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 proposed 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 costbeneficial. When the FAA, as in this proposed 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 proposed 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 proposed AD would be redundant and unnecessary.

#### **Regulatory Impact**

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment –

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

# List of Subjects in 14 CFR Part 39-

Air transportation, Aircraft, Aviation safety, Safety.

### **The Proposed Amendment-**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 adding the following new airworthiness directive:

McDonnell Douglas: Docket 94–NM–114– AD.–

Applicability: Model DC-10-10, -10F, -15, -30, -30F, -40, and -40F series airplanes and Model KC-10A (military) airplanes; as listed in the following McDonnell Douglas DC-10 service bulletins; certificated in any category:-

Service bulletin No. –	Revision level –	Date issued-
27–71–	1 –	February 14, 1973
27-120	Original	February 10, 1975
27-152	Original	August 9, 1976
27–181–	1 –	May 28, 1981.–
27–201–	Original	December 30, 1985.–
27–208–	Original– .	September 5, 1989.–
27-209	Original	October 20, 1989
29–109–	1–	September 22, 1978.–
29–125–	2–	October 23, 1987
32–134–	Original	March 22, 1977
32–143–	Original	August 8, 1978.–
32-157	1	October 29, 1980

**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 (b) 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 airplane survivability in the event of damage to fully powered flight control systems, accomplish the following:-

(a) Within 24 months after the effective date of this AD, modify the flight controls, hydraulic power systems, and landing gear in accordance with paragraphs (a)(1) through (a)(12) of this AD, as applicable.–

(1) For airplanes listed in McDonnell Douglas DC-10 Service Bulletin 27-71, Revision 1, dated February 14, 1973: Install surge damper assemblies and new piping assemblies in hydraulic systems 1 and 3 of the horizontal stabilizer in accordance with the service bulletin. As of the effective date of this AD, no person shall install a pipe assembly, part number AJK7004-641, -642, -643, -644, -645, -646, -647, or -648 on any airplane. As of the effective date of this AD, no person shall install a valve assembly, part number AJG7041-5515 or -5517, on any airplane unless that assembly has been modified in accordance with the service bulletin.-

(2) For airplanes listed in McDonnell Douglas DC-10 Service Bulletin 27-120, dated February 10, 1975: Modify and reidentify the trim hydraulic motor assembly of the horizontal stabilizer in accordance with the service bulletin.

**Note 2:** The McDonnell Douglas service bulletin references Sperry Rand Corporation, Vickers Division, Service Bulletin 390017– 27–2, dated December 2, 1974, as an additional source of service information.

(3) For airplanes listed in McDonnell Douglas DC–10 Service Bulletin 27–152, dated August 9, 1976: Replace the existing retaining nut locking clip on the torsional coupling of the horizontal stabilizer with a new retaining nut locking clip in accordance with the service bulletin. As of the effective date of this AD, no person shall install a locking clip or nut retainer, part number AJH7259–1, on any airplane.–

(4) For airplanes listed in McDonnell Douglas DC-10 Service Bulletin 27-181, Revision 1, dated May 28, 1981: Install a modified chain drive unit on the horizontal stabilizer in accordance with the service bulletin. As of the effective date of this AD, no person shall install a chain drive unit assembly, part number AJH7337-1 or AJH7337-501; pin, part number AJH7345-1; shaft, part number AJH7075-1 or -501; or decal, part number AJH7347-1; on any airplane.-

(5) For airplanes listed in McDonnell Douglas DC-10 Service Bulletin 27-201, dated December 30, 1985: Replace the hydraulic pipe assemblies of the flap lock valve with new pipe assemblies in accordance with the service bulletin. As of the effective date of this AD, no person shall