

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-2008-0520; Directorate Identifier 2008-NM-018-AD.

Comments Due Date

(a) We must receive comments by June 23, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Boeing Model 777-200 series airplanes, certificated in any category; as identified in Boeing Alert Service Bulletin 777-53A0051, dated November 8, 2007.

Unsafe Condition

(d) This AD results from a report of cracks found in the external skin on the left and right sides of the section 48 fuselage panel on two airplanes with skin wrinkles found at two of the external crack locations. We are issuing this AD to detect and correct wrinkles and cracks in certain external skin panels of section 48, which could join together and result in reduced structural integrity of support structure for the vertical and horizontal stabilizers and inability of the airplane to sustain limit loads.

Compliance

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

Repetitive Inspections/Investigative and Corrective Actions

(f) At the applicable compliance times specified in paragraph 1.E., “Compliance” of Boeing Alert Service Bulletin 777-53A0051, dated November 8, 2007, except as provided by paragraph (g) of this AD: Do the applicable inspections for any wrinkle of the external skin and for cracking at the fuselage bulkhead shear tie end fastener locations at Stations 2195.75, 2221.65, and 2245.70 of the section 48 panel of the fuselage, between stringers 5 and 10 on the left and right sides; and do all the applicable investigative and corrective actions; by doing all of the applicable actions in accordance with the Accomplishment Instructions of the service bulletin, except as provided by paragraph (h) of this AD. Do all applicable investigative and corrective actions before further flight. Repeat the applicable inspections thereafter at the applicable intervals specified in paragraph 1.E. of the service bulletin.

Exception to Compliance Times

(g) Where Boeing Alert Service Bulletin 777-53A0051, dated November 8, 2007, specifies counting the compliance time from “* * * the date on this service bulletin,” this AD requires counting the compliance time from the effective date of this AD.

Exception to Corrective Actions

(h) If any damage beyond the repair limits specified in Boeing Alert Service Bulletin 777-53A0051, dated November 8, 2007, is

found during any inspection required by this AD, and the service bulletin specifies to contact Boeing for appropriate action: Before further flight, repair the crack using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, ATTN: Duong Tran, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle ACO, 1601 Lind Avenue, SW, Renton, Washington 98057-3356; telephone (425) 917-6452; fax (425) 917-6590 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.

(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.

Issued in Renton, Washington, on April 25, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-10059 Filed 5-6-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2007-0043; Directorate Identifier 2007-NM-058-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747SR, and 747SP Series Airplanes

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

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

SUMMARY: The FAA is revising an earlier NPRM for an airworthiness directive (AD) that applies to certain Boeing Model 747 series airplanes. The original

NPRM would have superseded an existing AD that currently requires inspecting to detect cracking in certain lower lobe fuselage skin lap joints, doing repetitive inspections for cracking at certain fastener locations having countersunk fasteners, and replacing countersunk fasteners with protruding head fasteners at certain fastener locations. The original NPRM proposed to replace a previous high-frequency eddy current (HFEC) inspection method with a new HFEC inspection method, add a one-time inspection for cracking of certain airplanes, and terminate the adjustment factor for the inspection compliance times based on cabin differential pressure. The original NPRM also included an inspection at an additional lap joint. The original NPRM resulted from reports of fuselage skin cracks found at certain countersunk fastener locations in the upper row of lap joints near the wing-to-body fairings, and from a report that the presence of Alodine-coated rivets could cause faulty results during the required inspections using the optional sliding probe HFEC inspection method specified in the existing AD. This new action revises the original NPRM by including inspections at additional lap joint locations and by removing inspections at certain other lap joint locations. We are proposing this supplemental NPRM to prevent reduced structural integrity of the fuselage.

DATES: We must receive comments on this supplemental NPRM by June 2, 2008.

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 W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility 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 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: Ivan Li, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6437; fax (425) 917–6590.

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–2007–0043; Directorate Identifier 2007–NM–058–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 because of 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 part 39 of the Federal Aviation Regulations (14 CFR part 39) with a notice of proposed rulemaking (NPRM) for an AD (the “original NPRM”) to supersede AD 94–15–06, amendment 39–8977 (59 FR 37659, July 25, 1994). The original NPRM applied to certain Boeing Model 747 series airplanes. The original NPRM was published in the **Federal Register** on October 17, 2007 (72 FR 58777). The original NPRM proposed to retain certain requirements of AD 94–15–06. The original NPRM also proposed to replace a previous high-frequency eddy current (HFEC) inspection method with a new HFEC inspection method, add a one-time inspection for cracking of certain airplanes, and terminate the adjustment factor for the inspection compliance times based on cabin differential pressure. The original NPRM also proposed to require an inspection at an additional lap joint.

Actions Since Original NPRM Was Issued

Since we issued the original NPRM, we have determined that the requirements of AD 94–15–06 included additional errors in lap joint locations that would require a general visual inspection for countersunk fasteners for certain Boeing Model 747SP airplanes. The errors are as follows:

- The requirements of AD 94–15–06 included body station (BS) 520 to 1000 at stringer (S)–34L, S–34R, S–39L, S–39R, S–44L, and S–44R, but should have included only BS 560 to 800 at those stringer locations. (See paragraph (j)(2) of this supplemental NPRM.)
- The requirements of AD 94–15–06 included BS 1480 to 1741 at S–34L, S–34R, S–40L, and S–40R, but should have included only BS 1640 to 1741 at those stringer locations. (See paragraph (j)(2) of this supplemental NPRM.)
- The requirements of AD 94–15–06 did not include BS 1741 to 1901 at S–34L, S–34R, S–40L, and S–40R. (See paragraph (q)(1) of this supplemental NPRM.)
- The requirements of AD 94–15–06 did not include the lap joint at stringer location S–46L in the list of lap joints requiring inspection for Model 747SP airplanes. We included BS 520 to 1000 at that stringer location in the original NPRM, but should instead have included BS 1640 to 1901. (See paragraph (q)(1) of this supplemental NPRM.)

Therefore, we have revised paragraphs (j)(2) and (q)(1) of this supplemental NPRM to correct the body station and stringer locations.

Comments

We have considered the following comments on the original NPRM.

Request To Revise Alternative Methods of Compliance (AMOCs) Paragraph

Boeing requests that we revise paragraph (v)(4) of the original NPRM to read: “AMOCs approved previously in accordance with AD 94–15–06 for airplane line numbers 630 through 814 inclusive, are approved as AMOCs for the corresponding provisions of this AD if the AMOC does not involve using the existing sliding probe HFEC or alternate skin inspection method specified in Boeing Service Bulletin 747–53A2312, Revision 2, dated October 8, 1992, or an earlier version. AMOCs approved previously in accordance with AD 94–15–06 for airplane line numbers 201 through 629 inclusive are approved as AMOCs for the corresponding provisions of this AD regardless if the AMOC involves using the existing

sliding probe HFEC or alternate skin inspection method specified in Boeing Service Bulletin 747–53A2312, Revision 2, dated October 8, 1992, or an earlier version.” Boeing explains that for airplane line numbers 630 through 814, the sliding probe HFEC inspection method can produce incorrect results due to the possibility that Alodine rivets are installed. However, airplanes with line numbers in the range 201 through 629 did not have Alodine rivets installed in production, and therefore the sliding probe HFEC inspection method is a valid inspection.

We agree with the commenter for the reasons stated. We have included the requested information in a revised paragraph (v)(4) and a new paragraph (v)(5) in this supplemental NPRM.

Request To Specify Use of Only Revision 3 of Service Bulletin

Boeing requests that we specify in paragraph (q) of the original NPRM that Boeing Alert Service Bulletin 747–53A2312, Revision 3, dated February 8, 2007 (the appropriate source of service information for certain actions proposed in the NPRM), must be used after the effective date of the AD. Boeing explains that this change would ensure that the most recent revision of the service bulletin is followed.

We agree with Boeing’s request. The procedures in Revision 2 of the service bulletin specify to inspect a smaller area than that specified in Revision 3. Therefore, we have changed paragraph (q) of this supplemental NPRM to include only Revision 3 of the service bulletin as the appropriate source of service information for doing the proposed actions.

Request To Revise “Actions Since Existing AD Was Issued” Section of NPRM

Boeing asks that we revise the “Actions Since Existing AD Was Issued” paragraph of the original NPRM to add the words “for certain airplanes” to the end of the following sentence: “The sliding probe HFEC (high frequency eddy current) inspection specified in the previous revisions of the service bulletin would no longer be allowed in this proposed AD.” Boeing explains that Boeing Alert Service Bulletin 747–53A2312, Revision 3, allows using the sliding probe procedure as an alternative HFEC inspection procedure for Group 1 airplanes only, as specified in Note 2 of Figure 5 of the service bulletin. Those airplanes were not delivered with Alodine rivets.

We partially agree. We agree that the sliding probe HFEC inspection

procedure is an acceptable inspection procedure for Group 1 airplanes, as the commenter explained. However the “Actions Since Existing AD Was Issued” section of the preamble of the original NPRM is not repeated in this supplemental NPRM. Therefore, we have not changed this supplemental NPRM in this regard.

Request To Revise “Relevant Service Information” Section of NPRM

Boeing asks that we delete the words “and repair if necessary” from the end of the following sentence in the “Relevant Service Information” section of the original NPRM: “However, Revision 3 * * * gives instructions for a special (one-time) inspection for cracking of airplanes * * * and on which the sliding probe HFEC inspection method was used during the last skin inspection, and repair if necessary.” Boeing states that this change would eliminate potential confusion because the sliding probe inspection does not apply to modifications or repairs.

We disagree with the requested change. The phrase “repair if necessary” is intended to state that the repair is necessary if a crack is found during the special (one-time) inspection. Furthermore, the “Relevant Service Information” section is not repeated in this supplemental NPRM. Therefore, we have not changed this supplemental NPRM in this regard.

Request To Capitalize “Alodine”

Boeing points out that the term “Alodine” in the original NPRM should be capitalized because “Alodine” is a trademarked name.

We agree. We have revised several sections of this supplemental NPRM to reflect this change.

Explanation of Clarification

We have clarified paragraph (p), “Post-modification Inspections for all Airplanes,” of this supplemental NPRM to specify that the post-modification inspection is done at all fastener locations where a countersunk fastener was found during the inspection required by paragraph (j) or (q)(1) of the proposed AD.

FAA’s Determination and Proposed Requirements of the Supplemental NPRM

The changes to the body station and stringer locations and the change to the service information specified in paragraph (q) discussed above expand the scope of the original NPRM; therefore, we have determined that it is necessary to reopen the comment period to provide additional opportunity for public comment on this supplemental NPRM.

Costs of Compliance

There are about 348 airplanes in the worldwide fleet. We estimate that this proposed AD would affect 90 airplanes of U.S. registry. The issue associated with Alodine-coated aluminum rivets occurs on 162 airplanes in the worldwide fleet and affects 24 airplanes of U.S. registry. The following table provides the estimated costs for U.S. operators to comply with this proposed AD. The average labor rate is \$80 per work hour.

ESTIMATED COSTS

Action	Work hours	Parts	Number of affected airplanes	Cost per airplane	Fleet cost
Inspections (required by AD 94-15-06 and retained in this AD).	14	\$0	90	\$1,120, per inspection cycle.	\$100,800, per inspection cycle.
Inspections (required by AD 94-15-06 and retained in this AD).	82	0	90	\$6,560, per inspection cycle.	\$590,400, per inspection cycle.
Modification (required by AD 94-15-06 and retained in this proposed AD).	124	(¹)	90	\$9,920	\$892,800.
One-time inspection (new proposed action)	4	0	24	\$320	\$7,680.

¹ Minimal.

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 have 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 that the 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 supplemental NPRM and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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 Federal Aviation Administration (FAA) amends § 39.13 by removing amendment 39–8977 (59 FR 37659, July 25, 1994) and by adding the following new airworthiness directive (AD):

Boeing: Docket No. FAA–2007–0043; Directorate Identifier 2007–NM–058–AD.

Comments Due Date

(a) The FAA must receive comments on this AD action by June 2, 2008.

Affected ADs

(b) This AD supersedes AD 94–15–06.

Applicability

(c) This AD applies to Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747SR, and 747SP series airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 747–53A2312, Revision 3, dated February 8, 2007.

Unsafe Condition

(d) This AD results from reports of fuselage skin cracks found at certain countersunk fastener locations in the upper row of lap joints near the wing-to-body fairings, and from a report that the presence of Alodine-coated rivets could cause faulty results during the required inspections using the optional sliding probe HFEC inspection method specified in AD 94–15–06. We are issuing this AD to prevent reduced structural integrity of the fuselage.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Requirements of AD 94–15–06 With Revised Body Station and Stringer Locations

Inspections for Airplanes Having Line Numbers 201 through 765 Inclusive

(f) For airplanes having line numbers 201 through 765 inclusive: Conduct a high frequency eddy current (HFEC) inspection to detect cracking of the lower lobe lap joints in the vicinity of the wing-to-body fairings, in accordance with Boeing Alert Service Bulletin 747–53A2312, dated June 12, 1989; Revision 1, dated March 29, 1990; Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD; at the time specified in paragraph (f)(1), (f)(2), (f)(3), or (f)(4) of this AD, as applicable. As of the effective date of this AD, only Revision 3 shall be used. Repeat this inspection thereafter at intervals not to exceed 4,000 landings until the inspection required by paragraph (j) of this AD is accomplished.

(1) For airplanes that have accumulated less than 11,200 total landings as of February 5, 1990 (the effective date of AD 90–01–07, amendment 39–6440, which was superseded by AD 94–15–06): Prior to the accumulation of 11,000 total landings, or within the next 1,000 landings after February 5, 1990, whichever occurs later.

(2) For airplanes that have accumulated 11,200 or more total landings but less than 15,201 total landings as of February 5, 1990: Within the next 1,000 landings after February 5, 1990, or prior to the accumulation of 15,500 total landings, whichever occurs earlier.

(3) For airplanes that have accumulated 15,201 or more total landings but less than 18,200 total landings as of February 5, 1990: Within the next 300 landings after February 5, 1990, or prior to the accumulation of 18,250 total landings, whichever occurs earlier.

(4) For airplanes that have accumulated 18,200 or more landings as of February 5, 1990: Within the next 50 landings after February 5, 1990.

Repair and Modification for Airplanes Having Line Numbers 201 Through 765 Inclusive

(g) For airplanes having line numbers 201 through 765 inclusive: Accomplish the requirements of paragraphs (g)(1) and (g)(2) of this AD.

(1) If any cracking is detected during the inspections required by paragraph (f) of this AD, prior to further flight, repair in accordance with Boeing Alert Service Bulletin 747–53A2312, dated June 12, 1989; Revision 1, dated March 29, 1990; Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used.

(2) Prior to the accumulation of 20,000 total landings, or within the next 3,000 landings after February 5, 1990 (the effective date of AD 90–01–07), whichever occurs later, modify the airplane by replacing countersunk fasteners in the upper row of the lower lobe lap joints in the vicinity of the wing-to-body fairings with protruding head fasteners, in accordance with the procedures described in Boeing Alert Service Bulletin 747–53A2312, dated June 12, 1989; Revision 1, dated March 29, 1990; Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used.

Adjustments for Cabin Differential Pressure for Airplanes Having Line Numbers 201 Through 765 Inclusive

(h) For airplanes having line numbers 201 through 765 inclusive: Before the effective date of this AD, for purposes of complying with paragraphs (f) and (g) of this AD, the number of landings may be determined to equal the number of pressurization cycles where the cabin pressure differential was greater than 2.0 psi.

(i) For airplanes having line numbers 201 through 765 inclusive: Before the effective

date of this AD, for Model 747SR series airplanes only, based on continued mixed operation of lower cabin differentials, the inspection and modification compliance times specified in paragraphs (f) and (g) of this AD may be multiplied by a 1.2 adjustment factor.

General Visual Inspection for Countersunk Fasteners for All Airplanes

(j) *For all airplanes:* Prior to the accumulation of 11,000 total landings, or within 1,000 landings after August 24, 1994 (the effective date of AD 94–15–06), whichever occurs later, conduct a general visual inspection, unless previously accomplished within the last 3,000 landings prior to August 24, 1994, to determine if countersunk fasteners have been installed in the lap joints listed in paragraph (j)(1) or (j)(2) of this AD, as applicable, in accordance with the procedures described in Boeing Service Bulletin 747–53A2312, Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used. Accomplishment of this inspection terminates the inspection requirements of paragraph (f) of this AD.

(1) For Model 747–100, –200, –300, –400, and 747SR series airplanes: From body stations (BS) 741 to 1000 at stringers (S)–34L, S–34R, S–39L, S–39R, S–44L, and S–44R, and from BS 1480 to 1741 at S–34L, S–34R, S–40L, and S–40R.

(2) For Model 747SP series airplanes: From BS 560 to 800 at S–34L, S–34R, S–39L, S–39R, S–44L, and S–44R, and from BS 1640 to 1741 at S–34L, S–34R, S–40L, and S–40R.

Corrective Action for Countersunk Fasteners for All Airplanes

(k) *For all airplanes:* If no countersunk fastener is found in the upper row of a lap joint during the inspection required by paragraph (j) of this AD, no further action is required by this AD for that lap joint.

(l) *For all airplanes:* If any countersunk fastener is found in the upper row of a lap joint during the inspection required by paragraph (j) of this AD, prior to further flight, perform a high frequency eddy current (HFEC) inspection to detect cracking at all fastener locations in the lap joint where a countersunk fastener was found during the inspection required by paragraph (j) of this AD, in accordance with the procedures described in Boeing Service Bulletin 747–53A2312, Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used.

Repetitive Inspections

(m) If no cracking is detected during any inspection required by paragraphs (l) and (q) of this AD, at any fastener location where a countersunk fastener was found during the inspection required by paragraph (j) or (q)(1) of this AD, repeat the HFEC inspection thereafter at intervals not to exceed 4,000 landings, in accordance with the procedures described in Boeing Service Bulletin 747–53A2312, Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except

as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used. As an alternative to the HFEC inspection, operators may perform a detailed inspection to detect cracking at any fastener location where a countersunk fastener was found, in accordance with the procedures described in Boeing Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. Perform the detailed inspection within the next 4,000 landings after the HFEC inspection required by paragraph (l) of this AD, and repeat the inspection thereafter at intervals not to exceed 500 landings. At any of the subsequent inspection cycles, operators may use either inspection method provided that the corresponding inspection interval is used to determine the compliance time of the next inspection.

(n) If cracking is detected during any inspection required by paragraph (l), (m), (p), or (q) of this AD, at any fastener location where a countersunk fastener was found during the inspection required by paragraph (j) or (q)(1) of this AD, prior to further flight, repair and modify that lap joint in accordance with Boeing Service Bulletin 747-53A2312, Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used. Accomplishment of this repair and modification terminates the repetitive inspections required by paragraph (m) of this AD for that lap joint.

Modification of Countersunk Fasteners for All Airplanes

(o) For all airplanes: Prior to the accumulation of 20,000 total landings or within 1,000 landings after August 24, 1994, whichever occurs later, modify all fastener locations where a countersunk fastener was found during the inspections required by paragraph (j) of this AD, in accordance with the procedures described in Boeing Service Bulletin 747-53A2312, Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used. For purposes of complying with the requirements of this paragraph, fastener locations that were previously modified in accordance with paragraph (g) or (n) of this AD do not need to be modified again. Accomplishment of this modification terminates the repetitive inspections required by paragraph (m) of this AD for the modified fastener locations.

Post-Modification Inspections for All Airplanes

(p) For all airplanes: Prior to the accumulation of 10,000 total landings following the modification required by paragraph (g), (n), (o), (q) or (s) of this AD, perform an HFEC inspection to detect cracking at all fastener locations where a countersunk fastener was found during the inspection required by paragraph (j) or (q)(1) of this AD, and repeat this inspection thereafter at intervals not to exceed 4,000 landings, in accordance with the procedures described in Boeing Service Bulletin 747-

53A2312, Revision 2, dated October 8, 1992; or Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. As of the effective date of this AD, only Revision 3 shall be used.

New Requirements of This AD

General Visual Inspection for Countersunk Fasteners and Modification for Model 747SP Airplanes at Stringers S-34L, S-34R, S-40L, S-40R, and S-46L

(q) For Model 747SP series airplanes having line numbers 201 through 814 inclusive, do the actions in paragraphs (q)(1) and (q)(2) of this AD at the times specified in those paragraphs.

(1) Prior to the accumulation of 11,000 total landings, or within 1,000 landings as of the effective date of this AD, whichever occurs later, unless previously accomplished within the last 3,000 landings prior to the effective date of this AD, conduct a general visual inspection of the lap joint from BS 1640 to 1901 at stringer S-46L, and from BS 1741 to 1901 at S-34L, S-34R, S-40L, and S-40R, to determine if countersunk fasteners have been installed in the specified area, in accordance with the procedures described in Boeing Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD.

(i) If no countersunk fastener is found in the upper row of the lap joint during the inspection, no further action is required by this AD for the lap joint.

(ii) If any countersunk fastener is found in the upper row of the lap joint, prior to further flight, perform an HFEC inspection to detect cracking at all fastener locations where a countersunk fastener was found, in accordance with the procedures described in Boeing Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD.

A. If no cracking is found, repeat the inspection thereafter in accordance with the requirements of paragraph (m) of this AD.

B. If any cracking is found, prior to further flight, repair and modify the lap joint as required by paragraph (n) of this AD.

(2) Prior to the accumulation of 20,000 total landings, or within 1,000 landings as of the effective date of this AD, whichever occurs later, modify all fastener locations where a countersunk fastener was found, during the inspection required by paragraph (q)(1) of this AD, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. For purposes of complying with the requirements of this AD, fastener locations that were previously modified in accordance with paragraph (n) of this AD do not need to be modified again. Accomplishment of this modification terminates the repetitive inspections required by paragraph (m) of this AD for the modified fastener locations.

Adjustments to Compliance Time: Cabin Differential Pressure

(r) For the purposes of calculating the compliance threshold and repetitive intervals for actions required by paragraphs (f) and (g) of this AD, as of the effective date of this AD:

All flight cycles, including the number of flight cycles in which cabin differential pressure is at 2.0 psi or less, must be counted when determining the number of flight cycles that have occurred on the airplane, and a 1.2 adjustment factor may not be used. However, for airplanes on which the repetitive intervals for the actions required by paragraph (f) of this AD have been calculated in accordance with paragraph (h) and/or (i) of this AD by excluding the number of flight cycles in which cabin differential pressure is at 2.0 pounds psi or less, and/or by using a 1.2 adjustment factor: Continue to adjust the repetitive intervals in accordance with paragraph (h) and/or (i) of this AD until the next inspection required by paragraph (f) of this AD is accomplished. Thereafter, no adjustment to compliance times based on paragraph (h) and/or (i) of this AD is allowed.

Special One-Time Inspection for Cracking of Certain Airplanes

(s) For airplanes with line numbers 630 through 814 inclusive that meet the conditions specified in paragraphs (s)(1) and (s)(2) of this AD: Within 300 flight cycles after the effective date of this AD, or within 500 flight cycles after the most recent sliding probe inspection done in accordance with Boeing Alert Service Bulletin 747-53A2312, Revision 1, dated March 29, 1990; or Revision 2, dated October 8, 1992; whichever occurs later, do a special one-time HFEC inspection or a special one-time detailed inspection for cracking, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007. If any cracking is found in a lap joint, before further flight, repair and modify that lap joint in accordance with Boeing Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007; except as provided by paragraph (u) of this AD. Accomplishment of this repair and modification terminates the repetitive inspections required by paragraph (m) of this AD for that lap joint. This special one-time inspection is not required for lap joints that have been modified in accordance with paragraph (g), (n), (o), or (q) of this AD.

(1) Airplanes that have not been modified in accordance with paragraph (g) or (o) of this AD.

(2) Airplanes on which the sliding probe HFEC inspection method specified in Boeing Service Bulletin 747-53A2312, Revision 1, dated March 29, 1990; or Revision 2, dated October 8, 1992; was used during the last skin inspection required by paragraph (f), (l), or (m) of this AD.

Actions After the Special One-Time Inspection if No Cracking Is Found

(t) For airplanes specified in paragraph (s) of this AD on which no cracking is found during the special one-time inspection, do the applicable repetitive inspections specified in paragraph (t)(1) or (t)(2) of this AD.

(1) If the special one-time inspection was done using the HFEC inspection method in accordance with paragraph (s) of this AD, perform the next inspection required by paragraph (m) of this AD within the next 4,000 flight cycles after doing the inspection

required by paragraph (s) of this AD, and repeat the inspection thereafter in accordance with paragraph (m) of this AD.

(2) If the special one-time inspection was done using the detailed inspection method in accordance with paragraph (s) of this AD, perform the next inspection required by paragraph (m) of this AD within the next 500 flight cycles after doing the inspection required by paragraph (s) of this AD, and repeat the inspection thereafter in accordance with paragraph (m) of this AD.

Contacting the Manufacturer

(u) Where Boeing Alert Service Bulletin 747-53A2312, Revision 3, dated February 8, 2007, specifies to contact Boeing for appropriate action for a repair or inspection, before further flight, do the applicable action in paragraph (u)(1) or (u)(2) of this AD.

(1) Do the repair using a method approved in accordance with the procedures specified in paragraph (v) of this AD.

(2) Do the inspection using a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

Alternative Methods of Compliance (AMOCs)

(v)(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with 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.

(3) An AMOC that provides an acceptable level of safety shall 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.

(4) AMOCs approved previously in accordance with AD 94-15-06 for airplane line numbers 630 through 814 inclusive are approved as AMOCs for the corresponding provisions of this AD if the AMOC does not involve using the existing sliding probe HFEC skin inspection method specified in Boeing Service Bulletin 747-53A2312, Revision 2, dated October 8, 1992, or an earlier version. In addition, the provisions of paragraph (r) of this AD must be applied to AMOCs approved previously in accordance with AD 94-15-06, amendment 39-8977, where applicable.

(5) AMOCs approved previously in accordance with AD 94-15-06 for airplane line numbers 201 through 629 inclusive are approved as AMOCs for the corresponding provisions of this AD. In addition, the

provisions of paragraph (r) of this AD must be applied to AMOCs approved previously in accordance with AD 94-15-06, where applicable.

Issued in Renton, Washington, on April 30, 2008.

Ali Bahrami,

*Manager, Transport Airplane Directorate,
Aircraft Certification Service.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-0194; Directorate Identifier 2007-NM-263-AD]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ 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:

Fuel system reassessment, performed according to RBHA-E88/SFAR-88 (Regulamento Brasileiro de Homologacao Aeronautica 88/Special Federal Aviation Regulation No. 88), requires the inclusion of new maintenance tasks in the Critical Design Configuration Limitations (CDCCL) and in the Fuel System Limitations (FSL), necessary to preclude ignition sources in the fuel system. * * *

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 May 27, 2008.

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.

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:

Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1405; 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-2008-0194; Directorate Identifier 2007-NM-263-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 21, 2008 (73 FR 9500). That earlier NPRM proposed to require actions intended to address the unsafe condition for the products listed above.

Since that earlier NPRM was issued, we have determined that for certain airplanes the initial compliance times