compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this rule to clarify this requirement.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

### **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption ADDRESSES. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94–NM–225–AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will 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 final rule does not have sufficient federalism

implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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. 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:

### 95-01-04 Boeing: Amendment 39-9115. Docket 94-NM-225-AD.

Applicability: Model 747–100 series airplanes equipped with freighter conversion modification installed in accordance with Supplemental Type Certificate (STC) SA2322SO, 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 (d) 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 reduced fatigue life of the fuselage, accomplish the following:

(a) Within 90 days after the effective date of this AD, perform a detailed close visual inspection of the tee chord and lap joint of stringer 4L from fuselage station (FS) 1660 to FS 2040 to detect discrepancies (such as corrosion, cracking, open holes, misdrilled holes, and any freeze plugs in the fuselage skin and internal stringer or longerons). External structural doublers must be removed to perform this inspection.

(1) If no discrepancy is detected, prior to further flight, modify the longitudinal lap joints of the upper body skin at stringer 4L at FS 1689.5 to FS 1741.1, and FS 1961.1 to FS 2010.5, in accordance with GATX/Airlog Service Bulletin 94–MG–1000–009, dated May 4, 1994. Accomplishment of this modification constitutes terminating action for the inspections required by AD 90–15–06, amendment 39–6653.

(2) If any discrepancy is detected, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(b) Within 30 days after the airplane is returned to service subsequent to the completion of the inspection required by paragraph (a) of this AD, submit a report of the findings of that inspection, positive or negative, to the FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; or fax the report to (206) 227-1181. The report must include the information contained in paragraphs (b)(1), (b)(2), (b)(3), and (b)(4) of this AD Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) and have been assigned OMB Control Number 2120-0056.

(1) Serial number of the airplane;

(2) Date of completion of the modification installed in accordance with STC SA2322S0;

(3) Date of the last inspection performed in accordance with the requirements of AD 90–15–06, amendment 39–6653; and

(4) Description and location of each discrepancy detected during the inspection required by paragraph (a) of this AD.

(c) As of the effective date of this AD, modification of the longitudinal lap joints of the upper body skin at stringer 4L, FS 1689.5 to FS 1741.1, and FS 1961.1 to FS 2010.5, must be accomplished in accordance with GATX/Airlog Service Bulletin 94–MG–1000–009, dated May 4, 1994, prior to installation of Supplemental Type Certificate (STC) SA2322SO on any airplane in accordance with the STC.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be