

promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866,
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

### List of Subjects in 14 CFR Part 39

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

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

**Boeing:** Docket No. FAA-2006-25001; Directorate Identifier 2006-NM-079-AD.

#### Comments Due Date

- (a) We must receive comments by August 10, 2009.

#### Affected ADs

- (b) None.

### Applicability

(c) This AD applies to all Boeing Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes, certificated in any category.

### Subject

(d) Air Transport Association (ATA) of America Code 78: Engine exhaust.

### Unsafe Condition

(e) This AD results from a report that the top 3 inches of the aero/fire seals of the blocker doors on the thrust reverser torque boxes are not fireproof. The Federal Aviation Administration is issuing this AD to prevent a fire in the fan compartment (a fire zone) from migrating through the seal to a flammable fluid in the thrust reverser actuator compartment (a flammable fluid leakage zone), which could result in an uncontrolled fire.

### Compliance

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

### Inspection To Determine Part Number (P/N)

(g) Within 60 months or 8,200 flight cycles after the effective date of this AD, whichever occurs first: Perform a one-time detailed inspection to determine the color of the aero/fire seals of the blocker doors on the thrust reverser torque boxes on the engines. For any aero/fire seal having a completely grey color (which is the color of seals with P/N 315A2245-1 or 315A2245-2), with no red at the upper end of the seal, do the actions specified in paragraph (h) of this AD. For any aero/fire seal having a red color at the upper end of the seal (which indicates a different part number), no further action is required by this AD. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number of the correct aero/fire seals (P/N 315A2245-7 or -8) can be conclusively determined to be installed from that review.

**Note 1:** For the purposes of this AD, a detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirrors, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required."

### Replace the Aero/Fire Seals

(h) For any aero/fire seal identified during the inspection/records check in paragraph (g) of this AD to have a non-fireproof seal: Prior to further flight after doing the actions specified in paragraph (g) of this AD, replace the aero/fire seals of the blocker doors on the thrust reverser torque boxes on the engines with new, improved aero/fire seals in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737-78-1074, Revision 1, dated September 15, 2005.

### Credit for Actions Done Using Previous Service Information

(i) Replacements done before the effective date of this AD in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737-78-1074, dated April 7, 2005, are acceptable for compliance with the requirements of paragraph (h) of this AD.

### Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Seattle Aircraft Certification Office, 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: Samuel Spitzer, Aerospace Engineer, Propulsion Branch, ANM-140S, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6510; fax (425) 917-6590. Or, e-mail information to [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

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

Issued in Renton, Washington, on July 6, 2009.

**Ali Bahrami,**

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

[FR Doc. E9-16943 Filed 7-15-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0611; Directorate Identifier 2008-NM-165-AD]

RIN 2120-AA64

#### Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-212-CB, C-212-CC, C-212-CD, and C-212-CE Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. 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:

Honeywell International, the manufacturer of the SPZ200 autopilot system installed on the EADS-CASA C-212 series aircraft, has identified a series of servo-motors \* \* \* designed for use in the SPZ200 autopilot system, whose failure can lead to a potential unsafe flight condition. \* \* \*

\* \* \* \* \*

The unsafe condition is failure of the servo-motors, which could result in roll oscillations or possible hard-over failures when the autopilot is engaged. 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 August 17, 2009.

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

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

- *Fax:* (202) 493-2251.

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

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact EADS-CASA, Military Transport Aircraft Division (MTAD), Integrated Customer Services (ICS), Technical Services, Avenida de Aragón 404, 28022 Madrid, Spain; telephone +34 91 585 55 84; fax +34 91 585 55 05; e-mail [MTA.TechnicalService@casa.eads.net](mailto:MTA.TechnicalService@casa.eads.net); Internet <http://www.eads.net>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

#### Examining the AD Docket

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

**FOR FURTHER INFORMATION CONTACT:** Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1112; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2009-0611; Directorate Identifier 2008-NM-165-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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2008-0144, dated August 1, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Honeywell International, the manufacturer of the SPZ200 autopilot system installed on the EADS-CASA C-212 series aircraft, has identified a series of servo-motors, P/N [part number] 4006719-904 and P/N 4006719-913, designed for use in the SPZ200 autopilot system, whose failure can lead to a potential unsafe flight condition. To address and correct this situation, Honeywell International has published Alert Service Bulletin (ASB) 4006719-22-A0016 (Revised) dated 1 November 2004, that identifies the affected servo-motors by serial number, recommending the removal of these units from the aircraft and including modification instructions to be accomplished prior to reinstallation.

EADS-CASA has determined that the flight safety of the C-212 aircraft is at risk. Consequently, Boletín de Servicio (Service Bulletin) SB-212-22-16 has been published to advise C-212 operators of this condition and to recommend that the affected servo-motors are modified or replaced with modified units.

For the reasons described above, this EASA AD requires the identification of the affected servo-motors and modification or replacement with modified units.

The unsafe condition is failure of the servo-motors, which could result in roll oscillations or possible hard-over failures when the autopilot is engaged. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

CASA has issued Service Bulletin SB-212-22-16, dated March 13, 2006. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

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

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

#### Differences Between This AD and the MCAI or Service Information

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

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

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 26 products of U.S. registry. We also estimate that it would take about 5 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$10,400, or \$400 per product.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I,

section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

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

### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

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

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

**Construcciones Aeronauticas, S.A. (CASA);**  
Docket No. FAA-2009-0611; Directorate Identifier 2008-NM-165-AD.

#### Comments Due Date

(a) We must receive comments by August 17, 2009.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to CASA Model C-212-CB, C-212-CC, C-212-CD and C-212-CE airplanes, all serial numbers; certificated in any category; on which autopilot servo-drive actuators (servo-motors) having part number (P/N) 4006719-904 or 4006719-913 are installed.

#### Subject

(d) Air Transport Association (ATA) of America Code 22: Auto flight.

#### Reason

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

Honeywell International, the manufacturer of the SPZ200 autopilot system installed on the EADS-CASA C-212 series aircraft, has identified a series of servo-motors, P/N [part number] 4006719-904 and P/N 4006719-913, designed for use in the SPZ200 autopilot system, whose failure can lead to a potential unsafe flight condition. To address and correct this situation, Honeywell International has published Alert Service Bulletin (ASB) 4006719-22-A0016 (Revised) dated 1 November 2004, that identifies the affected servo-motors by serial number, recommending the removal of these units from the aircraft and including modification instructions to be accomplished prior to reinstallation.

EADS-CASA has determined that the flight safety of the C-212 aircraft is at risk. Consequently, Boletín de Servicio (Service Bulletin) SB-212-22-16 has been published to advise C-212 operators of this condition and to recommend that the affected servo-motors are modified or replaced with modified units.

For the reasons described above, this EASA AD requires the identification of the affected servo-motors and modification or replacement with modified units. The unsafe condition is failure of the servo-motors, which could result in roll oscillations or possible hard-over failures when the autopilot is engaged.

#### Actions and Compliance

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

(1) Within 2 months after the effective date of this AD: Identify affected servo-motors having P/N 4006719-904 and P/N 4006719-913 and modify each unit or replace with a modified unit, in accordance with the instructions of CASA Service Bulletin SB-212-22-16, dated March 13, 2006.

(2) As of the effective date of this AD, no person may install, on any airplane, a servo-motor having P/N 4006719-904 or 4006719-913, and any affected serial number identified in Honeywell Alert Service

Bulletin 4006719-22-A0016, dated November 1, 2004 (referenced in CASA Service Bulletin SB-212-22-16, dated March 13, 2006, as the source of service information for accomplishing the modification), unless it has been modified in accordance with paragraph (f)(1) of this AD.

**Note 1:** The 8 digit serial number specified in Honeywell Service Bulletin 4006719-22-A0016, dated November 1, 2004, is a combination date code and serial number. The format is as follows: YYMMXXXX-YY is the year; MM is the month, and XXXX is a sequential manufacturing serial number (e.g., a unit with number 0111XXXX was manufactured in November 2001).

#### 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, International Branch, ANM-116, 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: Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1112; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office.

(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 ensure 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 European Aviation Safety Agency Airworthiness Directive 2008-0144, dated August 1, 2008, and CASA Service Bulletin SB-212-22-16, dated March 13, 2006, for related information.

Issued in Renton, Washington, on July 2, 2009.

#### Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-16941 Filed 7-15-09; 8:45 am]

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