boeing Service Bulletin MD90-32-031, Revision 01, dated April 25, 2001, was approved previously by the Director of the Federal Register as of June 20, 2002 (67 FR 34823, May 16, 2002).

(3) The incorporation by reference of McDonnell Douglas Service Bulletin MD90-32-012, dated May 19, 1997; and McDonnell Douglas Service Bulletin MD90-32-012, Revision 01, dated June 2, 1998; was approved previously by the Director of the Federal Register as of March 22, 2000 (65 FR 7719, February 16, 2000).

(4) Copies 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). 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

(n) This amendment becomes effective on April 13, 2004.

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

**Kalene C. Yanamura,**

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

[FR Doc. 04-4923 Filed 3-8-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-NM-49-AD; Amendment 39-13511; AD 2004-05-16]

RIN 2120-AA64

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

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD),

applicable to certain Boeing Model 767–200 and –300 series airplanes, that requires repetitive inspections of the aft pressure bulkhead web, and corrective action, if necessary. This action is necessary to detect and correct fatigue cracks in the aft pressure bulkhead web, which could result in uncontrolled rapid decompression. This action is intended to address the identified unsafe condition.

**DATES:** Effective April 13, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 13, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124–2207. 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:** Suzanne Masterson, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 917–6441; fax (425) 917–6590.

**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 767–200, –300, and –300F series airplanes was published in the **Federal Register** on October 6, 2003 (68 FR 57639). That action proposed to require repetitive inspections of the aft pressure bulkhead web, and corrective action, if necessary.

#### 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.

#### Concur With Proposed AD

One commenter has reviewed the proposed AD and concurs with the proposed inspections and corrective action.

#### Add Provision for Flight Cycles With Cabin Differential Pressure Less Than 2.0 psi

One commenter requests that a provision be added allowing flight cycles to not be counted if cabin

differential pressure was below 2.0 pounds per square inch (psi), provided that cabin pressure records be maintained for each airplane, and that no fleet averaging of cabin pressure is allowed. The commenter notes that there is a provision in Boeing Alert Service Bulletin 767–53A0087, dated October 21, 1999, which is the source of service information for this AD. In the “General Notes” of the Accomplishment Instructions of the service bulletin, paragraph 6. specifies that “flight-cycles, as defined herein, need not be counted if cabin differential pressure was below 2.0 psi.”

We do not agree with the commenter’s request to add a provision for flight cycles with cabin differential pressure less than 2.0 psi. Cabin differential pressure of 2.0 psi or less is not typical of normal operation of the affected airplanes. We do not consider it appropriate to include various provisions in an AD applicable to unique uses of an affected airplane. We have determined that mitigating factors, such as total number of low pressure cycles, could best be evaluated through requests for alternative methods of compliance, as provided by paragraph (e) of this AD. In addition, we have clarified paragraphs (a) and (b) of this AD by referring to the “Work Instructions” of the service bulletin instead of the “Accomplishment Instructions.”

#### Change Effectivity and Revise Affected Models

One commenter requests the applicability be changed to line numbers 1 through 423 inclusive and that Model –300F series airplanes be removed from the list of affected models. The commenter states that AD 2003–18–10, amendment 39–13301 (68 FR 53503, September 11, 2003), mandates the current revision of Section 9 of the Maintenance Planning Data document, which contains inspection item number 53–80–I01A. Inspection item number 53–80–I01A is the same as the proposed actions for line numbers 424 and on. This would cause duplicate requirements for the same actions, causing confusion for operators as to what inspections to accomplish and how to comply with both ADs.

The FAA agrees with the commenter’s request. For line numbers 424 and on, the Airworthiness Limitations for Boeing Model 767 series airplanes are currently in effect and AD 2003–18–10 adequately mandates the proposed inspections and corrective action. We have changed the applicability to line numbers 1 through 423 inclusive and removed Model –300F series airplanes

from the list of affected models. Because of the new applicability, we also removed Group 3 and Group 4 from Table 1 of this AD, revised paragraph (b) of this AD, and changed the number of affected airplanes in the “Cost Impact” paragraph of the AD.

#### Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. 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

There are approximately 406 airplanes of the affected design in the worldwide fleet. The FAA estimates that 182 airplanes of U.S. registry will be affected by this AD, that it will take approximately 14 work hours per airplane to accomplish the required inspection, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$165,620, or \$910 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:

**2004-05-16 Boeing:** Amendment 39-13511. Docket 2003-NM-49-AD.

*Applicability:* Model 767-200 and -300 series airplanes, line numbers 1 through 423 inclusive; certificated in any category.

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

To detect and correct fatigue cracks in the aft pressure bulkhead web, which could result in uncontrolled rapid decompression, accomplish the following:

#### Initial and Repetitive Inspections

(a) Do high frequency eddy current inspections of the aft pressure bulkhead web, per the Work Instructions of Boeing Alert Service Bulletin 767-53A0087, dated October 21, 1999; at the later of the applicable "Threshold" and "Grace Period" times specified in Table 1 of this AD. Table 1 is as follows:

TABLE 1.—COMPLIANCE TIMES FOR INSPECTION

For—	Compliance times—	
	Threshold—	Grace period—
(1) Group 1 airplanes as identified in the service bulletin.	Prior to the accumulation of 37,500 total flight cycles.	Within 18 months or within 3,000 flights after the effective date of this AD, whichever comes first
(2) Group 2 airplanes as identified in the service bulletin.	Prior to the accumulation of 50,000 total flight cycles.	Within 18 months or within 3,000 flights after the effective date of this AD, whichever comes first

(b) If no crack is found during any inspection required by paragraph (a) of this AD, repeat the high frequency eddy current inspections thereafter at intervals not to exceed 6,000 flight cycles, per the Work Instructions of Boeing Alert Service Bulletin 767-53A0087, dated October 21, 1999.

#### Corrective Actions

(c) If any crack is found during any inspection required by paragraph (a) or (b) of this AD and Boeing Alert Service Bulletin 767-53A0087, dated October 21, 1999, specifies to contact Boeing for repair: Before further flight, repair per a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or per data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved, the approval must specifically reference this AD.

#### Previously Installed Repairs

(d) If previously installed repairs are installed in the inspection area, and Boeing Alert Service Bulletin 767-53A0087, dated October 21, 1999, specifies to contact Boeing for inspection details, an alternative method of compliance must be approved as required by sections 39.15, 39.17, and 39.19 of the Code of Federal Regulations (14 CFR 39.15, 39.17, 39.19).

#### Alternative Methods of Compliance

(e) In accordance with 14 CFR 39.19, the Manager, Seattle ACO, FAA, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(f) Unless otherwise specified in this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 767-53A0087, dated October 21, 1999. 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 Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. 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

(g) This amendment becomes effective on April 13, 2004.

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

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-04-AD; Amendment 39-13491; AD 2004-04-10]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A300 B2 and A300 B4 Series Airplanes; A300 B4-600, B4-600R, C4-605R Variant F, and F4-600R (Collectively Called A300-600); and A310 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A300 B2 and A300 B4 series airplanes; A300 B4-600, B4-600R, C4-605R Variant F, and F4-600R (collectively called A300-600); and A310 series airplanes. This AD requires, for certain airplanes, identifying the part number of the landing gear selector valves. For all airplanes, this AD requires repetitive maintenance tasks or operational tests of the landing gear selector valves, and replacing discrepant valves with certain new valves. This action is necessary to prevent failure of the landing gear selector valves, which could result in residual pressure on the retraction chamber side of the electro-hydraulic