on the FIREX pipe assembly of the number one engine; and either repair of chafed pipe assemblies or replacement of the chafed pipe assemblies with new pipe assemblies; and modification of the FIREX and the pneumatic sense pipe assembly clamp marriage. This amendment is prompted by reports of incidents in which the pneumatic sense pipe chafed against the FIREX supply pipe of the number one engine. The actions specified by this AD are intended to prevent the chafing of the FIREX supply pipe, which could result in a hole in the pipe and subsequently prevent the proper distribution of the fire extinguishing agent within the nacelle in the event of a fire.

**DATES:** Effective July 24, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 24, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). 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 FAA, Transport Airplane Directorate, 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.

**FOR FURTHER INFORMATION CONTACT:** Robert Baitoo, Aerospace Engineer, Propulsion Branch, ANM–140L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (310) 627–5245; fax (310) 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 DC–9, DC–9–80, and C–9 (military) series airplanes, and Model MD–88 airplanes was published in the **Federal Register** on December 8, 1994 (59 FR 63275). That action proposed to require inspection to detect chafing on the FIREX pipe assembly of the number one engine; and either replacement of the chafed pipe assemblies with new pipe assemblies and modification of the FIREX and the pneumatic sense pipe assembly clamp marriage, or repair of the chafed pipe assemblies.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule.

Two commenters request that the compliance time for accomplishment of the inspection be extended from the proposed 8 months to 12 months. This will allow the inspection to be accomplished during the time of a regularly scheduled ''C'' check. One commenter considers that adoption of the proposed compliance time of 8 months would result in an additional expense to operators to schedule special times for the accomplishment of this inspection. The FAA does not concur with the commenters' request to extend the compliance time for the inspection requirements. In developing an appropriate compliance time for this action, the FAA considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the inspection. In consideration of these items, as well as the several reports of chafing of the FIREX supply pipe assembly found on in-service airplanes, the FAA has determined that 8 months represents the maximum interval of time allowable wherein the inspection can reasonably be accomplished and an acceptable level of safety can be maintained. However, paragraph (b) of the final rule does provide affected operators the opportunity to apply for an adjustment of the compliance time if data are presented to justify such an adjustment.

One commenter states that paragraph (a)(1) of the proposed rule seems to offer an option of not modifying the clamping configuration if repair is needed. The commenter requests that paragraph (a)(1) be changed to read, ''* * * either replace the chafed pipe assemblies with new pipe assemblies or repair chafed pipe assemblies; and modify the FIREX * * *'' for clarification purposes. The FAA concurs. Further review of McDonnell Douglas Service Bulletin 26–25, which is referenced in the final rule as the appropriate source of service information, indicates that the repair procedures [described in paragraph 2.C.(2) of the service bulletin] include modification of the clamping configuration. Therefore, the modification is part of the repair, and is not optional. The FAA has revised paragraph (a)(1) of the final rule to clarify this modification requirement accordingly. Since this revision just clarifies a requirement of the rule, the FAA finds that it does not pose an increased burden on any operator.

One commenter requests that Model DC–9 series airplanes that are not equipped with a ventral stair be excluded from the applicability of the proposed rule. The commenter states that these airplanes do not have a pipe assembly having part number P/N 7914299–521 or 7914299–524; these pipe assemblies are referenced in Revision 1 of the service bulletin that is cited in the proposal as the appropriate source of service information. The FAA concurs. Since issuance of the proposal, the FAA has reviewed and approved Revision 2 of McDonnell Douglas DC–9 Service Bulletin 26–25, dated April 18, 1995. The procedures described in Revision 2 are identical to those described in Revision 1 , but include minor editorial changes. However, Revision 2 revises the effectivity listing of the service bulletin by removing 544 non-ventral stair Model DC–9 series airplanes. Accordingly, the applicability of the final rule has been revised to include only those airplanes listed in Revision 2 of the service bulletin. Additionally, the economic impact information, below, has been revised to reduce the total cost impact by the amount of costs applicable to the 544 airplanes that have been deleted from the applicability of the final rule. Further, the final rule has been revised to reference Revision 2 of the service bulletin as an additional source of service information.

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.

There are approximately 1,410 Model DC–9, DC–9–80, and C–9 (military) series airplanes, and Model MD–88 airplanes of the affected design in the worldwide fleet. The FAA estimates that 553 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. The cost of required parts will be nominal. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $33,180, or $60 per airplane.

The total 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