

The root cause of this event has been identified as failure of the fuel pump Non Return Valve (NRV) preventing the collector cell jet pump from working. This led to engine N°4 collector cell fuel level to drop below the pump inlet and consequently causing engine N°4 flame out.

A330 aircraft which have a similar design are also impacted by this issue.

Multiple NRV failures in combination with failure modes trapping fuel could potentially increase the quantity of unusable fuel on aircraft possibly leading to fuel starvation which could result in engine in-flight shut down and would constitute an unsafe condition.

To prevent such an event, this Airworthiness Directive (AD) requires a periodic operational test to check the correct operation of NRV and to apply the associated corrective actions.

The corrective action includes replacing any failed NRV with a new NRV.

Actions and Compliance

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

(1) For Airbus Model A330–201, –202, –203, –223, –243, –301, –302, –303, –321, –322, –323, –341, –342, and –343 series airplanes: At the later of the times in paragraphs (f)(1)(i) and (f)(1)(ii) of this AD, perform an operational test for correct functioning of the NRV and apply all applicable corrective actions, in accordance with instructions defined in Airbus Mandatory Service Bulletin A330–28–3108, including Appendix 1, dated October 13, 2008. Do all applicable corrective actions before further flight.

(i) Within 24 months or 8,000 flight hours after the effective date of this AD, whichever occurs first.

(ii) Before the accumulation of 10,000 total flight hours after the first flight of the airplane.

(2) For Airbus Model A340–211, –212, –213, –311, –312, and –313 series airplanes: At the later of the times in paragraphs (f)(2)(i) and (f)(2)(ii) of this AD, perform an operational test for correct functioning of the NRV and apply all applicable corrective actions, in accordance with instructions defined in Airbus Mandatory Service Bulletin A340–28–4123, including Appendix 1, dated October 13, 2008. Do all applicable corrective actions before further flight.

(i) Within 24 months or 9,000 flight hours after the effective date of this AD, whichever occurs first.

(ii) Before the accumulation of 25,000 total flight hours after the first flight of the airplane.

(3) Repeat the operational test specified in paragraph (f)(1) or (f)(2) of this AD as applicable, at the applicable interval in paragraph (f)(3)(i) or (f)(3)(ii) of this AD.

(i) For Airbus Model A330–201, –202, –203, –223, –243, –301, –302, –303, –321, –322, –323, –341, –342, and –343 series airplanes: At intervals not to exceed 10,000 flight hours.

(ii) For Airbus Model A340–211, –212, –213, –311, –312, and –313 series airplanes: At intervals not to exceed 25,000 flight hours.

(4) Submit a report of the findings (both positive and negative) of the inspection

required by paragraph (f)(1) or (f)(2) of this AD to Airbus, at the time specified in paragraph (f)(4)(i) or (f)(4)(ii) of this AD, as applicable. The report must include the information specified in Appendix 1 of Airbus Mandatory Service Bulletin A330–28–3108 or A340–28–4123, both dated October 13, 2008, as applicable. Send the report to Airbus Department SEEE6, Airbus Customer Services Directorate, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex France, Attn: SDC32 Technical Data and Documentation Services; fax: +33 5 61 93 28 06; e-mail: sb.reporting@airbus.com.

(i) If the inspection was done after the effective date of this AD: Submit the report within 30 days after the inspection.

(ii) If the inspection was done on or prior to the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

FAA AD Differences

Note 1: 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: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal maintenance inspector (PMI) or the 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 assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(h) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2008–0209, dated November 27, 2008; Airbus Mandatory Service Bulletins A330–28–3108 and A340–28–4123, both including Appendix 1, both dated October 13, 2008; for related information.

Material Incorporated by Reference

(i) You must use Airbus Mandatory Service Bulletin A330–28–3108, including Appendix

1, dated October 13, 2008; or Airbus Mandatory Service Bulletin A340–28–4123, including Appendix 1, dated October 13, 2008; as applicable; 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 Airbus SAS—Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; fax +33 5 61 93 45 80, e-mail airworthiness.A330-A340@airbus.com; Internet <http://www.airbus.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/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on August 26, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9–21409 Filed 9–8–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2009–0212; Directorate Identifier 2008–NM–122–AD; Amendment 39–16019; AD 2009–19–02]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–600, –700, –700C, –800, –900 and –900ER Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Boeing Model 737–600, –700, –700C, –800, –900 and –900ER series airplanes. This AD requires repetitive testing of the rudder pedal forces or repetitive detailed inspections of the inner spring of the rudder feel and centering unit, and corrective actions if necessary. This AD also requires replacement of the spring assembly in the rudder feel and centering unit, which terminates the

repetitive tests or inspections. This AD results from reports of low rudder pedal forces that were caused by a broken inner spring in the rudder feel and centering unit; a broken inner spring in conjunction with a broken outer spring would significantly reduce rudder pedal forces. We are issuing this AD to prevent reduced rudder pedal forces, which could result in increased potential for pilot-induced oscillations and reduce the ability of the flightcrew to maintain the safe flight and landing of the airplane.

DATES: This AD is effective October 14, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 14, 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; 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

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to all Boeing Model 737-600, -700, -700C, -800, -900 and -900ER series airplanes. That NPRM was published in the **Federal Register** on March 10, 2009 (74 FR 10197). That NPRM proposed to require repetitive testing of the rudder pedal forces or repetitive detailed

inspections of the inner spring of the rudder feel and centering unit, and corrective actions if necessary. That NPRM also proposed to require replacement of the spring assembly in the rudder feel and centering unit, which terminates the repetitive tests or inspections.

Comments

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

Request To Reduce Applicability and Delete Parts Installation Paragraph

Boeing asks that we reduce the applicability in paragraph (c) of the NPRM to specify only those airplanes listed in Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008. Boeing states that the "open applicability," as proposed, would apply to delivery of new airplanes. Boeing adds that this will cause an increased cost and paperwork burden by requiring that the AD be listed in the airplane AD status letter and distributed to each customer with the production change incorporated that addresses the unsafe condition. Boeing notes that there was no production change incorporated for Model 737-900ER airplanes; all Model 737-900ER airplanes were delivered with the correct inner spring of the rudder feel and centering unit. Therefore, Model 737-900ER airplanes should be removed from the applicability section.

Boeing also asks that we delete the requirements in paragraph (i) of this AD under "Parts Installation." Boeing states that all affected airplanes with a discrepant inner spring installed are identified in Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008. Boeing adds that the work instructions contained in the referenced service bulletin describe procedures to modify the rudder feel and centering unit with appropriate part marking. The referenced service bulletin does not give work instructions to remove and replace the rudder feel and centering units; therefore, no unmodified units will be available for parts installation.

We acknowledge that the airplane effectivity identified in Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008, does not include all Model 737-600, -700, -700C, -800, -900 and 737-900ER airplanes. However, as we explained in the NPRM, this AD does include all Model 737-600, -700, -700C, -800, -900 and -900ER series airplanes. We do not agree to reduce the applicability in this AD, or delete the requirements in paragraph (i) of this AD. We determined

that rudder feel and centering units with discrepant springs can be physically installed on any airplane identified in paragraph (c) of this AD. Including all 737 airplane models identified in paragraph (c) of this AD, in addition to the requirements of paragraph (i) of this AD, prohibits future installation of discrepant springs on any affected airplanes. We have not changed the AD in this regard.

Request To Allow Alternative Procedures

Continental Airlines (CAL) asks that we allow each of the following as alternative procedures for replacing a spring assembly (inner and outer spring) in the rudder feel and centering unit having part number (P/N) 69-57900-6, as follows:

- Replace only a suspect part having P/N 69-57907-3 per Chapter 27-21-85 of the component maintenance manual (CMM).
- Replace the entire rudder feel and centering unit having P/N 65C25410-7 per Chapter 27-21-82 of the airplane maintenance manual (AMM), either with one having a part number and serial number combination that is not listed in the Effectivity of Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008, or with one that has been modified by replacing the inner spring per Chapter 27-21-85 of the CMM.

CAL states that five of its airplanes were modified by replacing the rudder feel and centering units, and in each case the inner spring had not failed and did not subject the outer spring to abnormal stresses, so the outer spring was not replaced. CAL adds that replacing the inner spring per the CMM corrects the unsafe condition and provides an acceptable level of safety.

We disagree with the commenter's request. According to Boeing, replacement of either the feel and centering unit or the inner spring involves a more complex process than replacing the spring assembly, as required by this AD. In addition, there are currently no special instructions for part-marking a modified spring assembly after removing a suspect inner spring. While the commenter's proposed alternative procedures may be acceptable, more information is required. The commenter may submit a request for approval of an alternative method of compliance (AMOC) in accordance with the provisions of paragraph (k) of this AD. The request should address part marking and configuration control of the suspect inner springs, the modified spring assembly, and the feel and centering

unit assembly. For these reasons, and because we have confirmed that adequate spring assembly spares should be available, we have not changed the AD in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Costs of Compliance

We estimate that this AD affects 70 airplanes of U.S. registry. The following table provides the estimated costs for U.S. operators to comply with this AD.

TABLE—ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Parts	Cost per product	Number of U.S.-registered airplanes	Fleet cost
Test or Inspection	1	\$80	\$0	\$80, per test or inspection cycle	70	\$5,600
Replacement	3	80	3,138	3,378	70	236,460

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

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 that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under 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.

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:

2009-19-02 Boeing: Amendment 39-16019. Docket No. FAA-2009-0212; Directorate Identifier 2008-NM-122-AD.

Effective Date

(a) This airworthiness directive (AD) is effective October 14, 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 27: Flight controls.

Unsafe Condition

(e) This AD results from reports of low rudder pedal forces that were caused by a broken inner spring in the rudder feel and centering unit; a broken inner spring in conjunction with a broken outer spring would significantly reduce rudder pedal forces. We are issuing this AD to prevent reduced rudder pedal forces, which could result in increased potential for pilot-induced oscillations and reduce the ability of the flightcrew to maintain the safe flight and landing of the airplane.

Compliance

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

Test/Inspection

(g) For Model 737-600, -700, -700C, -800, and -900 series airplanes identified in Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008: Within 30 days after the effective date of this AD, perform a test of the rudder pedal forces or a detailed inspection of the inner spring of the rudder feel and centering unit, by doing all the applicable actions, including all applicable corrective actions before further flight, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008. Repeat the test or inspection thereafter at intervals not to exceed 120 days.

Terminating Action

(h) For Model 737-600, -700, -700C, -800, and -900 series airplanes identified in Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008: Within 36 months after the effective date of this AD, replace the spring assembly in the rudder feel and centering unit in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008. Accomplishing the replacement ends the repetitive tests or inspections required by paragraph (g) of this AD.

Parts Installation

(i) For all airplanes: As of the effective date of this AD, no person may install, on any airplane, a rudder feel and centering unit having part number (P/N) 65C25410-7, serial numbers 3609 through 3820 inclusive, unless it has been modified according to paragraph (h) of this AD.

No Reporting Required

(j) Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008, specifies sending a data reporting sheet to Boeing; however, this AD does not require that action.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, ATTN: 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; 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 principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, in the FAA Flight Standards District Office (FSDO), or lacking a principal inspector, your local FSDO. The AMOC approval letter must specifically reference this AD.

Material Incorporated by Reference

(l) You must use Boeing Alert Service Bulletin 737-27A1287, dated April 16, 2008, to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, 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; Internet <https://www.myboeingfleet.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/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on August 31, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-21412 Filed 9-8-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0397; Directorate Identifier 2008-NM-023-AD; Amendment 39-16018; AD 2009-19-01]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A300 B2-1C, B2-203, B2K-3C, B4-103, B4-203, and B4-2C 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:

An operator has reported the loss of a centre flap inner tab on an in-service A300 aircraft. The centre flap inner tab detached during approach to an airport. A similar event was reported several years ago on a pre-mod 04770 aircraft. * * *

* * * Investigations led by the manufacturer revealed that the centre hinge bracket developed a fatigue crack causing complete failure of the bracket. The tab rotated causing failure of the inboard link followed by the failure of the outboard link.

[D]etachment of a centre flap inner tab * * * could be a potential risk to persons on [the] ground * * *.

* * * * *

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

DATES: This AD becomes effective October 14, 2009.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 14, 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: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on April 30, 2009 (74 FR 19908). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

An operator has reported the loss of a centre flap inner tab on an in-service A300 aircraft. The centre flap inner tab detached during approach to an airport. A similar event was reported several years ago on a pre-mod 04770 aircraft. Previous failure at the aft lug of the centre brackets led to the issuance of Airbus Service Bulletin A300-57-0205.

In the most recent case, the aircraft had been modified in accordance with Airbus Service Bulletin A300-57-0205 (Airbus modification No. 04770). Investigations led by the manufacturer revealed that the centre hinge bracket developed a fatigue crack causing complete failure of the bracket. The tab rotated causing failure of the inboard link followed by the failure of the outboard link.

To avoid a detachment of a centre flap inner tab, which could be a potential risk to persons on [the] ground, this AD requires a repetitive [high frequency eddy current] inspection of the centre flap inner tab hinge bracket and replacement of the bracket when cracks are detected * * * [and] reporting of inspection results to the TC holder [and provides] an optional terminating action.

* * *

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You may obtain further information by examining the MCAI in the AD docket.

Comments

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

Request for Clarification of Reporting Requirement

TradeWinds Airlines points out that although paragraph (e), "Reason," of the NPRM describes reporting inspection results to the Type Certificate holder, the requirements in paragraphs (f)(1), (f)(2), and (f)(3) of the NPRM currently have no information that describes the reporting requirement.

We infer that TradeWinds Airlines is asking us to clarify the reporting requirement, and we agree that clarification is necessary. Paragraph (e) of the NPRM quotes European Aviation Safety Agency (EASA) AD 2007-0299R2, dated October 28, 2008. The EASA AD includes reporting; however, this AD does not require reporting. We have updated Note 1 of this final rule to clarify this difference. We also removed paragraph (g)(3) of the