light of the degree of urgency associated with the unsafe condition addressed by this AD, and since the General Electric service bulletin is only a secondary reference, the FAA does not consider that delaying this action until after the release of a revised service bulletin is warranted. Further, paragraph (f) of the final rule provides affected operators the opportunity to request an alternative method of compliance or adjustment of the compliance time if data are presented to justify such a request.

The FAA has been advised that the terminating modification required by this AD has been accomplished on certain U.S.-registered airplanes. The economic impact information, below, has been revised accordingly.

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 as proposed.

There are approximately 135 Boeing Model 767 series airplanes equipped with General Electric CF6–80C2 series engines in the worldwide fleet. The FAA estimates that 39 airplanes of U.S. registry will be affected by this AD.

The tests, inspections, and adjustments that were required previously by AD 91–22–02, and retained in this AD, take approximately 30 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the total cost impact on U.S. operators of the currently required tests, inspections, and adjustments that are retained in this AD is estimated to be \$70,200, or \$1,800 per airplane, per inspection cycle.

The terminating modification required by this AD will take approximately 786 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operator. The repetitive operational checks required by this AD will take approximately 2 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the total cost impact on U.S. operators of the terminating modification and repetitive operational checks required by this AD is estimated to be \$1,843,920, or \$47,280 per airplane.

The FAA has been advised that the terminating modification has been accomplished in accordance with the requirements of this AD on 11 U.S.-registered airplanes. Therefore, the future economic cost impact of this rule on U.S. operators is now only \$1,325,160.

The number of required work hours for each requirement of this AD, as indicated above, is presented as if the accomplishment of the actions were to be conducted as "stand alone" actions. However, in actual practice, these actions for the most part will be accomplished coincidentally or in combination with normally scheduled airplane inspections and other maintenance program tasks. Therefore, the actual number of necessary additional work hours will be minimal in many instances. Additionally, any costs associated with special airplane scheduling will be minimal.

The FAA recognizes that the required modification would necessitate a large number of work hours to accomplish. However, the 3-year compliance time specified in paragraph (c) of this AD should allow ample time for terminating modification to be accomplished coincidentally with scheduled major airplane inspection and maintenance activities, thereby minimizing the costs associated with special airplane scheduling. Regulatory Impact

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.

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. 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 removing amendment 39–8062 (56 FR 51638, October 15, 1991), and by adding a new airworthiness directive (AD), amendment 39–9292, to read as follows:

95–13–12 Boeing: Amendment 39–9292. Docket 94–NM–28–AD. Supersedes AD 91–22–02, Amendment 39–8062.

Applicability: Model 767 series airplanes equipped with General Electric CF6–80C2 series engines, 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 (f) of this AD 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 ensure the integrity of the fail-safe features of the thrust reverser system, accomplish the following:

(a) Within 30 days after October 15, 1991 (the effective date of AD 91–22–02, amendment 39–8062), perform tests, inspections, and adjustments of the thrust reverser system in accordance with Boeing Service Bulletin 767–78–0047, dated August 22, 1991; Revision 1, dated March 26, 1992; Revision 2, dated January 21, 1993; or Revision 3, dated July 28, 1994. After the effective date of this AD, those actions shall be accomplished only in accordance with Revision 3 of the service bulletin.

(1) Except as provided by paragraph (a)(2) of this AD, repeat all tests and inspections thereafter at intervals not to exceed 3,000 flight hours until the modification required by paragraph (c) of this AD is accomplished.

(2) Repeat the check of the grounding wire for the Directional Pilot Valve (DPV) of the thrust reverser in accordance with the service bulletin at intervals not to exceed 1,500 flight hours, and whenever maintenance action is taken that would disturb the DPV grounding