

By the Office of Thrift Supervision,  
**Deborah Dakin**,  
*Acting Chief Counsel.*

By order of the National Credit Union  
Administration Board, June 18, 2009.  
**Mary F. Rupp**,  
*Secretary of the Board.*

By Direction of the Commission.  
**Donald S. Clark**,  
*Secretary.*

[FR Doc. E9-16030 Filed 7-7-09; 8:45 am]

**BILLING CODE** 4810-33-P; 6210-01-P; 6714-01-P;  
6720-01-P; 7535-01-P; 3084-88-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0044; Directorate  
Identifier 2008-NM-132-AD; Amendment  
39-15953; AD 2009-14-03]

RIN 2120-AA64

#### **Airworthiness Directives; Bombardier Model CL-600-1A11 (CL-600), CL- 600-2A12 (CL-601), CL-600-2B16 (CL- 601-3A, CL-601-3R, and CL-604) 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:

There have been several Stick Pusher  
Capstan Shaft failures causing the dormant  
loss or severe degradation of the stick pusher  
function. \* \* \*

Dormant loss or severe degradation of  
the stick pusher function could result in  
reduced controllability of the airplane.  
We are issuing this AD to require  
actions to correct the unsafe condition  
on these products.

**DATES:** This AD becomes effective  
August 12, 2009.

The Director of the Federal Register  
approved the incorporation by reference  
of certain publications listed in this AD  
as of August 12, 2009.

**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:**  
Bruce Valentine, Aerospace Engineer,  
Systems and Flight Test Branch, ANE-  
172, FAA, New York Aircraft  
Certification Office, 1600 Stewart  
Avenue, Suite 410, Westbury, New York  
11590; telephone (516) 228-7328; 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 February 23, 2009 (74 FR  
8039). That NPRM proposed to correct  
an unsafe condition for the specified  
products. The MCAI states:

There have been several Stick Pusher  
Capstan Shaft failures causing the dormant  
loss or severe degradation of the stick pusher  
function. This directive is issued to revise the  
first flight of the day check [in the Airplane  
Flight Manual] of the stall protection system  
to detect a degradation of the stick pusher  
function. It also introduces a new periodic  
maintenance task [in the Airworthiness  
Limitations Section of the Instructions for  
Continuing Airworthiness] to check the  
structural integrity of the stick pusher  
capstan shaft.

Dormant loss or severe degradation of  
the stick pusher function could result in  
reduced controllability of the airplane.  
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  
707 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 \$56,560, 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>

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:

**2009-14-03 Bombardier, Inc. (Formerly Canadair):** Amendment 39-15953. Docket No. FAA-2009-0044; Directorate Identifier 2008-NM-132-AD.

**Effective Date**

(a) This airworthiness directive (AD) becomes effective August 12, 2009.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to the airplanes listed in Table 1 of this AD, certificated in any category.

TABLE 1—APPLICABILITY

Bombardier model—	Serial Nos.—
CL-600-1A11 (CL-600) airplanes .....	1004 through 1085 inclusive.
CL-600-2A12 (CL-601) airplanes .....	3001 through 3066 inclusive.
CL-600-2B16 (CL-601-3A, CL-601-3R) airplanes .....	5001 through 5194 inclusive.
CL-600-2B16 (CL-604) airplanes .....	5301 through 5665 inclusive.

**Note 1:** This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (g)(1) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

**Subject**

(d) Air Transport Association (ATA) of America Code 27: Flight Controls.

**Reason**

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

There have been several Stick Pusher Capstan Shaft failures causing the dormant loss or severe degradation of the stick pusher function. This directive is issued to revise the first flight of the day check [in the Airplane Flight Manual] of the stall protection system to detect a degradation of the stick pusher function. It also introduces a new periodic maintenance task [in the Airworthiness Limitations Section of the Instructions for Continuing Airworthiness] to check the structural integrity of the stick pusher capstan shaft.

Dormant loss or severe degradation of the stick pusher function could result in reduced controllability of the airplane.

**Actions and Compliance**

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

(1) Within 30 days after the effective date of this AD: Revise the Normal Procedures section of the applicable airplane flight manual (AFM) by inserting a copy of the applicable TR listed in Table 2 of this AD. Thereafter, operate the airplanes per the procedures specified in the applicable TR, except as provided by paragraph (g)(1) of this AD. If the operator has an AFM that is not listed in Table 2 of this AD, within 30 days after the effective date of this AD, revise the AFM using a method approved by the FAA or Transport Canada Civil Aviation (TCCA) (or its delegated agent).

TABLE 2—TEMPORARY REVISIONS TO THE AFM

For Bombardier model—	Use Canadair temporary provision—	Dated—	To the normal procedures section of—
CL-600-1A11 (CL-600) airplanes .....	600/23	January 30, 2007 .....	Canadair Challenger CL-600-1A11 AFM.
CL-600-1A11 (CL-600) airplanes .....	600-1/18	January 30, 2007 .....	Canadair Challenger CL-600-1A11 AFM (Winglets).
CL-600-2A12 (CL-601) airplanes .....	601/15	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM, PSP 601-1B-1.
CL-600-2A12 (CL-601) airplanes .....	601/16	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM, PSP 601-1A-1.
CL-600-2A12 (CL-601) airplanes .....	601/20	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM, PSP 601-1B.
CL-600-2A12 (CL-601) airplanes .....	601/28	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM.
CL-600-2B16 (CL-601-3A and CL-601-3R) airplanes.	601/27	January 30, 2007 .....	Canadair Challenger CL-600-2B16 AFM, PSP 601A-1.
CL-600-2B16 (CL-601-3A and CL-601-3R) airplanes.	601/28	January 30, 2007 .....	Canadair Challenger CL-600-2B16 AFM, PSP 601A-1-1.
CL-600-2B16 (CL-604) airplanes .....	604/22	January 30, 2007 .....	Canadair Challenger CL-604 AFM, PSP 604-1.

(2) When information identical to that in a TR specified in paragraph (f)(1) of this AD

has been included in the general revisions of the applicable AFM, the general revisions

may be inserted into the AFM, and the TR may be removed from that AFM.

(3) Within 30 days after the effective date of this AD: Revise the Airworthiness Limitations section of the Instructions for Continued Airworthiness by incorporating the applicable task in the TR listed in Table 3 of this AD. For all tasks identified in the TRs, the initial compliance time starts from the later of the times specified in paragraph

(f)(3)(i) and (f)(3)(ii) of this AD. Thereafter, except as provided by paragraph (g)(1) of this AD, no alternative maintenance task intervals may be used.

(i) Within the compliance time specified in the "Check Interval" or "Task Interval," as applicable, after the effective date of this AD.

(ii) Within the compliance time specified in the "Check Interval" or "Task Interval," as applicable, after the date of issuance of the original Canadian airworthiness certificate or the date of issuance of the original Canadian export certificate of airworthiness.

TABLE 3—TEMPORARY REVISIONS TO THE AIRWORTHINESS LIMITATIONS SECTION

For Bombardier model—	Use Canadair temporary revision—	Dated—	To the airworthiness limitations section of—
CL-600-1A11 (CL-600) airplanes .....	5-138	June 26, 2007 .....	Canadair Challenger Time Limits/Maintenance Checks (TLMC), PSP 605, Chapter 5, Section 5-10-30.
CL-600-2A12 (CL-601) airplanes .....	5-226	June 26, 2007 .....	Canadair Challenger TLMC, PSP 601-5, Chapter 5, Section 5-10-30.
CL-600-2B16 (CL-601-3A and CL-601-3R) airplanes.	5-239	June 26, 2007 .....	Canadair Challenger TLMC, PSP 601A-5, Chapter 5, Section 5-10-30.
CL-600-2B16 (CL-604) airplanes .....	5-2-32	May 31, 2007 .....	Canadair Challenger CL-604 TLMC, Chapter 5, Section 5-10-40.

(4) When the information in applicable TR listed in Table 3 of this AD has been included in the general revisions of the applicable chapter of the Airworthiness Limitations section, the TR may be removed from the Airworthiness Limitations section of the Instruction for Continued Airworthiness.

**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 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: Bruce Valentine, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7328; 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.

(4) Special Flight Permits: Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are not allowed.

**Related Information**

(h) Refer to MCAI Canadian Airworthiness Directive CF-2008-12, dated February 8, 2008, and the service information listed in Table 4 of this AD, for related information.

TABLE 4—ALL SERVICE INFORMATION

Canadair TR—	Dated—	To the—
5-138 .....	June 26, 2007 .....	Canadair Challenger TLMC, PSP 605, Chapter 5, Section 5-10-30.
5-226 .....	June 26, 2007 .....	Canadair Challenger TLMC, PSP 601-5, Chapter 5, Section 5-10-30.
5-239 .....	June 26, 2007 .....	Canadair Challenger TLMC, PSP 601A-5, Chapter 5, Section 5-10-30.
5-2-32 .....	May 31, 2007 .....	Canadair Challenger CL-604 TLMC, Chapter 5, Section 5-10-40.
600/23 .....	January 30, 2007 .....	Canadair Challenger CL-600-1A11 AFM.
600-1/18 .....	January 30, 2007 .....	Canadair Challenger CL-600-1A11 AFM (Winglets).
601/15 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM, PSP 601-1B-1.
601/16 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM, PSP 601-1A-1.
601/20 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM, PSP 601-1B.
601/27 .....	January 30, 2007 .....	Canadair Challenger CL-600-2B16 AFM, PSP 601A-1.
601/28 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 AFM.
601/28 .....	January 30, 2007 .....	Canadair Challenger CL-600-2B16 AFM, PSP 601A-1-1.
604/22 .....	January 30, 2007 .....	Canadair Challenger CL-604 AFM, PSP 604-1.

**Material Incorporated by Reference**

(i) You must use the service information contained in Table 5 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., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; e-mail [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>.

(3) You may review copies of the 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.

(4) You may also review copies of the service information that is incorporated by reference 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/](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).

TABLE 5—MATERIAL INCORPORATED BY REFERENCE

Canadair temporary revision—	Dated—	To the—
5-138 .....	June 26, 2007 .....	Canadair Challenger Time Limits/Maintenance Checks, PSP 605, Chapter 5, Section 5-10-30.
5-226 .....	June 26, 2007 .....	Canadair Challenger Time Limits/Maintenance Checks, PSP 601-5, Chapter 5, Section 5-10-30.
5-239 .....	June 26, 2007 .....	Canadair Challenger Time Limits/Maintenance Checks, PSP 601A-5, Chapter 5, Section 5-10-30.
5-2-32 .....	May 31, 2007 .....	Canadair Challenger CL-604 Time Limits/Maintenance Checks, Chapter 5, Section 5-10-40.
600/23 .....	January 30, 2007 .....	Canadair Challenger CL-600-1A11 Airplane Flight Manual.
600-1/18 .....	January 30, 2007 .....	Canadair Challenger CL-600-1A11 Airplane Flight Manual (Winglets).
601/15 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 Airplane Flight Manual, PSP 601-1B-1.
601/16 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 Airplane Flight Manual, PSP 601-1A-1.
601/20 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 Airplane Flight Manual, PSP 601-1B.
601/27 .....	January 30, 2007 .....	Canadair Challenger CL-600-2B16 AFM Airplane Flight Manual PSP 601A-1.
601/28 .....	January 30, 2007 .....	Canadair Challenger CL-600-2A12 Airplane Flight Manual.
601/28 .....	January 30, 2007 .....	Canadair Challenger CL-600-2B16 Airplane Flight Manual, PSP 601A-1-1.
604/22 .....	January 30, 2007 .....	Canadair Challenger CL-604 Airplane Flight Manual, PSP 604-1.

Issued in Renton, WA, on June 11, 2009.  
**Ali Bahrami,**  
 Manager, Transport Airplane Directorate,  
 Aircraft Certification Service.  
 [FR Doc. E9-15394 Filed 7-7-09; 8:45 am]  
**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2008-0933; Directorate Identifier 2007-NM-261-AD; Amendment 39-15956; AD 2009-14-06]

RIN 2120-AA64

**Airworthiness Directives; Boeing Model 777 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding an existing airworthiness directive (AD), which applies to all Boeing Model 777 airplanes. That AD currently requires, for the drive mechanism of the horizontal stabilizer, repetitive detailed inspections for discrepancies, repetitive lubrication of the ballnut and ballscrew, repetitive measurements of the freeplay between the ballnut and the ballscrew, and corrective action if necessary. This new AD revises the compliance times of the existing AD. This AD results from a report of extensive corrosion of a ballscrew in the drive mechanism of the horizontal stabilizer on a Boeing Model 757 airplane, which is similar in design to the ballscrew on Model 777 airplanes.

We are issuing this AD to prevent an undetected failure of the primary load path for the ballscrew in the drive mechanism of the horizontal stabilizer and subsequent wear and failure of the secondary load path, which could lead to loss of control of the horizontal stabilizer and consequent loss of control of the airplane.

**DATES:** This AD becomes effective August 12, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 12, 2009.

**ADDRESSES:** For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, Washington 98124-2207; telephone 206-544-5000, extension 1, fax 206-766-5680; e-mail [me.boecom@boeing.com](mailto:me.boecom@boeing.com); Internet <https://www.myboeingfleet.com>.

**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 AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800-647-5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:**

Kelly McGuckin, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6490; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that supersedes AD 2007-17-12, amendment 39-15170 (72 FR 49158, August 28, 2007). The existing AD applies to all Boeing Model 777 airplanes. That NPRM was published in the **Federal Register** on August 29, 2008 (73 FR 50896). That NPRM proposed to retain the actions specified in the existing AD (i.e., for the drive mechanism of the horizontal stabilizer, repetitive detailed inspections for discrepancies, repetitive lubrication of the ballnut and ballscrew, repetitive measurements of the freeplay between the ballnut and the ballscrew, and corrective action if necessary) but with new initial inspection compliance times.

**New Service Information**

Since issuance of the NPRM, we have reviewed Boeing Service Bulletin 777-27A0059, Revision 2, dated January 15, 2009. This revision of the service bulletin is essentially the same as Revision 1 of the service bulletin. (We referred to Boeing Alert Service Bulletin 777-27A0059, Revision 1, August 18, 2005, as the appropriate source of service information for doing the actions proposed in the NPRM.) Revision 2 of the service bulletin specifies similar