attachments, but ''reduces the reliance on non-routine inspections,'' as well. The FAA concurs with this suggestion and has revised the Summary section of the preamble to the final rule to include relevant wording.

This same commenter notes that the description of the unsafe condition that appeared in the Discussion section of the preamble to the notice refers to ''the structural fail-safe capability of the strut-to-wing attachment.'' The commenter states that this description is inaccurate since it implies that the strut-to-wing attachment is inadequate.

The commenter suggests that a more accurate description would be ''damage tolerance capability of the strut-to-wing attachment.'' The FAA acknowledges that the commenter's wording is more accurate. The pertinent wording in the preamble to the final rule has been revised to reflect this change. Furthermore, the FAA considers that the new structure of the strut meets the damage tolerance requirements of amendment 45 of section 25.571, ''Damage—tolerance and fatigue evaluation of structure,'' of the Federal Aviation Regulations (14 CFR 25.571, amendment 45), which provides an even higher level of safety than simply fail-safe requirements.

This commenter also provides further clarification of the description of the requirements of the existing AD's that address unsafe conditions associated with the strut attachment assemblies on Model 747 series airplanes equipped with General Electric Model CF6–80C2 series engines or Pratt & Whitney Model PW4000 series engines. The description in the Discussion section of the preamble to the proposal states that the existing AD's require ''inspection of the strut, midspar fittings, diagonal brace, and midspar fuse pins.'' The commenter states that a more complete description of the existing AD's would be ''inspection of the strut midspar fittings, spring beam lugs, diagonal brace, and midspar fuse pins.'' The FAA acknowledges that the commenter's description of the requirements of the existing AD's is more succinct. However, since the Discussion section is not restated in this final rule, no change to the final rule is necessary.

Further, this commenter states that the description of the modification that appeared in the Explanation of Service Information section of the preamble to the proposal is detailed differently from the wording that appears in the alert service bulletin that is referenced in the proposal as the appropriate source of service information. The FAA acknowledges that paragraph I.C., Description, on page 6 of Boeing Alert Service Bulletin 747–54A2156, dated December 15, 1994, provides another description of the actions involved in accomplishing the subject modification. However, although the service bulletin's description is worded somewhat differently, its intent is comparable to and consistent with the description that appeared in the preamble to the proposal.

Clarification of Note 1

One commenter requests that Note 1 of the proposal be clarified since it is too vague to determine exactly when FAA approval of alternative methods of compliance (AMOC) is necessary. The FAA concurs. Although every effort is made to keep the language simple and clear, it is apparent that some additional explanation is necessary to clarify the intent of Note 1. Performance of the requirements of this final rule is ''affected'' if an operator is unable to perform those requirements in the manner described in this AD. For example, if an AD requires a visual inspection in accordance with a certain service bulletin, and the operator cannot perform that inspection because of the placement of a repair doubler over the structure to be inspected, then ''performance of the AD is affected.''

In addition, performance of the requirements of an AD is ''affected'' if it is physically possible to perform the requirements, but the results achieved are different from those specified in the AD. For example, if the AD requires an NDT inspection in accordance with a certain service bulletin, and the operator is able to move the NDT probe over the specified area in the specified manner, but the results are either meaningless or inaccurate because of the repair doubler over that area, then ''performance of the AD is affected.''

While Note 1 itself is not capable of addressing every possible situation, ''affected'' is normally an easy standard to apply: either it is possible to perform the requirements as specified in the AD and achieve the specified results, or it is not possible. Therefore, if the requirements of this AD cannot be performed, then operators must submit a request for an approval of an AMOC from the FAA, in accordance with the provision of paragraph (d) of this final rule.

Accomplishment of any modification requirement of an AD, such as the modification of the nacelle strut and wing structure required by this final rule, does not ''affect performance of the AD;'' it is performance of the AD. Every AD includes a provision, with which operators are familiar, that states, ''Compliance required as indicated, unless accomplished previously.'' If an operator performs such a requirement before the AD is issued, the FAA is confident that the operator will recognize that it has already complied with the AD and no further action (including obtaining approval of an AMOC) is required. This is consistent with current law and practice, which Note 1 is not intended to change.

Compliance Time for Modification

One commenter requests that the compliance time of proposed paragraph (a), which requires modification of the nacelle strut and wing structure, be extended by 4 months. The commenter notes that a 4-month extension of the compliance time would coincide with the time recommended in the referenced Boeing Alert Service Bulletin 747–54A2156 for that modification. Further, this commenter alleges that a difference of 4 months will ''significantly impact'' its operations.

The FAA does not concur with the commenter's request. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the manufacturer's recommendation as to an appropriate compliance time, the availability of required parts, and the practical aspect of installing the required modification within a maximum interval of time allowable for all affected airplanes to continue to operate without compromising safety. Further, the FAA took into account the 7-year compliance time recommended by the manufacturer, as well as the number of days required for the rulemaking process; in consideration of these factors, the FAA finds that 80 months after the effective date of this final rule will fall approximately at the same time for compliance as recommended by the manufacturer.

However, under the provisions of paragraph (b) of the final rule, any operator may submit requests for adjustments to the compliance time along with data demonstrating that such requests will not compromise safety. In evaluating such requests for adjustments to the compliance time, the FAA will closely examine the operator's explanation of why an extension is needed. The FAA will also consider the operator's good faith attempt at complying within the compliance time contained in this final rule, which can be demonstrated by accomplishing the modification on a significant percentage of the airplanes in the operator's fleet prior to submitting a request for adjustment to the compliance time. The FAA will take into consideration the