between the proposal and the "aging fleet document" in this regard has caused confusion among some operators as to whether airplanes modified in accordance with earlier revisions of the service bulletin are considered to be in compliance with the proposed AD.

The FAA concurs partially. The FAA has re-examined the earlier revisions of the service bulletin, and has determined that the original issue and Revisions 1 through 3 of the service bulletin were issued as telegraphic documents. These revisions do not adequately address procedures for accomplishing the terminating modifications in sufficient detail. Therefore, the FAA does not consider these revisions to be acceptable for accomplishment of the terminating modification specified in this AD. However, Revision 4 does provide adequate procedures for accomplishing the terminating modification for Model 720 series airplanes, provided that the forward skin panel also is replaced in accordance with the service bulletin. In addition, Revision 5 contains adequate information for accomplishment of the terminating modification for both Model 707 and 720 series airplanes, provided that the forward skin panel also is replaced in accordance with the service bulletin. These determinations have been specified in paragraphs (e) and (f) of the final rule for Models 707 and 720 series airplanes, respectively.

Certain service bulletin titles were referenced incorrectly in NOTE 2 and paragraphs (c)(1), (c)(2), and (c)(3) of the supplemental NPRM as "Boeing Master Inspection Service Bulletins." The appropriate titles for these service documents are "Boeing Service Bulletins." The FAA has revised the note and those paragraphs of the final rule accordingly. In addition, the FAA has added references to specific page numbers of those service bulletins for the convenience of operators.

In addition, paragraph (e) of the supplemental NPRM did not specify that Revision 6 of Boeing Service Bulletin 2590 was issued as an alert service bulletin. The final rule has been revised accordingly.

After careful review of the available data, including the comment 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 increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 416 Model 707 and 720 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 82 airplanes of

U.S. registry will be affected by this AD, that it will take approximately 32 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$157,440, or \$1,920 per airplane, per inspection cycle.

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.

Should an operator elect to accomplish the optional terminating action that is provided by this AD action, it will take approximately 1,250 work hours to accomplish it, at an average labor rate of \$60 per work hour. The cost of required parts is approximately \$45,000 per airplane. Based on these figures, the total cost impact of the optional terminating action is estimated to be \$120,000 per airplane.

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. 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–2056, and by adding a new airworthiness directive (AD), amendment 39–, to read as follows:

95–17–01 Boeing: Amendment 39–9330. Docket 94–NM–14–AD. Supersedes AD 68–18–03, Amendment 39–2056.

Applicability: Model 707 and 720 series airplanes; as listed in Boeing Service Bulletin 2590, Revision 11, dated December 12, 1991; 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 (g) 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 prevent fatigue cracking and subsequent failure of the upper forward skin panels of the wing center section, accomplish the following:

(a) For Model 707–100, -200, -300, -300B, -300C, and -400 series airplanes on which no bulb angle stiffeners have been installed in accordance with Boeing Service Bulletin 2590: Perform a visual inspection and an eddy current inspection to detect cracks in the areas of the upper forward skin of the wing center section specified in paragraphs b. and f.(1) of Part I of the Accomplishment Instructions of Boeing Service Bulletin 2590, Revision 8, dated June 2, 1972; Revision 9, dated March 14, 1975; Revision 10, dated January 31, 1991; or Revision 11, dated December 12, 1991. Perform the inspections at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable, in accordance with the procedures specified in the service bulletin. Repeat these inspections thereafter at intervals not to exceed 450 landings

(1) For Model 707–300, –300B, –300C, and –400 series airplanes: Inspect at the later of the times specified in paragraphs (a)(1)(i) and (a)(1)(ii) of this AD.