the left and right servo assemblies of the PCP of the inboard elevator for Model 747–100, –200, –300, and –400 series airplanes, equipped with certain Parker PCP's. The modification involves rework of the dual tandem servo assembly. This modification will prevent blockage of the hydraulic balance passageway by the spring guide, which can contribute to the uncommanded motion of the PCP.

However, for certain Model 747–400 series airplanes, Boeing has issued Alert Service Bulletin 747–27A2348, Revision 1, January 26, 1995, which describes additional procedures for modification of the hydraulic tubing of the right inboard elevator PCP. This modification connects the hydraulic system number 3 to the sensitive side of the servo valve. This modification will prevent an uncommanded right elevator deflection caused by hyraulic system number 4 pressure flucuations. The FAA has reviewed and approved this alert service bulletin.–

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require modification of the left and right servo assemblies and re-routing the hydraulic tubing of the inboard elevator PCP. The actions would be required to be accomplished in accordance with the service bulletins described previously. –

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this notice to clarify this long-standing requirement.

There are approximately 672 Model 747–100, –200, and –300 series airplanes, and 357 Model 747–400 series airplanes of the affected design in the worldwide fleet, a total of 1,000 airplanes. –

The FAA estimates that 114 Model 747–100, –200, and –300 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 73 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$3,720 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$923,400, or \$8,100 per airplane. –

The FAA estimates that 65 Model 747–400 series airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 111 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$8,549 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$988,585, or \$15,209 per airplane. –

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. –

The regulations proposed herein would not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT **Regulatory Policies and Procedures (44** FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39 -

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment -

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§39.13 [Amended] -

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Docket 94-NM-226-AD.

Applicability: Model 747–100, –200, –300, and –400 series airplanes, equipped with Parker inboard elevator power control packages (PCP) having part numbers (P/N) 327400–1001, –1003, –1005, and –1007; 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 use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously. –

To prevent uncommanded elevator deflection, which could result in structural damage and reduced controllability of the airplane, accomplish the following: –

(a) For Model 747–400 series airplanes, as listed in Boeing Alert Service Bulletin 747–27A2348, dated November 17, 1994: Within 1 year after the effective date of this AD, modify the hydraulic tubing of the right inboard elevator PCP, in accordance with Boeing Alert Service Bulletin 747–27A2348, Revision 1, dated January 26, 1995. –

(b) For all airplanes: Within 3 years after the effective date of this AD, modify the left and right servo assemblies of the inboard elevator PCP, in accordance with Parker Service Bulletin 327400–27–171, dated December 2, 1994. –

(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), ANM– 100S, Transport Airplane Directorate. 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.