the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. **FOR FURTHER INFORMATION CONTACT:** Stephen S. Bray, Aerospace Engineer, Propulsion Branch, ANM–140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2681; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION: On March 10, 1994, the FAA issued AD 94-06-11, amendment 39-8858 (59 FR 13444, March 22, 1994), applicable to certain Boeing Model 737-300, -400, and -500 series airplanes. That AD requires modification of the leading edge slat access panel and internal structure at Front Spar Station (FSS) 250.663. That action was prompted by reports that fuel leaking from the fuel line at FSS 250.663 flowed through a drain hole in a slat access panel and leaked into the turbine exhaust area. (The strut drain system installed on these airplanes is designed to divert fuel leakage to a point five feet from the turbine exhaust area.) One of the incidents caused an external fire under the wing. Typically, such a fire could occur on the ground after the engines have been shut down. The resultant fire could spread from the turbine exhaust area to the strut and, subsequently, could ignite fuel within the strut. This condition, if not detected and corrected, could cause an external fire under the wing.

Since issuance of AD 94–06–11. the FAA has determined that the same unsafe condition addressed in that AD may exist on certain additional Model 737-300, -400, and -500 series airplanes; therefore, these additional airplanes also are subject to fuel leakage into the turbine exhaust area, which could cause an external fire under the wing. AD 94-06-11 is applicable only to airplanes having line positions 1001 through 1976 inclusive, 1978 through 2183 inclusive, 2185 through 2186 inclusive, and 2188 through 2193 inclusive. The additional airplanes identified are those having line positions 2184, 2187, 2194 through 2197 inclusive, and 2199. These additional airplanes are operated currently by non-U.S. operators under foreign registry.

The FAA has reviewed and approved Boeing Service Bulletin 737–57–1221, Revision 2, dated November 17, 1994, that describes procedures for modifying the leading edge slat access panel and internal structure at FSS 250.663. Incorporation of this modification entails sealing the drain hole in Slat Access Panels 6307L and 6407R, changing the internal structure of the leading edge panel by creating a drain path to the strut drain system, and sealing the slat access panel and the internal structure of the leading edge panel to keep fuel leakage within the new drain path.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to prevent drainage from a fuel leak into the turbine exhaust area, which could cause an external fire under the wing. This AD requires modification of the leading edge slat access panel and internal structure at FSS 250.663. The actions are required to be accomplished in accordance with the service bulletin described previously. This AD applies only to Model 737-300, -400, and -500 series airplanes having line positions 2184, 2187, 2194 through 2197 inclusive, and 2199.

Note: The FAA's normal policy is that when an AD requires a substantive change, such as a change (expansion) in its applicability, the "old" AD is superseded by removing it from the system and a new AD is added. In the case of this AD action, the FAA normally would have proposed superseding AD 94-06-11 to expand its applicability to include the additional affected airplanes. However, in reconsideration of the entire fleet size that would be affected by a supersedure action, and the consequent workload associated with revising maintenance record entries, the FAA has determined that a less burdensome approach is to issue a separate AD applicable only to these additional airplanes. This AD does not supersede AD 94-06-11; airplanes listed in the applicability of AD 94-06-11 are required to continue to comply with the requirements of that AD. This AD is a separate AD action, and is applicable on to Model 737-300, -400, and -500 series airplanes, line positions 2184, 2187, 2194 through 2197 inclusive, and 2199.]

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of 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.

None of the Model 737–300, –400, or –500 series airplanes affected by this action is on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 10 work hours to accomplish the required actions, at an average labor charge of \$60 per work hour. The cost of required parts is expected to be negligible. Based on these figures, the total cost impact of this AD would be \$600 per airplane.

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the Federal Register.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and 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