

of the receipt by the EEO Programs Director of the notice of appeal and investigative record pursuant to paragraph (h)(1) of this section or 60 days following the end of the period for filing reply exceptions set forth in paragraph (j)(6) of this section, whichever is applicable. If the decision-maker under this paragraph (k) determines that additional information is needed from any party, the decision-maker shall request the information and provide the other party or parties an opportunity to respond to that information. The decision-maker shall have 60 days from receipt of the additional information to render the decision on the appeal. The decision-maker shall transmit the decision by letter to all parties. The decision shall set forth the findings, any remedial actions required, and the reasons for the decision. If the decision is based on a hearing record, the decision-maker shall consider the recommended decision of the administrative law judge and render a final decision based on the entire record. The decision-maker may also remand the hearing record to the administrative law judge for a fuller development of the record.

(2) The Board shall take any action required under the terms of the decision promptly. The decision-maker may require periodic compliance reports specifying:

- (i) The manner in which compliance with the provisions of the decision has been achieved;
- (ii) The reasons any action required by the final Board decision has not been taken; and
- (iii) The steps being taken to ensure full compliance.

(3) The decision-maker may retain responsibility for resolving disputes that arise between parties over interpretation of the final Board decision, or for specific adjudicatory decisions arising out of implementation.

By order of the Board of Governors of the Federal Reserve System, April 9, 2003.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 03-9111 Filed 4-14-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-NE-06-AD; Amendment 39-13112; AD 2003-08-01]

**RIN 2120-AA64**

#### **Airworthiness Directives; Rolls-Royce Deutschland Ltd. & Co KG, Model Tay 650-15 Turbofan Engines**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain serial numbers (SNs) of Rolls-Royce Deutschland Ltd. & Co KG (RRD) Model Tay 650-15 turbofan engines. This action requires initial and repetitive visual inspections of low pressure (LP) turbine stage 2 rotor discs and LP turbine stage 3 rotor discs on certain SNs of engines, for corrosion. This AD is prompted by reports of excessive corrosion found during disc inspection. The actions specified in this AD are intended to prevent uncontained LP turbine stage 2 rotor disc or LP turbine stage 3 rotor disc failure due to excessive corrosion, and damage to the airplane.

**DATES:** Effective May 20, 2003.

We must receive any comments on this AD by June 16, 2003.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD:

- By mail: The Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-NE-06-AD, 12 New England Executive Park, Burlington, MA 01803-5299.
- By fax: (781) 238-7055.
- By e-mail: [9-ane-adcomment@faa.gov](mailto:9-ane-adcomment@faa.gov)

You may get the service information referenced in this AD from Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, D-15827 Dahlewitz, Germany, telephone +49 (0) 33-7086-1768; fax +49 (0) 33-7086-3356.

You may examine the AD docket, by appointment, at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

#### **FOR FURTHER INFORMATION CONTACT:**

James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7176; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on certain SNs of RRD Model Tay 650-15 turbofan engines. The LBA advises that the LP turbine stage 2 rotor discs and LP turbine stage 3 rotor discs of seventeen Tay 650-15 turbofan engines have been found to have excessive corrosion. RRD has determined that this excessive corrosion is the result of the specific environment in which these engines operate. This AD requires initial and repetitive visual inspections for corrosion of low pressure (LP) turbine stage 2 rotor discs and LP turbine stage 3 rotor discs on certain SNs of engines. Because disc deterioration may already have begun, repetitive inspections are also required if any affected disc is removed from the corrosive environment and put in service in a noncorrosive environment. The actions specified in this AD are intended to prevent uncontained LP turbine stage 2 rotor disc or LP turbine stage 3 rotor disc failure due to excessive corrosion, and damage to the airplane.

#### **Relevant Service Information**

The LBA issued AD 2002-287, dated October 17, 2002, in order to assure the airworthiness of these RRD Model Tay 650-15 turbofan engines in Germany.

#### **FAA's Determination and Requirements of This AD**

Although none of these affected disc SNs are used on any airplanes that are registered in the United States, the possibility exists that these disc SNs could be installed into engines used on airplanes that are registered in the United States in the future. Since an unsafe condition has been identified that is likely to exist or develop on other RRD Tay 650-15 turbofan engines of the same type design, this AD is being issued to prevent uncontained LP turbine stage 2 rotor disc or LP turbine stage 3 rotor disc failure due to excessive corrosion, and damage to the airplane. For engine SNs 17251, 17255, 17256, 17273, 17275, 17280, 17281, 17282, 17300, 17301, 17327, 17332, 17365, 17393, 17437, 17563, and 17618, this AD requires initial and repetitive visual inspections of LP turbine stage 2 rotor discs and LP turbine stage 3 rotor discs for corrosion.

#### **Bilateral Airworthiness Agreement**

This engine model is manufactured in Germany, and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29)

and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Immediate Adoption of This AD

Since none of these affected engine SNs are used on any airplanes that are registered in the United States, notice and opportunity for prior public comment are unnecessary. Therefore, a situation exists that allows the immediate adoption of this regulation.

#### Changes to 14 CFR Part 39—Effect on the AD

On July 10, 2002, we issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs our AD system. This regulation now includes material that relates to special flight permits, alternative methods of compliance, and altered products. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

#### Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. 2003-NE-06-AD" in the subject line of your comments. If you want us to acknowledge receipt of your mailed comments, send us a self-addressed, stamped postcard with the docket number written on it; we will date-stamp your postcard and mail it back to you. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it. If a person contacts us through a nonwritten communication, and that contact relates to a substantive part of this AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend the AD in light of those comments.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is

clear, and your suggestions to improve the clarity of our communications with you. You may get more information about plain language at <http://www.plainlanguage.gov>.

#### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include "AD Docket No. 2003-NE-06-AD" in your request.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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), 40113, 44701.

##### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**Federal Aviation Administration (FAA), Airworthiness Directive (AD) 2003-08-01, Docket No. 2003-NE-06, Amendment 39-13112, Rolls-Royce Deutschland Ltd. & Co KG, Subject: Initial and Repetitive Visual Inspections of Low Pressure (LP) Turbine Stage 2 Rotor Discs and LP Turbine Stage 3 Rotor Discs**

#### Effective Date

(a) This AD becomes effective May 20, 2003.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD is applicable to Rolls-Royce Deutschland Ltd. & Co KG (RRD) Model Tay 650-15 turbofan engines with low pressure (LP) turbine stage 2 rotor discs, part number (P/N) JR32319, and LP turbine stage 3 rotor discs, P/N JR32320A, that have a serial number (SN) listed in Table 1 of this AD. These engines are installed on, but not limited to Fokker F.28 Mark 0100 airplanes. Table 1 follows:

TABLE 1.—DISC SNs

Last known engine SN	LP turbine stage 2 rotor disc, part No. JR32319, SNs	LP turbine stage 3 rotor disc, part No. JR32320A, SNs
17251 .....	EETM1355	DETM1853/A
17255 .....	DETM19039	DETM19007
17256 .....	SETM11283	SETM15065
17273 .....	PETM718	DETM14896/A
17275 .....	DETM17343	DETM17546
17280 .....	EETM1808	SETM14410
17281 .....	DETM19036	DETM18999
17282 .....	EETM2163	DETM3703/A
17300 .....	SETM12109	SETM11379
17301 .....	DETM18772	DETM18348
17327 .....	EETM2510	DETM15404/A
17332 .....	SETM20088	SETM21297
17365 .....	SETM15166	SETM15188
17393 .....	DETM17083	DETM16860
17437 .....	EETM19304	DETM19008
17563 .....	EETM4414	DETM15583/A
17618 .....	EETM5010	DETM9588/A

#### Unsafe Condition

(d) This AD was prompted by reports of excessive corrosion found during LP turbine stage 2 rotor disc and LP turbine stage 3 rotor disc inspection. The actions specified in this AD are intended to prevent uncontained LP turbine stage 2 rotor disc or LP turbine stage 3 rotor disc failure due to excessive corrosion, and damage to the airplane.

#### Compliance

(e) Compliance with this AD is required as indicated, unless already done.

#### Visual Inspections

(f) Perform an initial visual inspection of the LP turbine stage 2 rotor disc and LP turbine stage 3 rotor disc for corrosion within 11,700 cycles-in-service (CIS) after the effective date of this AD. Information on performing visual inspections can be found in RRD engine manual task 72-52-23-200-000 and task 72-52-24-200-000 respectively.

#### Discs That Fail Inspection

(g) Before further flight, do the following for discs that fail inspection:

(1) Replace any LP turbine stage 2 rotor discs and LP turbine stage 3 rotor discs found with corrosion pits beyond repairable limits. Information on repairable limits may be found in RRD Engine Manual Task 72-52-23-200-000 and Task 72-52-24-200-000 respectively.

(2) Repair any LP turbine stage 2 rotor discs and LP turbine stage 3 rotor discs found with corrosion pits within repairable limits. Information on repairable limits may be found in RRD Engine Manual Task 72-52-23-200-000 and Task 72-52-24-200-000 respectively.

#### **Repetitive Visual Inspections**

(h) Perform repetitive visual inspections of the LP turbine stage 2 rotor disc and LP turbine stage 3 rotor disc for corrosion within every 11,700 cycles-since-last inspection. Information on performing visual inspections can be found in RRD Engine Manual Task 72-52-23-200-000 and Task 72-52-24-200-000 respectively.

(i) Disposition discs that fail inspection as specified in paragraph (g) of this AD.

#### **Alternative Methods of Compliance**

(j) The Manager, Engine Certification Office, FAA, is authorized to approve alternative methods of compliance for this AD in accordance with 14 CFR 39.19.

#### **Material Incorporated by Reference**

(k) None.

#### **Related Information**

(l) LBA airworthiness directive 2002-287, dated October 17, 2002, also addresses the subject of this AD.

Issued in Burlington, Massachusetts, on April 7, 2003.

**Jay J. Pardee,**

*Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 03-9017 Filed 4-14-03; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 2000-NM-343-AD; Amendment 39-13108; AD 2003-07-12]

**RIN 2120-AA64**

#### **Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-100, -200, -200C, -300, -400, and -500 series airplanes, that requires inspection of landing gear parts and/or their records to see that parts have serial numbers and that each part's number of flight cycles has been tracked; assignment of serial numbers and flight cycle use numbers if necessary; and removal of individual landing gear components from service when they

reach their life limit. This amendment also requires adding landing gear parts to the lists of safe-life components, and assigning life limits to landing gear parts already in service. The actions specified by this AD are intended to prevent failure of landing gear parts, which could lead to landing gear collapse. This action is intended to address the identified unsafe condition.

**DATES:** Effective May 20, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 20, 2003.

**ADDRESSES:** The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Suzanne Lucier, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6438; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 737-100, -200, -200C, -300, -400, and -500 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on September 25, 2002 (67 FR 60196). That action proposed to require inspection of landing gear parts and/or their records to see that parts have serial numbers and that each part's number of flight cycles has been tracked; assignment of serial numbers and flight cycle use numbers if necessary; and removal of individual landing gear components from service when they reach their life limit. That action also proposed to add landing gear parts to the lists of safe-life components, and assign life limits to landing gear parts already in service.

#### **Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received. One commenter did not propose any changes, but asked for clarification of the meaning of certain

sections in the supplemental NPRM. The FAA will provide this clarification directly to the commenter.

#### **Request To Allow Disposition of Life-Limited Parts**

One commenter states that the serialization/tracking requirements specified in the supplemental NPRM are more restrictive than the requirements of section 43.10 of the Federal Aviation Regulations (14 CFR 43.10), which govern the use of all life-limited parts. The commenter reiterates paragraph (c) of that regulation, and notes that six acceptable methods are listed for deterring the installation of a part after it has reached its life limit. The commenter adds that it currently uses two of those six methods (record keeping system and mutilation) to control all life-limited parts. The commenter also adds that it scraps/mutilates many of the less expensive life-limited components at the end of every overhaul cycle, and/or when the component is removed from service in the line maintenance environment. Then only new parts are used during line replacements and gear assemblies, with documentation in place to identify all parts that are handled by this method. The commenter asks that the FAA consider revising paragraphs (a), (b), (c), (d), and (e) of the supplemental NPRM to be consistent with the existing guidance in the specified regulation, as it provides adequate assurance of airworthiness.

We do not agree with the commenter that the serialization/tracking requirements specified in the supplemental NPRM are more restrictive than those of the specified regulation. The requirements in paragraph (d) of this final rule do not specify the process the operators must use in order to remove the part from service. This final rule establishes the life limits for aircraft parts not previously tracked, whereas the regulation mandates the disposition of parts after they have reached their life limit.

#### **Explanation of Change to Final Rule**

An internal review of the supplemental NPRM and the referenced service information indicates a difference between the two documents. Paragraph (b)(1) of the supplemental NPRM titled, "Assignment of Serial Numbers and Flight Cycles," requires assigning a serial number to each part per a method approved by the Manager, Seattle Aircraft Certification Office, FAA. However, in Part 1.B. of the Accomplishment Instructions of Boeing Service Bulletin 737-32-1322, Revision