

**Parts Installation**

(g) As of the effective date of this AD, no person may install a MLG shock strut cylinder assembly, part number ARG7002-1, -501, -503, or -505, on any airplane, unless the air filler valve bore hole has been oversized and closing action has been accomplished in accordance with Boeing Alert Service Bulletin DC10-32A259, dated October 30, 2007, and the MLG shock strut cylinder assembly has been permanently identified with part number SB10320259-3 adjacent to the existing ARG7002 part number.

**Alternative Methods of Compliance (AMOCs)**

(h)(1) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, ATTN: Maureen Moreland, Aerospace Engineer, Airframe Branch, ANM-120L, Los Angeles ACO, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5238; fax (562) 627-5210; has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(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 appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

**Material Incorporated by Reference**

(i) You must use Boeing Alert Service Bulletin DC10-32A259, dated October 30, 2007, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024).

(3) You may review copies of the service information incorporated by reference at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on April 18, 2008.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-9439 Filed 5-1-08; 8:45 am]

**BILLING CODE 4910-13-P**

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

[Docket No. FAA-2008-0266; Directorate Identifier 2008-NM-013-AD; Amendment 39-15506; AD 2008-09-25]

**RIN 2120-AA64**

**Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This 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:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that it is necessary to introduce Critical Design Configuration Control Limitations (CDCCL), in order to preserve critical fuel tank system ignition source prevention features during configuration changes such as modifications and repairs, or during maintenance actions. Failure to preserve critical fuel tank system ignition source prevention features could result in a fuel tank explosion. \* \* \*

We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective June 6, 2008.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 6, 2008.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mazdak Hobbi, Aerospace Engineer,

Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7330; fax (516) 794-5531.

**SUPPLEMENTARY INFORMATION:****Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on March 11, 2008 (73 FR 12912). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that it is necessary to introduce Critical Design Configuration Control Limitations (CDCCL), in order to preserve critical fuel tank system ignition source prevention features during configuration changes such as modifications and repairs, or during maintenance actions. Failure to preserve critical fuel tank system ignition source prevention features could result in a fuel tank explosion. Revisions have been made to Part 2 "Airworthiness Limitations List" of the Maintenance Program Manuals of the affected aircraft models to introduce the required CDCCL.

The corrective action is revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to include the CDCCL data. You may obtain further information by examining the MCAI in the AD docket.

**Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

**Conclusion**

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

**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 required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

**Costs of Compliance**

We estimate that this AD will affect about 118 products of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$9,440, or \$80 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 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 this AD:

- 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 AD and placed it in the AD docket.

**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 the NPRM, 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.

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

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

**Adoption of the Amendment**

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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:

**2008-09-25 Bombardier, Inc. (Formerly de Havilland, Inc.):** Amendment 39-15506. Docket No. FAA-2008-0266; Directorate Identifier 2008-NM-013-AD.

**Effective Date**

(a) This airworthiness directive (AD) becomes effective June 6, 2008.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to all Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 airplanes, certificated in any category, all serial numbers.

**Subject**

(d) Air Transport Association (ATA) of America Code 28: Fuel.

**Reason**

(e) The mandatory continuing airworthiness information (MCAI) states:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that it is necessary to introduce Critical Design Configuration Control Limitations (CDCCL), in order to preserve critical fuel tank system ignition source prevention features during configuration changes such as modifications and repairs, or during maintenance actions. Failure to preserve critical fuel tank system ignition source prevention features could result in a fuel tank explosion. Revisions have been made to Part 2 “Airworthiness Limitations List” of the Maintenance Program Manuals of the affected aircraft models to introduce the required CDCCL. The corrective action is revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to include the CDCCL data.

**Actions and Compliance**

(f) Unless already done, do the following actions.

(1) For all airplanes: Within 60 days after the effective date of this AD, or before December 16, 2008, whichever occurs first, revise the Airworthiness Limitations section of the Instructions for Continued Airworthiness to incorporate the CDCCL data specified in the applicable temporary revision (TR) to the applicable maintenance program manual (MPM). The TRs are listed in Table 1 of this AD.

TABLE 1.—TEMPORARY REVISIONS

Model	de Havilland TR	Maintenance program manual
DHC-8-102, DHC-8-103, and DHC-8-106 airplanes.	AWL-98, dated April 12, 2006 .....	Part 2, “Airworthiness Limitations List,” of de Havilland Dash 8 Series 100 MPM, Product Support Manual (PSM) 1-8-7.
DHC-8-201, and DHC-8-202 airplanes .....	AWL 2-35, dated April 12, 2006 .....	Part 2, “Airworthiness Limitations List,” of de Havilland Dash 8 Series 200 MPM, PSM 1-82-7.

TABLE 1.—TEMPORARY REVISIONS—Continued

Model	de Havilland TR	Maintenance program manual
DHC-8-301, DHC-8-311, and DHC-8-315 airplanes.	AWL 3-103, dated April 12, 2006 .....	Part 2, "Airworthiness Limitations List," of de Havilland Dash 8 Series 300 MPM, PSM 1-83-7.

**Note 1:** The revisions required by paragraph (f)(1) of this AD may be done by inserting a copy of the applicable TR into the applicable maintenance program manual. When the TR has been included in the general revision of the maintenance program, the general revision may be inserted into the maintenance program manual, provided the relevant information in the general revision

is identical to that in the applicable TR, and the temporary revision may be removed.

(2) After accomplishing the actions specified in paragraph (f)(1) of this AD, no alternative CDCCLs may be used unless the CDCCLs are part of a later revision of Part 2, "Airworthiness Limitations List," of the applicable de Havilland Dash 8 Series MPM

listed in Table 2 of this AD, that is approved by the Manager, New York Aircraft Certification Office (ACO), FAA, or Transport Canada Civil Aviation (or its delegated agent); or unless the CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (g)(1) of this AD.

TABLE 2.—MPMS

Model	MPM
DHC-8-102, DHC-8-103, and DHC-8-106 airplanes .....	Part 2, "Airworthiness Limitations List," Revision 17, dated April 19, 2005, of de Havilland Dash 8 Series 100 MPM, PSM 1-8-7.
DHC-8-201, and DHC-8-202 airplanes .....	Part 2, "Airworthiness Limitations List," Revision 5, dated August 15, 2001, of de Havilland Dash 8 Series 200 MPM, PSM 1-82-7.
DHC-8-301, DHC-8-311, and DHC-8-315 airplanes .....	Part 2, "Airworthiness Limitations List," Revision 16, dated August 15, 2001, of de Havilland Dash 8 Series 300 MPM, PSM 1-83-7.

**FAA AD Differences**

**Note 2:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York 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: Mazdak Hobbi, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7330; fax (516) 794-5531. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight

Standards District Office (FSDO), or lacking a PI, your local FSDO.

(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**

(h) Refer to MCAI Canadian Airworthiness Directive CF-2008-03, dated January 3, 2008, and the TRs specified in Table 1 of this AD, for related information.

**Material Incorporated by Reference**

(i) You must use the service information specified in Table 3 of this AD to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada.

(3) You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

TABLE 3.—MATERIAL INCORPORATED BY REFERENCE

de Havilland temporary revision—	Dated—	To—
AWL-98 .....	April 12, 2006 .....	Part 2, "Airworthiness Limitations List," of de Havilland Dash 8 Series 100 Maintenance Program Manual, Product Support Manual 1-8-7.
AWL 2-35 .....	April 12, 2006 .....	Part 2, "Airworthiness Limitations List," of de Havilland Dash 8 Series 200 Maintenance Program Manual, Product Support Manual 1-82-7.
AWL 3-103 .....	April 12, 2006 .....	Part 2, "Airworthiness Limitations List," of de Havilland Dash 8 Series 300 Maintenance Program Manual, Product Support Manual 1-83-7.

Issued in Renton, Washington, on April 24, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E8-9567 Filed 5-1-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-0081; Directorate Identifier 2007-NM-186-AD; Amendment 39-15497; AD 2008-09-16]

RIN 2120-AA64

#### Airworthiness Directives; Airbus A318, A319, A320, and A321 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This 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:

A number of occurrences of an incorrect installation of the trimmable horizontal stabilizer actuator (THSA) have been found and reported during the accomplishment of the AIRBUS Service Bulletin (SB) A320-27-1164 mandated by EASA AD 2006-0223.

These issues could lead to a degradation of the integrity of the THSA primary load path and to secondary load path partial or full engagement.

\* \* \* \* \*

Degradation of the THSA primary load path could result in latent (undetected) loading and eventual failure of the THSA secondary load path, with consequent uncontrolled movement of the horizontal stabilizer and loss of control of the airplane. We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective June 6, 2008.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 6, 2008.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West

Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2141; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on October 25, 2007 (72 FR 60591). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

A number of occurrences of an incorrect installation of the trimmable horizontal stabilizer actuator (THSA) have been found and reported during the accomplishment of the AIRBUS Service Bulletin (SB) A320-27-1164 mandated by EASA AD 2006-0223.

These issues could lead to a degradation of the integrity of the THSA primary load path and to secondary load path partial or full engagement. This AD therefore mandates a one-time detailed visual inspection of specific parts of the THSA attachments.

Degradation of the THSA primary load path could result in latent (undetected) loading and eventual failure of the THSA secondary load path, with consequent uncontrolled movement of the horizontal stabilizer and loss of control of the airplane. The corrective actions include doing a one-time detailed visual inspection of the lower and the upper THSA attachments for correct installation and the presence of metallic particles, contacting Airbus for repair instructions if any installation deviations or metallic particles are found, and doing repairs. You may obtain further information by examining the MCAI in the AD docket.

##### Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment received.

##### Request to Withdraw the NPRM

The Air Transport Association (ATA), on behalf of its member Northwest Airlines (NWA), requests that we reconsider the need for this proposed AD. NWA states that the proposed rule is based on reports from Airbus of a number of occurrences of incorrect THSA installations that resulted from published procedures not being followed either during aircraft production or by operators after delivery

of the aircraft. NWA agrees that an incorrectly installed THSA could be a safety concern, but asserts that accomplishing a one-time inspection will not prevent improper THSA installations in the future, and does not understand what corrective action is being taken (or should be taken) to prevent similar installation problems in the future. Furthermore, NWA feels that the airplane maintenance manual (AMM) is clear and concise regarding THSA installation procedures and states that, unless incorrect installations were accomplished during production or the AMM installation instructions were incorrect, a one-time inspection mandated by an AD is unwarranted. NWA asserts that it has accomplished AD 2007-06-02, amendment 39-14983 (72 FR 12072, March 15, 2007), on all its Model A319 and A320 airplanes with no findings of note. (AD 2007-06-02, which corresponds to EASA AD 2006-0223, dated July 21, 2006, requires inspections of the upper and lower THSA attachments for proper clearances, and for the presence of cracking, damage, and metallic particles.) NWA concludes that incorrect installations due to operator error should be addressed by actions other than issuing an all-fleet AD.

Although we understand NWA's concern, we do not agree with this request. If incorrect THSA installation was limited to only one operator (an isolated case of not following maintenance instructions), an AD would not have been an appropriate method of dealing with the situation. However, as THSA installation errors have been reported at multiple operators, and installation errors could result in the identified unsafe condition that is likely to exist or develop on other airplanes, an AD is appropriate. Further, we have determined that, although technically correct, the maintenance instructions were insufficiently clear to ensure that no confusion could occur during installation of the THSA. In regard to future installations, Airbus has informed us that the maintenance instructions have been revised and clarified to prevent confusion during any future installation of the THSA. We have not changed the AD in this regard.

##### Conclusion

We reviewed the available data, including the comment received, and determined that air safety and the public interest require adopting the AD as proposed.