

requires the accomplishment of 12 service bulletins.

Conclusion

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 significantly increase the economic burden on any operator nor increase the scope of the AD.

The FAA is continuing to review the recommendations of the SRTF working group for these airplanes and may consider further rulemaking based on those recommendations.

Economic Impact

There are approximately 427 Model DC-10 series airplanes and Model KC-

10A (military) airplanes of the affected design in the worldwide fleet. The FAA estimates that 254 airplanes of U.S. registry will be affected by this AD.

Approximate work hours to accomplish the required actions and costs for required parts are listed in the following table. The average labor rate is \$60 per work hour.

Service bulletin No.	Estimated work hours	Parts cost per air-plane	Total cost per air-plane
27-71	5	\$26,998	\$27,298
27-120	3	68	248
27-152	1	487	547
27-181	5	611	911
27-201	10	9,893	10,493
27-208	5	492	792
27-209	9	489	1,029
29-109	101	1,408	7,468
29-125	4	269	509
32-134	3	5,525	5,705
32-143	3	3,926	4,106
32-157	6	70,744	71,104

Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$33,073,340, or \$130,210 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 those actions in the future if this AD were not adopted.

The number of required work hours, as indicated above, is presented as if the accomplishment of the actions required by this AD were to be conducted as "stand alone" actions. However, the 24-month compliance time specified in paragraph (a) of this AD should allow ample time for the actions to be accomplished coincidentally with scheduled major airplane inspection and maintenance activities, thereby minimizing the costs associated with special airplane scheduling.

Further, the FAA recognizes that the obligation to maintain aircraft in an airworthy condition is vital, but sometimes expensive. Because AD's require specific actions to address specific unsafe conditions, they appear to impose costs that would not otherwise be borne by operators. However, because of the general obligation of operators to maintain aircraft in an airworthy condition, this appearance is deceptive. Attributing those costs solely to the issuance of this AD is unrealistic because, in the interest of maintaining safe aircraft, most

prudent operators would accomplish the required actions even if they were not required to do so by the AD.

A full cost-benefit analysis has not been accomplished for this AD. As a matter of law, in order to be airworthy, an aircraft must conform to its type design and be in a condition for safe operation. The type design is approved only after the FAA makes a determination that it complies with all applicable airworthiness requirements. In adopting and maintaining those requirements, the FAA has already made the determination that they establish a level of safety that is cost-beneficial. When the FAA, as in this AD, makes a finding of an unsafe condition, this means that the original cost-beneficial level of safety is no longer being achieved and that the required actions are necessary to restore that level of safety. Because this level of safety has already been determined to be cost-beneficial, a full cost-benefit analysis for this AD would be redundant and unnecessary.

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: