

**Incorporation by Reference**

(e) The actions shall be done in accordance with Airbus Service Bulletin A300-28-0080, dated September 28, 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

**Note 3:** The subject of this AD is addressed in French airworthiness directive 2000-455-322(B), dated November 15, 2000.

**Effective Date**

(f) This amendment becomes effective on August 1, 2001.

Issued in Renton, Washington, on June 19, 2001.

**Kalene C. Yanamura,**

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

[FR Doc. 01-15936 Filed 6-26-01; 8:45 am]

BILLING CODE 4910-13-P

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

[Docket No. 2000-NM-339-AD; Amendment 39-12288; AD 2001-13-08]

RIN 2120-AA64

**Airworthiness Directives; Dornier Model 328-300 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328-300 series airplanes, that requires replacing the brake assemblies with modified brake assemblies. The actions specified by this AD are intended to prevent overheating of the brakes, which could result in cracked pistons and consequent leakage and burning of the hydraulic fluid. This action is intended to address the identified unsafe condition.

**DATES:** Effective August 1, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 1, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from Fairchild Dornier, Dornier

Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at these 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:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

**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 Dornier Model 328-300 series airplanes was published in the **Federal Register** on May 4, 2001 (66 FR 22484). That action proposed to require replacing the brake assemblies with modified brake assemblies.

**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.

**Conclusion**

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

**Cost Impact**

The FAA estimates that 8 airplanes of U.S. registry will be affected by this AD, that it will take approximately 9 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be provided at the manufacturer at no cost to operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$4,320, or \$540 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:

**2001-13-08 Dornier Luftfahrt GmbH:**

Amendment 39-12288. Docket 2000-NM-339-AD.

*Applicability:* Model 328-300 series airplanes, certificated in any category, serial numbers 3105 through 3144 inclusive, 3146, 3148, 3151 through 3154 inclusive, 3158, and 3159.

**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 overheating of the brakes, which could result in cracked pistons and consequent leakage and burning of the hydraulic fluid, accomplish the following:

#### Brake Piston Replacement

(a) Within 7 weeks after the effective date of this AD, replace the left and right brake assemblies having part number (P/N) AHA2227-2 with modified brake assemblies having P/N AHA2227-3, in accordance with Dornier Service Bulletin SB-328J-32-029, Revision 1, dated August 4, 2000.

**Note 2:** Replacement of the brake assemblies prior to the effective date of this AD in accordance with Dornier Service Bulletin SB-328J-32-029, dated June 14, 2000, is also acceptable for compliance with the requirements of paragraph (a) of this AD.

#### Spares

(b) As of the effective date of this AD, no person may install a brake assembly having P/N AHA2227-2 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, International Branch, ANM-116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

#### 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 Dornier Service Bulletin SB-328J-32-029, Revision 1, dated August 4, 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 FAIRCHILD DORNIER, DORNIER Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. 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.

**Note 4:** The subject of this AD is addressed in German airworthiness directive 2000-288, dated September 21, 2000.

#### Effective Date

(f) This amendment becomes effective on August 1, 2001.

Issued in Renton, Washington, on June 19, 2001.

**Kalene C. Yanamura,**

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

[FR Doc. 01-15935 Filed 6-26-01; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-308-AD; Amendment 39-12287; AD 2001-13-07]

**RIN 2120-AA64**

#### **Airworthiness Directives; Boeing Model 737-300, 737-400, 737-500, 737-600, 737-700, 737-800, 757-200, 757-200PF, 757-200CB, and 757-300 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-300, 737-400, 737-500, 737-600, 737-700, 737-800, 757-200, 757-200PF, 757-200CB, and 757-300 series airplanes. This AD requires a test of the two electrical circuits that close the fuel shutoff valve on the wing spar, and repair, if necessary. This action is necessary to prevent inability to shut off the flow of fuel to an engine after an uncontained engine failure, which could result in a fire spreading to other parts of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective August 1, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 1, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, 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:**

Kathrine Rask, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1547; fax (425) 227-1181.

#### **SUPPLEMENTARY INFORMATION:**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) that is applicable to certain Boeing Model 737-300, 737-400, 737-500, 737-600, 737-700, 737-800, 757-200, 757-200PF, 757-200CB, and 757-300 series airplanes was published in the **Federal Register** on December 29, 2000 (65 FR 82957). That action proposed to require a test of the two electrical circuits that close the fuel shutoff valve on the wing spar, and repair, if necessary.

#### **Explanation of New Relevant Service Information**

The FAA has reviewed and approved Boeing Service Bulletin 737-28-1164, Revision 1, dated May 10, 2001, which describes procedures for a one-time test of the two electrical circuits that close the fuel shutoff valve on each wing spar to determine if there is continuity, and location and repair of any discontinuity. The procedures described in Revision 1 of the service bulletin are essentially similar to those described in the original issue of the service bulletin, dated August 24, 2000, which was listed in the proposed rule as the appropriate source of service information for Boeing Model 737-300, 737-400, and 737-500 series airplanes. Revision 1 merely corrects the location of two electrical connectors. Accomplishment of the actions specified in Revision 1 of the service bulletin is intended to adequately address the identified unsafe condition.

In consideration of this new service information, the FAA has revised paragraph (a) of this final rule to refer to Boeing Service Bulletin 737-28-1164, Revision 1, in addition to the original issue of the service bulletin, as an acceptable source of service information for accomplishment of paragraph (a) on Boeing Model 737-300, -400, and -500 series airplanes.

#### **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.