

understanding of SMS principles before responding to the questions below. Copies of these documents have been placed in the docket for this notice.

#### Request for Information

The FAA seeks input from the public on the following questions. In your comments please refer to the number of the specific question(s) you are responding to. Please do not hesitate to provide additional information regarding SMS not addressed by these questions if you believe it would be helpful in understanding the implications of imposing an SMS regulatory requirement. We do not expect that every commenter will be able to answer every question. Please respond to those questions you feel able to answer, or that address your particular issue.

1. Please tell us about your organization, including what products/services are provided, what FAA certificates you hold, approximate number of employees, and your approximate annual gross revenue.
2. Has your organization implemented an SMS or components of an SMS based on any of the guidance materials below? Please describe your implementation experience.
  - a. FAA Order VS8000.367, *AVSSMS Requirements*, Appendix B.
  - b. AC-120-92, *Introduction to Safety Management Systems for Air Operators*.
  - c. FAA-sponsored regulatory or voluntary programs (e.g., Continuing Analysis and Surveillance Systems (CASS), Internal Evaluation Programs (IEP), Aviation Safety Action Programs (ASAP), etc.).
  - d. Foreign civil aviation authorities' SMS development material (e.g., Transport Canada, Civil Aviation Authority of Singapore (CAAS), Australia Civil Aviation Safety Authority (CASA), U.K. Civil Aviation Authority (CAA)—please specify).
3. Please comment on the sufficiency of the following SMS guidance material, and what, if any, additional information you would need to implement an SMS.
  - a. FAA Order 8000.367, *AVSSMS Requirements*, Appendix B.
  - b. AC-120-92, *Introduction to Safety Management Systems for Air Operators*.
  - c. Foreign civil aviation authorities' SMS development material.
  - d. Third party material (e.g., IATA Operational Safety Audit (IOSA), International Standard for Business Aircraft Operations (IS-BAO), Regional Air Cargo Carriers Association (RACCA), Air Cargo Safety Foundation (ACSF)).
  - e. Other (please specify).

4. Do you currently have a quality management system (QMS) that meets some accepted standard (e.g., ISO-9000, Six-Sigma, Baldrige)? How would you envision your existing system operating in an SMS framework?

5. If you have voluntarily developed, or are in the process of developing an SMS, what impact has SMS had on your organization in terms of enhanced safety and compliance with existing CFRs?

6. Which types of product/service providers should be required to have an SMS and which, if any, should not? Please explain the reasoning for your opinion.

7. If you have implemented an SMS and conducted cost and benefits analyses, please describe your findings.

8. What are your main concerns and recommendations in making the transition to an SMS regarding the following?

a. Documentation requirements (e.g., developing or updating manuals, policies, procedures, standard operating procedures).

b. Recordkeeping requirements (e.g., hazard identification data, risk assessment data, corrective actions).

c. Collection, sharing, and management of safety information (e.g., protection of and access to personally identifiable information, proprietary information).

9. What are the initial and recurrent costs of establishing and maintaining SMS processes (e.g., internal auditing and evaluation, data collection, employee training, computer software, personnel hiring and training)?

10. What impact has SMS had on your organization in terms of the resources necessary to implement and maintain the system?

11. What new knowledge, skills, and abilities would your organization need, if any, to operate successfully within an SMS?

12. Please give us your thoughts about the current processes for procuring and using voluntarily submitted safety data through FAA programs such as Aviation Safety Action Program (ASAP) and how these programs would fit within an SMS framework.

13. What areas of the current regulations do you believe already incorporate SMS principles (e.g., continuing analysis and surveillance system (CASS) under 14 CFR 121.373; quality or inspection system requirements under 14 CFR 21.143 and 21.303)? How would you suggest the FAA avoid any duplicative requirements in any SMS rulemaking effort?

14. What concerns and recommendations do you have about

setting objective standards for the evaluation of SMS processes (e.g., evaluating SMS effectiveness, defining scope of hazards, establishing acceptable levels of risk)?

15. What are practical ways a small business could apply the elements of an SMS?

16. What are your concerns and recommendations regarding the FAA making the transition to requiring SMS of product/service providers (e.g., schedule for implementation, FAA acceptance and approval procedures, oversight)?

17. Please provide any additional information you think is pertinent.

Issued in Washington, DC, on July 20, 2009.

**John Hickey,**

*Deputy Associate Administrator for Aviation Safety.*

[FR Doc. E9-17553 Filed 7-22-09; 8:45 am]

**BILLING CODE 4910-13-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0655; Directorate Identifier 2008-NM-192-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 747-200F, 747-200C, 747-400, 747-400D, and 747-400F Series Airplanes**

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

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

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) that applies to all Boeing Model 747-200F, 747-200C, 747-400, 747-400D, and 747-400F series airplanes. The existing AD currently requires repetitive inspections for cracking of certain fuselage internal structure (i.e., Sections 42 and 46 fuselage frames, upper deck floor beams, electronic bay access door cutout, nose wheel well, and main entry doors and door cutouts), and repair if necessary. This proposed AD would require additional repetitive inspections for cracking of certain fuselage structure (i.e., Section 41 fuselage frames where they connect to upper deck floor beams, and section 41 fuselage frames between stringer (S-8 and S-12), and related investigative/corrective actions if necessary. This proposed AD would

also reduce the inspection threshold and repetitive inspection intervals for certain airplanes. This proposed AD results from fatigue tests and analysis by Boeing that identified additional areas of the fuselage where fatigue cracks can occur. We are proposing this AD to prevent the loss of structural integrity of the fuselage, which could result in rapid depressurization of the airplane.

**DATES:** We must receive comments on this proposed AD by September 8, 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 W12-140, 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, 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>. 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](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-2009-0655; Directorate Identifier 2008-NM-192-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**

On February 16, 2006, we issued AD 2006-05-02, amendment 39-14499 (71 FR 10605, March 2, 2006), for all Boeing

Model 747-200F, 747-200C, 747-400, 747-400D, and 747-400F series airplanes. That AD requires repetitive inspections for cracking of certain fuselage internal structure, and repair if necessary. That AD resulted from fatigue tests and analysis that identified areas of the fuselage where fatigue cracks can occur. We issued that AD to prevent the loss of the structural integrity of the fuselage, which could result in rapid depressurization of the airplane.

**Actions Since Existing AD Was Issued**

Since we issued AD 2006-05-02, Boeing has conducted an additional analysis that shows that Section 41 fuselage frames in the areas attached to the upper deck floor beams are also prone to fatigue cracking. Cracking of the frames was found on the fatigue test airplane at about 40,000 total pressure cycles. As a result of the cracking, we have determined that additional inspections are necessary, as specified in the service information described below. In addition, for certain airplanes, we have determined that it is necessary to reduce the compliance time for certain inspections.

**Relevant Service Information**

We have reviewed Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008 ("Revision 1 of the service bulletin"). We referred to Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004, in AD 2006-05-02 as the appropriate source of service information for doing the actions required by that AD. Revision 1 of the service bulletin retains the procedures from the original issue, and adds the repetitive inspections for cracking in the additional areas listed in the table titled "New Service Bulletin Procedures."

**NEW SERVICE BULLETIN PROCEDURES**

Revision 1 of the service bulletin adds procedures for repetitive detailed inspections for cracking of—	For airplanes identified as these groups in Revision 1 of the service bulletin—
Area 1 (upper deck floor beams)—Inspections are added for the fuselage frames at body station (BS) 260 to 520 in areas where the upper deck floor beams are attached. Area 6 (main entry door cutouts)—Inspections are added for the fuselage frames at BS 400 to 500 in areas above the main entry door 1 cutouts from the upper chord of the upper deck floor beams to stringer 8.	1 through 7 inclusive, and 9 through 10 inclusive. 1 through 7 inclusive.

The compliance times for airplane groups 1 through 7 and 9 through 10 remain the same as in AD 2006-05-02 for all inspections: 22,000 or 25,000 total flight cycles (depending on the inspection area and airplane

configuration), with a repetitive interval of 3,000 flight cycles. For the inspection of additional areas, the service bulletin specifies a compliance time of 22,000 total flight cycles or 1,000 flight cycles

after the date of Revision 1 of the service bulletin.

No new inspections are added for Group 8 airplanes specified in Revision 1 of the service bulletin, although certain inspections required by AD

2006-05-02 continue at a reduced threshold. (These airplanes were identified as Group 1 in Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004.) Furthermore, for Group 8 airplanes, the service bulletin removed the inspection requirements for Areas 2 and 5.

For Group 8 airplanes, the service bulletin specifies a reduced compliance time and reduced repetitive interval for continuing certain existing inspections. The compliance time for the initial inspection ranges from 15,000 total flight cycles to 22,000 total flight cycles (depending on the inspection area), or 1,000 flight cycles after the date of

Revision 1 of the service bulletin, whichever occurs later. The repetitive interval ranges from intervals not to exceed 1,500 flight cycles to intervals not to exceed 3,000 flight cycles (depending on the inspection area).

The service bulletin specifies repairing any crack before further flight per the service bulletin or per repair data obtained by contacting Boeing.

**FAA’s Determination and Requirements of the Proposed AD**

We have evaluated all pertinent information and identified an unsafe condition that is likely to develop on other airplanes of the same type design. For this reason, we are proposing this

AD, which would supersede AD 2006-05-02 and would retain the requirements of the existing AD. This proposed AD would also require additional inspections for certain airplanes, a revised inspection for certain airplanes, and a reduced compliance time for certain other airplanes.

**Costs of Compliance**

There are about 640 airplanes of the affected design in the worldwide fleet. 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	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Inspections (required by AD 2006-05-02).	260	None required	\$20,800 per inspection cycle ....	71	\$1,476,800 per inspection cycle.
Inspections of additional areas (new proposed action).	7	None required	\$560 per inspection cycle .....	71	\$39,760 per inspection cycle.

**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 proposed AD 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, Incorporation by reference, Safety.

**The Proposed Amendment**

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

**PART 39—AIRWORTHINESS DIRECTIVES**

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

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

**39.13 [Amended]**

2. The FAA amends § 39.13 by removing amendment 39-14499 (71 FR 10605, March 2, 2006) and adding the following new AD:

**Boeing:** Docket No. FAA-2009-0655; Directorate Identifier 2008-NM-192-AD.

**Comments Due Date**

- (a) The FAA must receive comments on this AD action by September 8, 2009.

**Affected ADs**

- (b) This AD supersedes AD 2006-05-02.

**Applicability**

- (c) This AD applies to all Boeing Model 747-200F, 747-200C, 747-400, 747-400D, and 747-400F series airplanes; certificated in any category.

**Subject**

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

**Unsafe Condition**

- (e) This AD results from fatigue tests and analysis that identified additional areas of the fuselage where fatigue cracks can occur. We are issuing this AD to prevent loss of the structural integrity of the fuselage, which could result in rapid depressurization of the airplane.

**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.

**Restatement of Requirements of AD 2006-05-02 With Reduced Compliance Times for Group 8 Airplanes**

**Inspections**

- (g) Do initial and repetitive inspections for fuselage cracks using applicable internal and external detailed inspection methods, and repair all cracks, by doing all the actions

specified in the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004; or Revision 1, dated September 25, 2008; except as required by paragraph (h) or provided by paragraph (l) of this AD. After the effective date of this AD, Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008, must be used. Do the initial and repetitive inspections at the applicable times specified in paragraph (g)(1) or (g)(2) of this AD, except as required by paragraph (j) of this AD. Repair any crack before further flight after detection.

(1) For Groups 1 through 7, 9, and 10 identified in Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008: Do the initial and repetitive inspections at the times specified in paragraph 1.E. of Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004, except as required by paragraph (i) of this AD.

(2) For Group 8 airplanes identified in Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008: Do the initial and repetitive inspections at the applicable time specified in paragraph 1.E. of Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008, except as required by paragraph (k) of this AD.

#### Exceptions to Service Bulletin Procedures

(h) If any crack is found during any inspection required by this AD, and Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004, or Revision 1, dated September 25, 2008, 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 (m) of this AD.

(i) Where Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004, or Revision 1, dated September 25, 2008, specifies a compliance time after the date on the original issue of the service bulletin, this AD requires compliance within the specified compliance time after April 6, 2006 (the effective date of AD 2006-05-02).

#### New Requirements of This AD

##### Actions for Additional Areas

(j) For the additional inspection areas of Groups 1 through 7, 9, and 10 airplanes, identified in Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008: Do initial and repetitive inspections for cracking of the inspection areas, and, as applicable, repair cracking, by doing all the actions specified in the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008; except as required by paragraph (h) of this AD. Do the initial and repetitive inspections at the times specified in paragraph 1.E. of Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008, except as required by paragraph (k) of this AD. Repair all cracking before further flight.

(k) Where Boeing Alert Service Bulletin 747-53A2500, Revision 1, dated September 25, 2008, specifies a compliance time after the date on Revision 1 of the service bulletin, this AD requires compliance within the

specified compliance time after the effective date of this AD.

(l) For Group 8 airplanes, inspection of Areas 2 and 5 identified in Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004 as required by paragraph (g) of this AD is no longer required.

#### Alternative Methods of Compliance (AMOCs)

(m)(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Ivan Li, 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. 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.

(3) AMOCs approved previously in accordance with AD 2006-05-02, are approved as alternative methods of compliance with the corresponding requirements of this AD.

(4) Accomplishment of the inspections specified in this AD is considered an AMOC for the applicable requirements of paragraphs (c) and (d) of AD 2004-07-22 R1, amendment 39-15326, under the conditions specified in paragraphs (m)(4)(i) and (m)(4)(ii) of this AD.

(i) The inspections specified in this AD must be done within the compliance times specified in AD 2004-07-22 R1. The initial inspection specified in this AD must be done at the times specified in paragraph (d) of AD 2004-07-22 R1, and the inspections specified in this AD must be repeated within the intervals specified in paragraph (g) of this AD.

(ii) The AMOC applies only to the areas of Supplemental Structural Inspection Document for Model 747 Airplanes, Document D6-35022, Revision G, dated December 2000, that are specified in Boeing Alert Service Bulletin 747-53A2500, dated December 21, 2004.

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

Issued in Renton, Washington, on July 15, 2009.

**Stephen P. Boyd,**

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

[FR Doc. E9-17448 Filed 7-22-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0606; Directorate Identifier 2009-NE-11-AD]

RIN 2120-AA64

#### Airworthiness Directives; CFM International, S.A Model CFM56-3B1 and -3B2 Turbofan Engines

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain CFM International Model CFM56-3B1 and -3B2 turbofan engines. This proposed AD would require initial and repetitive inspections for damage to the fan blades. This proposed AD results from a report of a failed fan blade with severe out-of-limit wear on the underside of the blade platform where it contacts the damper. We are proposing this AD to prevent failure of multiple fan blades, which could result in an uncontained failure of the engine and damage to the airplane.

**DATES:** We must receive any comments on this proposed AD by September 21, 2009.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

Contact CFM International, S. A., Technical Publication Department, 1 Neumann Way, Cincinnati, OH 45215; telephone (513) 552-2800; fax (513) 552-2816, for a copy of the service information identified in this proposed AD.