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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-22813; Directorate Identifier 2002-NM-117-AD; Amendment 39-14493; AD 2000-24-03 R1]

RIN 2120-AA64

#### Airworthiness Directives; AvCraft Dornier Model 328-100 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is revising an existing airworthiness directive (AD) that applies to all AvCraft Dornier Model 328-100 airplanes. That AD currently requires revising the airplane flight manual (AFM) to provide the flightcrew with additional information regarding procedures to ensure complete pressurization of the hydraulic lines for the flaps. The existing AD also requires, for certain airplanes, modifying of the flap actuators of the flight controls. We issued that AD to prevent an uncommanded retraction of the flaps during takeoff, which could result in an aborted takeoff and consequent potential for runway overrun. This new AD allows the removal of the AFM revisions after modifying the flap actuators of the flight controls. This AD results from the determination that the AFM revisions are not necessary after modifying the flap actuators of the flight controls. We are issuing this AD to prevent an uncommanded retraction of the flaps during takeoff, which could result in an aborted takeoff and consequent potential for runway overrun.

**DATES:** The effective date of this AD is January 8, 2001.

On January 8, 2001 (65 FR 75601, December 4, 2000), the Director of the

Federal Register approved the incorporation by reference of Dornier 328 All Operators Telefax AOT-328-27-016, Revision 1, dated October 28, 1998; and Dornier 328 Service Bulletin SB-328-27-293, dated November 10, 1999.

On November 12, 1998 (63 FR 57244, October 27, 1998), the Director of the **Federal Register** approved the incorporation by reference of Dornier 328 All Operators Telefax AOT-328-27-016, dated July 31, 1998.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC.

Contact AvCraft Aerospace GmbH, P.O. Box 1103, D-82230 Wessling, Germany, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Rosanne Ryburn, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2139; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the **ADDRESSES** section.

##### Discussion

The FAA proposed to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) with an airworthiness directive (AD) to revise AD 2000-24-03, amendment 39-12010 (65 FR 75601, December 4, 2000). The existing AD applies to all Dornier Model 328-100 series airplanes. The proposed AD was published in the **Federal Register** on November 1, 2005 (70 FR 65864) to continue to require revising the airplane flight manual (AFM) to provide the flightcrew with additional information regarding procedures to ensure complete pressurization of the hydraulic lines for the flaps, and for certain

airplanes, modifying the flap actuators of the flight controls. The proposed AD also proposed to allow the removal of the AFM revisions after modifying the flap actuators of the flight controls.

#### Comments

We provided the public the opportunity to participate in the development of this AD. We received no comments on the NPRM or on the determination of the cost to the public.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### Costs of Compliance

We estimate that 52 airplanes of U.S. registry will be affected by this AD.

The AFM revision that is currently required by AD 2000-24-03, and retained in this AD, takes approximately 1 work hour per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the currently required AFM revision on U.S. operators is approximately \$3,380, or \$65 per airplane.

The modification that is currently required by AD 2000-24-03, and retained in this AD, takes approximately 4 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Required parts will be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the currently required modification on U.S. operators is estimated to be \$260 per airplane.

The removal of the AFM revisions that is specified in this AD, if done, takes approximately 1 work hour per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the removal of AFM revisions on U.S. operators is approximately \$65 per airplane.

#### 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 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.

We prepared a regulatory evaluation of the estimated costs to comply with this 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.

### 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 Federal Aviation Administration (FAA) amends § 39.13 by removing amendment 39-12010 (65 FR 75601, December 4, 2000), and adding the following new airworthiness directive (AD):

**2000-24-03 R1 AvCraft Aerospace GmbH (Formerly Fairchild Dornier GmbH):** Amendment 39-14493. Docket No. FAA-2005-22813; Directorate Identifier 2002-NM-117-AD.

#### Effective Date

(a) The effective date of this AD is January 8, 2001.

#### Affected ADs

(b) This AD revises AD 2000-24-03.

#### Applicability

(c) This AD applies to all AvCraft Dornier Model 328-100 airplanes, certificated in any category.

#### Unsafe Condition

(d) This AD results from the determination that certain airplane flight manual (AFM) revisions are not necessary after modifying the flap actuators of the flight controls. We are issuing this AD to prevent an uncommanded retraction of the flaps during takeoff, which could result in an aborted takeoff and consequent potential for runway overrun.

#### Compliance

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

#### AFM Revision

(f) Within 14 days after November 12, 1998 (the effective date of AD 98-22-07, amendment 39-10854), accomplish the requirements of paragraphs (f)(1) and (f)(2) of this AD.

(1) Revise the Normal Procedures section of the Dornier 328 FAA-approved AFM to include the information specified in pages 6 and 7 of Dornier 328 All Operators Telefax (AOT) AOT-328-27-016, dated July 31, 1998. This may be accomplished by inserting a copy of pages 6 and 7 of the AOT into the AFM.

(2) Revise the Abnormal Procedures section of the Dornier 328 FAA-approved AFM to include the information specified in page 4 of Dornier 328 AOT-328-27-016, dated July 31, 1998. This may be accomplished by inserting a copy of page 4 of the AOT into the AFM.

#### New AFM Revision

(g) For all airplanes: Within 3 days after January 8, 2001 (the effective date of AD 2000-24-03), revise the Dornier 328 FAA-approved AFM as specified in paragraphs (g)(1) and (g)(2) of this AD. Concurrently with this AFM revision, remove the AFM revisions required by paragraph (f) of this AD from the AFM.

(1) Revise the Normal Procedures section to include the information specified in pages 4, 5, and 6 of Dornier 328 AOT-328-27-016, Revision 1, dated October 28, 1998. This may be accomplished by inserting a copy of pages 4, 5, and 6 of the AOT into the AFM.

(2) Revise the Abnormal Procedures section to include the information specified in page 3 of Dornier 328 AOT-328-27-016, Revision 1, dated October 28, 1998. This may be accomplished by inserting a copy of page 3 of the AOT into the AFM.

#### Modification

(h) For airplanes with serial numbers 3005 through 3099 inclusive, 3101 through 3108 inclusive, and 3110 through 3119 inclusive: Within 5 months after January 8, 2001, modify the flap actuators of the flight controls, in accordance with Dornier 328 Service Bulletin SB-328-27-293, dated November 10, 1999. After accomplishing the modification, operators may remove the AFM revisions required by paragraphs (f) and (g) of this AD from the AFM.

**Note 1:** The Dornier service bulletin references Liebherr Aerospace Service Bulletin 1048A-27-02, dated November 9, 1999, as an additional source of service information for accomplishing the modification of the flap actuators of the flight controls.

#### Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with 14 CFR 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

(3) AMOCs approved previously in accordance with AD 98-22-07, amendment 39-10854, are approved as AMOCs with paragraph (f) of this AD.

(4) AMOCs approved previously in accordance with AD 2000-24-03, amendment 39-12010, are approved as AMOCs with this AD.

#### Related Information

(j) German airworthiness directive 1998-359/3, effective April 6, 2000, also addresses the subject of this AD.

#### Material Incorporated by Reference

(k) You must use Dornier 328 All Operators Telefax AOT-328-27-016, dated July 31, 1998; Dornier 328 All Operators Telefax AOT-328-27-016, Revision 1, dated October 28, 1998; and Dornier 328 Service Bulletin SB-328-27-293, dated November 10, 1999; as applicable, unless the AD specifies otherwise.

(1) On January 8, 2001 (65 FR 75601, December 4, 2000), the Director of the Federal Register approved the incorporation by reference of Dornier 328 All Operators Telefax AOT-328-27-016, Revision 1, dated October 28, 1998; and Dornier 328 Service Bulletin SB-328-27-293, dated November 10, 1999.

(2) On November 12, 1998 (63 FR 57244, October 27, 1998), the Director of the Federal Register approved the incorporation by reference of Dornier 328 All Operators Telefax AOT-328-27-016, dated July 31, 1998.

(3) Contact AvCraft Aerospace GmbH, P.O. Box 1103, D-82230 Wessling, Germany, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif

Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on February 10, 2006.

**Kalene C. Yanamura,**

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

[FR Doc. 06-1596 Filed 2-22-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-18648; Directorate Identifier 2004-NE-26-AD; Amendment 39-14494; AD 2006-04-12]

RIN 2120-AA64

#### **Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A1, -3A2, -3B, and -3B1 Series Turbofan Engines**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding an existing airworthiness directive (AD) for General Electric Company (GE) CF34-3A1 and -3B1 series turbofan engines. That AD requires initial and repetitive visual inspections and eddy current inspections (ECIs) of certain stage 5 low pressure turbine (LPT) disks and stage 6 LPT disks, installed in GE CF34-3A1 and -3B1 series turbofan engines. Those engines are installed in certain Bombardier Canadair Regional Jet (RJ) airplanes. This AD requires the same initial and repetitive visual inspections and ECIs, but adds SNs to the affected disk population for RJ airplanes. This AD also adds GE CF34-1 and -3 series turbofan engines with certain stage 5 and stage 6 LPT disks, to the applicability section. Those engines are installed in certain Bombardier Canadair Business Jet (BJ) airplanes. Also, this AD requires eventual replacement of the affected disks as terminating action to the repetitive inspections. This AD results from the discovery of an additional population of suspect stage 5 LPT disks and stage 6 LPT disks that could fail due to low-cycle fatigue cracking that may start at the site of an electrical arc-out on the disk. We are issuing this AD to prevent

low-cycle-fatigue (LCF) failure of stage 5 LPT disks and stage 6 LPT disks, which could lead to uncontained engine failure.

**DATES:** This AD becomes effective March 30, 2006. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of March 30, 2006.

**ADDRESSES:** You can get the service information identified in this AD from GE Aircraft Engines, 1000 Western Avenue, Lynn, MA 01910; Attention: CF34 Product Support Engineering, Mail Zone: 34017; telephone (781) 594-6323; fax (781) 594-0600.

You may examine the AD docket on the Internet at <http://dms.dot.gov> or in Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tara Fitzgerald, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7130; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with a proposed airworthiness directive (AD). The proposed AD applies to GE CF34-1A, -3A, -3A1, -3A2, -3B, and -3B1 series turbofan engines. We published the proposed AD in the **Federal Register** on September 1, 2005 (70 FR 52043). That action proposed to require the same initial and repetitive visual inspections and ECIs as AD 2004-15-03R1, but adds SNs to the affected disk population for RJ airplanes. That action also proposed to add GE CF34-1 and -3 series turbofan engines with certain stage 5 and stage 6 LPT disks, installed in certain Bombardier Canadair BJ airplanes, to the applicability section. Also, that action requires eventual replacement of the affected disks as terminating action to the repetitive inspections.

#### **Examining the AD Docket**

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the Docket Management Facility Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

#### **Comments**

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

#### **Request To Clarify the Nine-Month Time Limit**

One commenter requests that we clarify the nine-month time limit imposed by compliance section paragraphs (f)(1) and (f)(2). We do not agree. The compliance section in the proposed AD does not contain a nine-month time limit. The commenter appears to have commented in error, on the previous AD, AD 2004-15-03R1, which does contain a nine-month time limit.

#### **Request To Provide Reference to Business Jet Version of Service Bulletin**

The same commenter states that in the compliance section, for the Bombardier Canadair CL600-2B19 airplane, the GE service bulletin referenced is for engines used in airline service (RJ). The commenter requests that we also provide reference to the Business Jet version of the GE service bulletin, so they can apply it to their Bombardier Canadair CL600-2B19 airplane. We do not agree. The Bombardier Canadair CL600-2B19 airplane is designated as an RJ airplane. We have correctly referenced the RJ version of the GE service bulletin in the proposed AD and the AD for Bombardier Canadair CL600-2B19 airplanes. The commenter appears to have commented in error, on the previous AD, AD 2004-15-03R1, which does not apply to CF-34 series engines on BJ airplanes.

#### **Conclusion**

We have carefully reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

#### **Costs of Compliance**

About 683 GE CF34-3A1 and -3B1 series turbofan engines are installed on Bombardier Canadair RJ airplanes of U.S. registry. We estimate that 355 of those engines will be affected by this AD. About 690 CF34-1A, -3A, -3A1, -3A2, and -3B series turbofan engines are installed in Bombardier Canadair BJ airplanes of U.S. registry. We estimate that 249 of those engines will be affected by this AD. We also estimate that it will take about 70 work hours per engine to perform the disk inspections when the LPT module is exposed in the shop, and about 94 work hours per engine to perform the disk inspections when the LPT module is forced off-