

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 AD:

Boeing: Docket No. FAA–2009–0608; Directorate Identifier 2008–NM–215–AD.

Comments Due Date

(a) We must receive comments by August 20, 2009.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all Boeing Model 747–200C and –200F series airplanes, certificated in any category.

Subject

(d) Air Transport Association (ATA) of America Code 53: Fuselage.

Unsafe Condition

(e) This AD results from a report from the manufacturer that the accomplishment of certain existing inspections, repairs, and modifications is not adequate to ensure the structural integrity of the affected 7075 series aluminum alloy upper deck floor beam upper chords on airplanes that have exceeded certain thresholds. We are issuing this AD to prevent cracking of the upper chords and straps (or angles) of the floor beams, which could lead to failure of the floor beams and consequent loss of controllability, rapid decompression, and loss of structural integrity of the airplane.

Compliance

(f) Comply with this AD within the compliance times specified, unless already done.

Initial Inspection and Replacement

(g) Before the accumulation of 21,000 total flight cycles, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later: Do an open hole high frequency eddy current (HFEC) inspection of all the fastener holes accessed for upper chord removal for cracks, and replace upper chords, straps (or angles), and radius fillers of the upper deck floor beams, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747–53A2696, dated October 16, 2008.

Repetitive Replacements and Post-Replacement Inspections

(h) Within 15,000 flight cycles after doing the replacement required by paragraph (g) of this AD, or within 1,500 flight cycles after the effective date of this AD, whichever occurs later: Do detailed and HFEC inspections for cracks of the modified upper deck floor beams, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747–53A2696, dated October 16, 2008. Within 6,000 flight cycles after doing the detailed and HFEC inspections, do the replacement specified in paragraph (g) of this AD. Repeat the post-replacement inspections and replacement at the applicable times specified in paragraph 1.E. of Boeing Alert Service Bulletin 747–53A2696, dated October 16, 2008.

Repair of Cracks

(i) If any crack is found during any inspection required by this AD: Before further flight, repair the crack using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Ivan Li, Airframe Branch, ANM–120S, FAA, Seattle ACO, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6437; fax (425) 917–6590. Or, e-mail information to 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Commercial Airplanes Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

Issued in Renton, Washington, on June 25, 2009.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. E9–15811 Filed 7–2–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2009–0055; Directorate Identifier 2008–NM–194–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300 B2–1C, A300 B2–203, A300 B2K–3C, A300 B4–103, A300 B4–203, and A300 B4–2C Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

SUMMARY: We are revising an earlier NPRM for the products listed above. This action revises the earlier NPRM by expanding the scope. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

[T]he FAA has published SFAR 88 (Special Federal Aviation Regulation 88). * * * Under this regulation, all holders of type certificates for passenger transport aircraft * * * are required to conduct a design review against explosion risks.

One of the consequences of the Airbus design review is the modification of the fuel pump wiring to provide protection against chafing of the fuel pump cables. This condition, if not corrected, could result in short circuits leading to fuel pump failure, arcing, and possible fuel tank explosion.

[A previous AD] was issued to require * * * modification [of the fuel pump against short circuit] * * *. More recently, an additional modification of the electrical wiring of the outer fuel pump and the landing lights on the left (LH) and right (RH) sides has been introduced * * *.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by July 31, 2009.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* (202) 493–2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–

30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus SAS—EAW (Airworthiness Office), 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; e-mail: account.airworth-eas@airbus.com; Internet <http://www.airbus.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2009-0055; Directorate Identifier 2008-NM-194-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We proposed to amend 14 CFR part 39 with an earlier NPRM for the specified products, which was published in the **Federal Register** on February 13, 2009 (72 FR 7202). That earlier NPRM proposed to supersede AD 2007-18-02, amendment 39-15182 (74 FR 49175, August 28, 2007), to require actions intended to address the unsafe condition for the products listed above.

Since that NPRM was issued, Airbus has revised service information to introduce additional mechanical protection to prevent the fuel pump or landing light wiring from chafing. Airbus Mandatory Service Bulletin A300-24-0103, Revision 03, dated February 18, 2009, provides procedures for installing new splicing on the wires, a new cable type, shrink sleeve installation on the new wiring, and an additional braided conduit sleeve (Halar), as applicable, for the fuel pumps and landing lights.

We referred to Airbus Service Bulletins A300-24-0103, Revision 01, dated January 11, 2007; and Revision 02, dated April 4, 2008; as the appropriate sources of service information for doing the actions proposed in the original NPRM. More work is necessary for airplanes modified in accordance with either of those two service bulletins. We have revised paragraphs (c), (f), and (g) of this proposed AD to refer to Airbus Mandatory Service Bulletin A300-24-0103, Revision 03, dated February 18, 2009.

We have revised the Costs of Compliance paragraph of this supplemental NPRM to specify the costs of the requirements that are retained from the existing AD and the costs of the new requirements of this supplemental NPRM.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2008-0188, dated October 10, 2008 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products.

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Mandatory Service Bulletin A300-24-0103, Revision 03, dated February 18, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

The additional actions in the revised service information described above expand the scope of the earlier NPRM. As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this proposed AD.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 13 products of U.S. registry.

The actions that are required by AD 2007-18-02 and retained in this proposed AD take about 72 work-hours per product, at an average labor rate of \$80 per work hour. Required parts would cost about \$5,050 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, the estimated cost of the currently required actions is \$140,530, or \$10,810 per product.

We estimate that it would take about 42 work-hours per product to comply with the new basic requirements of this

proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$4,100 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$96,980, or \$7,460 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 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. 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 regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 removing Amendment 39–15182 (72 FR 49175, August 28, 2007) and adding the following new AD:

Airbus: Docket No. FAA–2009–0055; Directorate Identifier 2008–NM–194–AD.

Comments Due Date

- (a) We must receive comments by July 31, 2009.

Affected ADs

- (b) The proposed AD supersedes AD 2007–18–02, Amendment 39–15182.

Applicability

- (c) This AD applies to Airbus Model A300 B2–1C, A300 B2–203, A300 B2K–3C, A300 B4–103, A300 B4–203, and A300 B4–2C airplanes, certificated in any category, as identified in Airbus Mandatory Service Bulletin A300–24–0103, Revision 03, dated February 18, 2009.

Subject

- (d) Air Transport Association (ATA) of America Code 24: Electrical power.

Reason

- (e) The mandatory continuing airworthiness information (MCAI) states: [T]he FAA has published SFAR 88 (Special Federal Aviation Regulation 88). Subsequently, the Joint Aviation Authorities (JAA) recommended the application of a similar regulation to the National Aviation Authorities (NAA) of its member countries. Under this regulation, all holders of type certificates for passenger transport aircraft with either a passenger capacity of 30 or more, or a payload capacity of 3,402 kg (7,500 lbs) or more, which have received their certification since 01 January 1958, are required to conduct a design review against explosion.

One of the consequences of the Airbus design review is the modification of the fuel pump wiring to provide protection against chafing of the fuel pump cables. This condition, if not corrected, could result in short circuits leading to fuel pump failure, arcing, and possible fuel tank explosion.

EASA (European Aviation Safety Agency) AD 2007–0066 [which corresponds to FAA AD 2007–18–02] was issued to require this

modification in accordance with Airbus SB [service bulletin] A300–24–0103, Revision 01. More recently, an additional modification of the electrical wiring of the outer fuel pump and the landing lights on the left (LH) and right (RH) side has been introduced in Revision 02 of Airbus SB A300–24–0103. For the reason described above, this new AD retains the requirements of EASA AD 2007–0066, which is superseded, and requires additional work.

The additional modification will provide additional protection from chafing and will prevent intermittent operation of the fuel pump and landing lights, as well as the failure of the power supply. The modification of the wiring of the outer fuel pump and the landing light on the LH side route 1P harness and RH side route 2P harness includes additional mechanical protection that includes procedures for installing new splicing on the wires, a new cable type, shrink sleeve installation on the new wiring, and an additional braided conduit sleeve (Halar), as applicable, for the fuel pumps and the landing lights.

Restatement of Requirements of AD 2007–18–02 With New Service Bulletin

- (f) Within 31 months after October 2, 2007 (the effective date of AD 2007–18–02), unless already done, modify the inner and outer fuel pump wiring, route 1P and 2P harnesses in the LH (left-hand) wing and in the RH (right-hand) wing, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300–24–0103, Revision 01, dated January 11, 2007; or Airbus Mandatory Service Bulletin A300–24–0103, Revision 03, dated February 18, 2009. As of the effective date of this AD, Airbus Mandatory Service Bulletin A300–24–0103, Revision 03, dated February 18, 2009, must be used for the actions required by this paragraph. Actions done before October 2, 2007, in accordance with Airbus Service Bulletin A300–24–0103, dated March 15, 2006, for airplanes under configuration 01 as defined in Airbus Service Bulletin A300–24–0103, Revision 01, dated January 11, 2007; Revision 02, dated April 4, 2008; or Revision 03, dated February 18, 2009; are acceptable for compliance with the requirements of this paragraph.

New Requirements of This AD: Actions and Compliance

- (g) Unless already done, within 12 months after the effective date of this AD, modify the wiring of the outer fuel pump and the landing light on the LH side route 1P harness and RH side route 2P harness, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A300–24–0103, Revision 03, dated February 18, 2009.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: The MCAI specifies doing a modification in accordance with Airbus Mandatory Service Bulletin A300–24–0103, Revision 02, dated April 4, 2008. However, this AD requires doing additional actions that are specified in Airbus Mandatory Service Bulletin A300–24–0103, Revision 03, dated February 18, 2009. The MCAI has not yet been revised to require

the additional actions. We have coordinated this difference with EASA.

Other FAA AD Provisions

(h) The following provisions also apply to this AD:

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) **Reporting Requirements:** For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(i) Refer to MCAI EASA Airworthiness Directive 2008-0188, dated October 10, 2008; Airbus Service Bulletin A300-24-0103, Revision 01, dated January 11, 2007; and Airbus Mandatory Service Bulletin A300-24-0103, Revision 03, dated February 18, 2009; for related information.

Issued in Renton, Washington, on June 25, 2009.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. E9-15812 Filed 7-2-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2009-0231; Airspace Docket No. 09-AAL-6]

Proposed Establishment of Class E Airspace; Chuathbaluk, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action proposes to establish Class E airspace at Chuathbaluk, AK. One Standard Instrument Approach Procedure (SIAP) is being developed for the Chuathbaluk Airport at Chuathbaluk, AK. Adoption of this proposal would result in creating Class E airspace upward from 700 feet (ft.) above the surface at the Chuathbaluk Airport, Chuathbaluk, AK. **DATES:** Comments must be received on or before August 20, 2009.

ADDRESSES: Send comments on the proposal to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2009-0231/ Airspace Docket No. 09-AAL-6, at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Manager, Safety, Alaska Flight Service Operations, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

FOR FURTHER INFORMATION CONTACT: Gary Rolf, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: gary.ctr.rolf@faa.gov. Internet address: http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/fs/alaskan/rulemaking/.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both

docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2009-0231/Airspace Docket No. 09-AAL-6." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of Notice of Proposed Rulemakings (NPRMs)

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara/index.html>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591 or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is considering an amendment to the Code of Federal Regulations (14 CFR part 71), which would establish Class E airspace at the Chuathbaluk Airport, in Chuathbaluk, AK. The intended effect of this proposal is to create Class E airspace upward from 700 ft. above the surface to contain Instrument Flight Rules (IFR) operations at the Chuathbaluk Airport, Chuathbaluk, AK.