consideration has been given to the comments received.

One commenter supports the proposed rule.

The Air Transport Association (ATA), on behalf of one of its members, requests that the FAA clarify that replacement of the aluminum attach fittings with steel ones, as described in revisions prior to Boeing Service Bulletin 747–54–2062, Revision 7, dated December 21, 1994, is an acceptable terminating action for the requirements of this AD.

The FAA concurs. This AD does not require any further action for operators that have replaced the aluminum fittings with steel ones, in accordance with Revisions 1 through 7 of Boeing Service Bulletin 747–54–2062. A note has been added to the final rule to reflect this clarification.

The commenter also requests that the proposed rule be clarified to specify that, for airplanes on which the fitting replacement has been accomplished, additional work would not be required to terminate the requirements of the AD, i.e., installation of the closure web and installation of anvil swaged bushings.

The FAA concurs. The additional work referenced by the commenter is not required to be accomplished as part of this AD. However, the installation of the closure web and installation of anvil swaged bushings, as described in Revision 7 of the service bulletin, are required to be accomplished as part of the strut modification program, mandated by AD 95-10-16, amendment 39–9233 (60 FR 27008, May 22, 1995), regardless of whether or not the aluminum attach fittings have been replaced with steel fittings. Table 2 of Boeing Service Bulletin 747-54A2159, "Prior or Concurrent Service Bulletins" (which is cited in AD 95-10-16). specifies that Boeing Service Bulletin 747-54-2062, Revision 7, dated December 21, 1994 (which is cited in this AD), must be accomplished prior to or concurrent with the installations required by AD 95–10–16. A note has been added to the final rule to clarify this point.

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

There are approximately 367 Model 747 series airplanes of the affected design in the worldwide fleet. The FAA

estimates that 152 airplanes of U.S. registry will be affected by this AD.

The new actions that are required by this AD will take approximately 11 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 new requirements of this AD is estimated to be \$100,320, or \$660 per airplane, per inspection cycle. This total cost impact figure 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 terminating modification that would be provided by this AD action, it will take approximately 176 work hours per airplane to accomplish it, at an average labor rate of \$60 per work hour. Required parts will cost approximately \$4,752 per airplane. Based on these figures, the total cost impact of the terminating modification will be \$15,312 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 39–3533 (44 FR 50033, August 27, 1979), and by adding a new airworthiness directive (AD), amendment 39–9383, to read as follows:

95-20-05 Boeing: Amendment 39-9383. Docket 94-NM-255-AD. Supersedes AD 79-17-07, Amendment 39-3533.

Applicability: Model 747 series airplanes, as listed in Boeing Service Bulletin 747–54–2062, Revision 7, dated December 21, 1994; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 failure of the strut and subsequent loss of an engine, accomplish the following:

Note 2: Paragraph (a) of this AD restates the requirements for initial and repetitive visual inspections contained in paragraphs A., and C., respectively, of AD 79–17–07, amendment 39–3583. Therefore, for operators who have previously accomplished at least the initial inspection in accordance with AD 79–17–07, paragraph (a) of this AD requires that the next scheduled inspection be performed within the intervals specified in (a)(1) or (a)(2), as applicable, after the last inspection performed in accordance with paragraph A. or C. of AD 79–17–07.

(a) For airplanes listed in Boeing Service Bulletin 747–54–2062, dated August 17, 1979: Prior to the accumulation of 5,000 total landings on the airplane, or within 500 hours time-in-service after September 4, 1979 (the effective date of AD 79–17–07, Amendment 39–3533), whichever occurs later, perform a visual inspection of the forward lower diagonal brace fittings of the inboard pylon