

**Special Flight Permit**

(f) Under 14 CFR part 39.23, we are limiting the special flight permits for this AD by the following conditions:

(1) Before flight, an inspection of hoses and clamps by a properly certificated mechanic reveals no damaged or disconnected hoses or clamps; and

(2) You fly by the most direct route to the site where the AD can be performed.

**Alternative Methods of Compliance (AMOCs)**

(g) The Manager, Atlanta Aircraft Certification Office (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: Don O. Young, Aerospace Engineer, ACE-118A, Atlanta ACO, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; *telephone*: (770) 703-6079; *fax*: (770) 703-6097. 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.

**Material Incorporated by Reference**

(h) You must use SMA SAFRAN Group Service Bulletin SB-C182-75-004, Revision No. Basic Issue, dated July 8, 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 SMA Customer Service, 10-12 Rue Didier Daurat, 18021 Bourges, France; *telephone*: +33 (0) 2 48 67 56 00; *fax*: +33 (0) 2 48 50 01 41; *E-mail*: [customer\\_services@smasr.com](mailto:customer_services@smasr.com); *Internet*: <http://www.smaengines.com>.

(3) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329-3768.

(4) You may also review copies of the service information incorporated by reference for this AD 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](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Kansas City, Missouri, on February 6, 2009.

**Kim Smith,**

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

[FR Doc. E9-2993 Filed 2-19-09; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION)****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA-2009-0146; Directorate Identifier 2009-CE-009-AD; Amendment 39-15820; AD 2009-04-14]**

**RIN 2120-AA64**

**Airworthiness Directives; PILATUS AIRCRAFT LTD. Model PC-12/47E Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Field reports have indicated that during take-off with light turbulences or after rapid roll/heading attitude changes soon after take-off, it is possible that both PFDs (Primary Flight Display) indicate a roll attitude offset of up to 10 degrees in the same direction. This condition has been reported to correct itself after several minutes of un-accelerated flight with levelled wings and no sideslip.

This situation, if not corrected, could result in an undesired bank angle which constitutes an unsafe condition.

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

**DATE:** This AD becomes effective February 20, 2009.

We must receive comments on this AD by March 23, 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.

**Examining the AD Docket**

You may examine the AD docket on the Internet at [http://](http://www.regulations.gov)

[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 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:**

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64016; *telephone*: (816) 329-4059; *fax*: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:****Discussion**

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued Emergency AD No. 2009-0028-E, dated February 11, 2009 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Field reports have indicated that during take-off with light turbulences or after rapid roll/heading attitude changes soon after take-off, it is possible that both PFDs (Primary Flight Display) indicate a roll attitude offset of up to 10 degrees in the same direction. This condition has been reported to correct itself after several minutes of un-accelerated flight with levelled wings and no sideslip.

This situation, if not corrected, could result in an undesired bank angle which constitutes an unsafe condition.

For the reason described above, this Airworthiness Directive (AD) mandates as an interim measure a revision of the operational procedures to be inserted into the Pilot's Operating Handbook (POH).

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

**FAA's Determination and Requirements of the AD**

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

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

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

We might have also required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements take precedence over those copied from the MCAI.

### FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because reports have indicated that during take-off with light turbulences or after rapid roll/heading attitude changes soon after take-off, it is possible that both PFDs (Primary Flight Display), at the same time, incorrectly indicate a roll attitude offset of up to 10 degrees from level. This situation, if not corrected, could result in an undesired bank angle. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

### Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2009-0146; Directorate Identifier 2009-CE-009-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

### 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 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.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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:

**2009-04-14 PILATUS AIRCRAFT LTD:**  
Amendment 39-15820; Docket No. FAA-2009-0146; Directorate Identifier 2009-CE-009-AD.

### Effective Date

(a) This airworthiness directive (AD) becomes effective February 20, 2009.

### Affected ADs

(b) None.

### Applicability

(c) This AD applies to Model PC-12/47E airplanes, manufacturer serial number (MSN) 545 and MSN 1001 and subsequent, certificated in any category.

### Subject

(d) Air Transport Association of America (ATA) Code 34: Navigation.

### Reason

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

"Field reports have indicated that during take-off with light turbulences or after rapid roll/heading attitude changes soon after take-off, it is possible that both PFDs (Primary Flight Display) indicate a roll attitude offset of up to 10 degrees in the same direction. This condition has been reported to correct itself after several minutes of un-accelerated flight with levelled wings and no sideslip.

This situation, if not corrected, could result in an undesired bank angle which constitutes an unsafe condition.

For the reason described above, this Airworthiness Directive (AD) mandates as an interim measure a revision of the operational procedures to be inserted into the Pilot's Operating Handbook (POH)."

### Actions and Compliance

(f) Unless already done, before further flight after the effective date of this AD, do the following:

(1) Insert the following information into the Limitations section of the POH: "Maximum bank angle during climb must not exceed 30 degrees."

(2) Insert the following information into the Abnormal Procedures section of the POH: "When a discrepancy is observed between the PFD and the electronic standby instrument system (ESIS), the aircraft should be flown with flight director (FD) and auto pilot (AP) engaged until the error corrects itself. The ESIS should be used as the primary means of attitude reference as long as the problem exists. If the problem does not disappear after 15 minutes, transition to visual meteorological conditions (VMC) conditions for the rest of the flight is required."

(3) Insert the following information into the Normal Procedures section of the POH: "The FD shall be used for take-off in either heading or navigation mode as appropriate and with the heading or navigation properly

set. The pilot shall include the ESIS in the normal scan.”

(4) Inserting a copy of this AD into the applicable section of the POH satisfies the requirements of this AD.

(5) The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations 14 CFR 43.7 may do the actions required in this AD. Make an entry in the aircraft records showing compliance with this portion of the AD following 14 CFR 43.9.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows:

(1) We changed the language of the information to be inserted into the Limitations section in order to make the required action legally enforceable. Specifically, we changed the word “should” to “must.”

(2) We are not allowing incorporating Temporary Revision No. 9, dated January 30, 2009, into the POH as an alternative method of compliance to the requirements of this AD because of the enforceability issued described above.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD. The Manager, Standards 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64016; telephone: (816) 329-4059; fax: (816) 329-4090. 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 (44 U.S.C. 3501 *et seq.*), 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 (EASA) AD No. 2009-0028-E, dated February 11, 2009, and PILATUS AIRCRAFT LTD. Temporary Revision No. 9 to PC-12/47E Pilot's Operating Handbook, Report No. 02277, dated January 30, 2009, for related information.

Issued in Kansas City, Missouri on February 12, 2009.

**Kim Smith,**

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

[FR Doc. E9-3641 Filed 2-19-09; 8:45 am]

**BILLING CODE 4910-13-P**

## BOARD OF DIRECTORS OF THE HOPE FOR HOMEOWNERS PROGRAM

### 24 CFR Part 4000

[Docket No. B-2009-F04]

RIN 2580-AA02

### Rules Regarding Access to Information Under the Freedom of Information Act

**AGENCY:** Board of Directors of the HOPE for Homeowners Program (“Board”).

**ACTION:** Interim rule with request for public comment.

**SUMMARY:** The Board is adopting and requesting public comment on regulations regarding access to records of the Board under the Freedom of Information Act (FOIA). The Board was statutorily established to oversee the HOPE for Homeowners Program (Program).

**DATES:** The interim rule is effective on February 20, 2009. Comments on the rule should be received by April 21, 2009.

**ADDRESSES:** Interested persons are invited to submit comments regarding this interim rule to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street, SW., Room 10276, Washington, DC 20410-0500.

Communications must refer to the above docket number and title. There are two methods for submitting public comments. All submissions must refer to the above docket number and title.

1. Submission of Comments by Mail. Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street, SW., Room 10276, Washington, DC 20410-0500.

2. Electronic Submission of Comments. Interested persons may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures

timely receipt by HUD, and enables HUD to make them immediately available to the public. Comments submitted electronically through the <http://www.regulations.gov> Web site can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

**Note:** To receive consideration as public comments, comments must be submitted through one of the two methods specified above. Again, all submissions must refer to the docket number and title of the rule.

*No Facsimile Comments.* Comments submitted by facsimile (FAX) will not be accepted.

Public Inspection of Public Comments. All properly submitted comments and communications submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Information Relay Service at 800-877-8339. Copies of all comments submitted are available for inspection and downloading at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Emmanuel Yeow, Secretary of the Board of Directors of the HOPE for Homeowners Program, Department of Housing and Urban Development, 451 7th Street, SW., Room 9110, Washington, DC 20410-8000, telephone 202-708-3600 (this is not a toll-free number). Persons with hearing- or speech-impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

Title IV of Division A of the Housing and Economic Recovery Act of 2008 (Pub. L. 110-289, 122 Stat. 2654, approved July 30, 2008) (“Act”) amended Title II of the National Housing Act (NHA) to add a new section 257. This section established the Program as a temporary Federal Housing Administration (FHA) program that offers voluntary participation on the part of homeowners and existing loan holders (or servicers acting on their behalf) to insure refinanced loans for distressed borrowers to support long-