Note 1: Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006, refers to Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001, as an additional source of service information for doing an internal eddy current inspection of the lap joint for certain airplane configurations.

Note 2: The eddy current inspections along the stringer tie clip radius to detect damage and replacement, as applicable, specified in paragraph 3.B.5. of the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006, are not required by this AD. The actions are optional and can be done in addition to and at the same time as the actions required by paragraph (f) of this AD.

Inspection B: Temporary Alternative External Inspections and Corrective Actions

(g) As a temporary alternative to doing the actions required by paragraph (f) of this AD, do repetitive external general visual inspections of the skin and lap joints and repetitive external eddy current sliding probe inspections, as applicable, of the lap joints for cracks and evidence of overload resulting from cracked stringer tie clips, and applicable corrective actions if necessary. Do all applicable actions at the applicable compliance times and repeat intervals identified in Tables 9 through 12 inclusive of paragraph 1.E., ''Compliance,'' of Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006 (''the service bulletin''), but not to exceed the flight cycles in the ''Inspection Period Allowed'' column of the tables; except as provided by paragraphs (h) and (k) of this AD. Do all applicable actions in accordance with the Accomplishment Instructions of the service bulletin, except as provided by paragraph (l) of this AD.

Note 3: Inspection B may be used on affected airplanes having line numbers 1 through 999 inclusive on which the terminating action (*i.e.*, replacement of stringer tie clips) specified in Boeing Service Bulletin 737–53–1085, Revision 1, dated May 10, 1990, has been done; and on affected airplanes having line numbers 1000 and subsequent. Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006, contains a similar note.

Exceptions to Service Information

(h) Where Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006 (''the service bulletin''), specifies a compliance time after the date of the service bulletin, this AD requires compliance within the specified compliance time after the effective date of this AD.

(i) For Model 737–100, –200, and –200C series airplanes, on which Boeing Service Bulletin 737–53–1085, Revision 1, dated May 10, 1990, has not been done in accordance with AD 93–08–04: As of the effective date of this AD, do the applicable inspections from station (STA) 559 to STA 887 in accordance with paragraph (f) of this AD, at the applicable compliance times specified in paragraph (b) of AD 93–08–04.

(j) In the first row of Tables 5 and 6 of paragraph 1.E., ''Compliance,'' of Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006 (''the service bulletin''), where the service bulletin specifies a compliance time of before 25,000 total airplane flight cycles, this AD requires a compliance time of before the accumulation of 25,000 total flight cycles, or within 2 years after the effective date of this AD, whichever occurs later.

(k) Where Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006, specifies no starting point (e.g., ''after the date on the service bulletin'') for a grace period, this AD requires compliance within the specified grace period after the effective date of this AD.

(l) Where Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006, specifies to contact Boeing for appropriate action: Before further flight, repair the discrepancy using a method approved in accordance with the procedures specified in paragraph (n) of this AD.

Certain Actions End Certain Requirements of AD 93–08–04

(m) Accomplishment of the internal eddy current and detailed inspections for STA 559 to STA 887 in accordance with paragraph (f) of this AD constitutes compliance with the inspections required by paragraph (a) of AD 93–08–04, as it pertains to Boeing Service Bulletin 737–53–1085, Revision 1, dated May 10, 1990. Accomplishment of the internal eddy current and detailed inspections does not terminate the remaining requirements of AD 93–08–04, as it applies to other service bulletins. Operators are required to continue to inspect and/or modify per the other service bulletins listed in that AD.

Alternative Methods of Compliance (AMOCs)

(n)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, ATTN: Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle ACO, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6447; fax (425) 917–6590; has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

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

Material Incorporated by Reference

(o) You must use Boeing Special Attention Service Bulletin 737–53–1268, dated August 25, 2006, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(1) 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.*

(2) You may review copies of the service information that is incorporated by reference 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.

(3) You may also review copies of the service information 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 January 30, 2009.

Stephen P. Boyd,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9–3621 Filed 2–25–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–1115; Directorate Identifier 2008–NM–134–AD; Amendment 39–15801; AD 2009–02–11]

RIN 2120–AA64

Airworthiness Directives; Bombardier Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) Airplanes and Model CL–600–2D24 (Regional Jet Series 900) 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:

Bombardier Aerospace has completed a system safety review of the CL–600–2C10/CL–600–2D24 aircraft fuel system against the new fuel tank safety standards. * * *

The assessment showed that a single failure due to chafing of fuel system wiring with high power wiring at the centre fuel tank front spar could result in overheating of the fuel boost pump. The assessment also showed that chafing of the high power wiring with the centre fuel tank front spar structures could result in overheating of the fuel tank wall. Overheating of * * * the fuel tank wall could lead to hot surface ignition resulting in a fuel tank explosion.

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

DATES: This AD becomes effective April 2, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 2, 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: Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE–171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228–7331; 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 October 23, 2008 (73 FR 63094). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Bombardier Aerospace has completed a system safety review of the CL–600–2C10/CL–600–2D24 aircraft fuel system against the new fuel tank safety standards, introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002–043. The identified non-compliances were assessed using Transport Canada Policy Letter No. 525–001 to determine if mandatory corrective action was required.

The assessment showed that a single failure due to chafing of fuel system wiring with high power wiring at the centre fuel tank front spar could result in overheating of the fuel boost pump. The assessment also showed that chafing of the high power wiring with the centre fuel tank front spar structures could result in overheating of the fuel tank wall. Overheating of the fuel boost pump or the fuel tank wall could lead to hot surface ignition resulting in a fuel tank explosion.

To correct the unsafe condition, this directive mandates separation of the high power wiring from the fuel system wiring at the centre fuel tank front spar area and the installation of additional clamping and support for the high power wiring [*i.e.*, modifying the routing and support of electrical wires in the center fuel tank front spar area].

Required actions also include an inspection to determine if pins have a minimum of one thread above the nuts, and a visual inspection for damage of the sealant. Corrective actions include replacing pins and nuts and applying sealant. 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 about 159 products of U.S. registry. We also estimate that it will take about 102 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $80 per work-hour. Required parts will cost about $7,646 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $2,513,154, or $15,806 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;* 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:

2009–02–11 Bombardier Inc. (Formerly Canadair): Amendment 39–15801. Docket No. FAA–2008–1115; Directorate Identifier 2008–NM–134–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective April 2, 2009.

Affected ADs

(b) None.

Applicability

(c) This AD applies to the airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) Bombardier Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, serial numbers 10003 through 10169 inclusive.

(2) Bombardier Model CL–600–2D24 (Regional Jet Series 900) airplanes, serial numbers 15001 through 15030 inclusive.

Subject

(d) Air Transport Association (ATA) of America Code 24: Electrical Power.

Reason

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

Bombardier Aerospace has completed a system safety review of the CL–600–2C10/CL–600–2D24 aircraft fuel system against the new fuel tank safety standards, introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002–043. The identified non-compliances were assessed using Transport Canada Policy Letter No. 525–001 to determine if mandatory corrective action was required.

The assessment showed that a single failure due to chafing of fuel system wiring with high power wiring at the centre fuel tank front spar could result in overheating of the fuel boost pump. The assessment also showed that chafing of the high power wiring with the centre fuel tank front spar structures could result in overheating of the fuel tank wall. Overheating of the fuel boost pump or the fuel tank wall could lead to hot surface ignition resulting in a fuel tank explosion.

To correct the unsafe condition, this directive mandates separation of the high power wiring from the fuel system wiring at the centre fuel tank front spar area and the installation of additional clamping and support for the high power wiring [*i.e.*, modifying the routing and support of electrical wires in the center fuel tank front spar area].

Required actions also include an inspection to determine if pins have a minimum of one thread above the nuts, and a visual inspection for damage of the sealant. Corrective actions include replacing pins and nuts and applying sealant.

Actions and Compliance

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

(1) Within 4,500 flight hours after the effective date of this AD, modify the routing and support of the electrical wires in the center fuel tank front spar area (including an inspection to determine if pins have a minimum of one thread above the nuts, and a visual inspection for damage of the sealant, and applicable corrective actions) in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 670BA–24–012, Revision B, dated July 25, 2007. Do all applicable related investigative and corrective actions before further flight.

(2) Actions done before the effective date of this AD in accordance with Bombardier Service Bulletin 670BA–24–012, dated April 18, 2005; or Revision A, dated October 25, 2006; are acceptable for compliance with the corresponding requirements 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, Airframe and Propulsion Branch, ANE–171, New York 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: Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE–171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228–7331; 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.

Related Information

(h) Refer to MCAI Canadian Airworthiness Directive CF–2008–24, dated July 3, 2008, and Bombardier Service Bulletin 670BA–24–012, Revision B, dated July 25, 2007, for related information.

Material Incorporated by Reference

(i) You must use Bombardier Service Bulletin 670BA–24–012, Revision B, dated July 25, 2007, 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;* Internet *http://www.bombardier.com.*

(3) You may review copies of the service information that is incorporated by reference 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 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 January 15, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9–3364 Filed 2–25–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0150; Directorate Identifier 2007–NM–325–AD; Amendment 39–15818; AD 2009–04–12]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 767–200, –300, and –400ER Series Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is superseding an existing airworthiness directive (AD),