(2) Model DHC–8–400, –401 and –402 series airplanes, serial numbers 4003, 4004, 4006, and 4008 through 4164 inclusive.

Subject

(d) Air Transport Association (ATA) of America Code 27: Flight controls.

Reason

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

A fuselage spoiler cable disconnect sensing device was installed in production on later DHC–8 Series 100/200/300 aircraft, and on all DHC–8 Series 400 aircraft. On earlier DHC–8 Series 100/200/300 aircraft, its installation was mandated by [Canadian] Airworthiness Directive CF–2006–13 [which corresponds to FAA AD 2007–21–16].

However, several incorrectly assembled spoiler cable disconnect sensing devices have recently been discovered on in-service aircraft. A pulley and plastic spacer had been inadvertently interchanged during assembly of the device in production, resulting in the spoiler cable sliding on the spacer rather than on the pulley, as designed.

Continued operation with an incorrectly assembled spoiler cable disconnect sensing device could result in impaired operation of the sensing device and/or an eventual fuselage spoiler cable disconnect, with possible reduced controllability of the aircraft.

Required actions include inspecting the fuselage spoiler cable disconnect sensing device and, if necessary, inspecting components for wear and damage, replacing worn or damaged components, and correctly re-assembling the sensing device.

Actions and Compliance

(f) Unless already done, do the following.

(1) For Bombardier Model DHC–8–102, –103, –106, –201, –202, –301, –311, and –315 series airplanes, serial numbers 003 through 561 inclusive: Do the actions required by paragraph (f)(1)(i) or (f)(1)(ii) of this AD, as applicable, in accordance with paragraph 3.B., Part A, of Bombardier Service Bulletin 8–27–107, dated October 16, 2007.

(i) For airplanes on which fuselage spoiler cable disconnect sensing device, Modsum 8Q100898, has been installed as of the effective date of this AD: Within 1,000 flight hours after the effective date of this AD, inspect the fuselage spoiler cable disconnect sensing device for correct assembly.

(ii) For airplanes on which fuselage spoiler cable disconnect sensing device, Modsum 8Q100898, has not been installed as of the effective date of this AD: Concurrently with the installation of Modsum 8Q100898, inspect the fuselage spoiler cable disconnect sensing device for correct assembly.

Note 1: AD 2007–21–16, amendment 39–15234, requires the installation of Modsum 8Q100898.

(2) For Bombardier Model DHC–8–102, –103, –106, –201, –202, –301, –311, and –315 series airplanes, serial numbers 562 through 644 inclusive: Within 1,000 flight hours after the effective date of this AD, inspect the fuselage spoiler cable disconnect sensing device for correct assembly in accordance with paragraph 3.B., Part A, of Bombardier Service Bulletin 8–27–107, dated October 16, 2007.

Note 2: The fuselage spoiler cable disconnect sensing device was installed in production on the airplanes identified in paragraph (f)(2) of this AD.

(3) For Bombardier Model DHC–8–400, –401, and –402 series airplanes, serial numbers 4003, 4004, 4006, and 4008 through 4164 inclusive: Within 1,000 flight hours after the effective date of this AD, inspect the fuselage spoiler cable disconnect sensing device for correct assembly in accordance with paragraph 3.B., Part A, of Bombardier Service Bulletin 84–27–34, dated October 3, 2007.

Note 3: The fuselage spoiler cable disconnect sensing device was installed in production on the airplanes identified in paragraph (f)(3) of this AD.

(4) For all airplanes: If an incorrectly assembled sensing device is detected during any inspection required by paragraph (f)(1), (f)(2), or (f)(3) of this AD, before further flight, inspect the components, replace worn or damaged components, and correctly re-assemble the sensing device. Do the actions in accordance with paragraph 3.B., Part B, of Bombardier Service Bulletin 8–27–107, dated October 16, 2007; or Bombardier Service Bulletin 84–27–34, dated October 3, 2007; as applicable.

FAA AD Differences

Note 4: This AD differs from the MCAI and/or service information as follows: No difference.

Other FAA AD Provisions

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, 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: Dan Parrillo, 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) 228–7305; 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–2008–28, dated July 10, 2008; Bombardier Service Bulletin 84–27–34, dated October 3, 2007; and Bombardier Service Bulletin 8–27–107, dated October 16, 2007; for related information.

Material Incorporated by Reference

(i) You must use Bombardier Service Bulletin 8–27–107, dated October 16, 2007; and Bombardier Service Bulletin 84–27–34, dated October 3, 2007; 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 Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; e-mail *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.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 March 12, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9–5964 Filed 3–23–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–1327; Directorate Identifier 2008–NM–161–AD; Amendment 39–15859; AD 2009–06–22]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A318, A319, A320, and A321 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 A320 aircraft experienced an event where it was not possible to open the reinforced cockpit door, even after power had been removed from the aircraft. Investigation has identified that the cockpit door latch/striker assembly may have overheated, causing permanent internal damage prior to being electrically isolated by the internal thermal fuse. This condition, in case of a rapid decompression in the cockpit, would prevent the necessary unlocking/opening of the door, which may lead to failure of the airplane structure.
>
> * * * * *

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

DATES: This AD becomes effective April 28, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 28, 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: Tim Dulin, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2141; 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 December 23, 2008 (73 FR 78670). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

> An A320 aircraft experienced an event where it was not possible to open the reinforced cockpit door, even after power had been removed from the aircraft. Investigation has identified that the cockpit door latch/striker assembly may have overheated, causing permanent internal damage prior to being electrically isolated by the internal thermal fuse. This condition, in case of a rapid decompression in the cockpit, would prevent the necessary unlocking/opening of the door, which may lead to failure of the airplane structure.
>
> To prevent this, an improved strike package/door bolting system, including a Polymer Positive Temperature Coefficient (PPTC) element (overheat protection) was introduced by Airbus Modification 35219 in production and modification 35218 (Service Bulletin A320–25–1444) in-service. The PPTC is a resettable thermistor and is installed on the frame of the electrically-operated cockpit door latch/striker assembly.
>
> The in-service implementation of this modification was originally managed by an Airbus campaign but the rate of installation by operators has not met the expected timescales, making mandatory action necessary to address this.
>
> For the reasons described above, this AD requires the installation of improved cockpit door latch/striker assemblies.

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 620 products of U.S. registry. We also estimate that it will take 6 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 $0 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 $297,600, or $480 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: *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:

2009–09–22 Airbus: Amendment 39–15859. Docket No. FAA–2008–1327; Directorate Identifier 2008–NM–161–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective April 28, 2009.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Airbus Model A318–111, –112, –121, and –122; A319–111, –112, –113, –114, –115, –131, –132, and –133; A320–111, –211, –212, –214, –231, –232, –233; and A321–111, –112, –131, –211, –212, –213, –231, and –232 series airplanes; certificated in any category; equipped with a cockpit door latch/striker assembly having part number AR4714–1 or AR4714–3.

Subject

(d) Air Transport Association (ATA) of America Code 25: Equipment/furnishings.

Reason

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

An A320 aircraft experienced an event where it was not possible to open the reinforced cockpit door, even after power had been removed from the aircraft. Investigation has identified that the cockpit door latch/striker assembly may have overheated, causing permanent internal damage prior to being electrically isolated by the internal thermal fuse. This condition, in case of a rapid decompression in the cockpit, would prevent the necessary unlocking/opening of the door, which may lead to failure of the airplane structure.

To prevent this, an improved strike package/door bolting system, including a Polymer Positive Temperature Coefficient (PPTC) element (overheat protection) was introduced by Airbus Modification 35219 in production and modification 35218 (Service Bulletin A320–25–1444) in-service. The PPTC is a resettable thermistor and is installed on the frame of the electrically-operated cockpit door latch/striker assembly.

The in-service implementation of this modification was originally managed by an Airbus campaign but the rate of installation by operators has not met the expected timescales, making mandatory action necessary to address this.

For the reasons described above, this AD requires the installation of improved cockpit door latch/striker assemblies.

Actions and Compliance

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

(1) Within 8 months after the effective date of this AD: Replace all cockpit door latch/striker assemblies having part number AR4714–1 or AR4714–3 with modified units in accordance with Airbus Service Bulletin A320–25–1444, Revision 02, dated August 1, 2006 (Airbus Modification 35218).

(2) Previous accomplishment of the replacement before the effective date of this AD in accordance with Airbus Service Bulletin A320–25–1444, dated April 29, 2005; or Revision 01, dated July 19, 2005; meets the requirements of paragraph (f)(1) 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, Transport Airplane Directorate, 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: Tim Dulin, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2141; fax (425) 227–1149. 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 European Aviation Safety Agency Airworthiness Directive 2008–0151, dated August 5, 2008; and Airbus Service Bulletin A320–25–1444, Revision 02, dated August 1, 2006; for related information.

Material Incorporated by Reference

(i) You must use Airbus Service Bulletin A320–25–1444, Revision 02, dated August 1, 2006 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, Airworthiness Office—EAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; *e-mail: account.airworth-eas@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 March 12, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9–5959 Filed 3–23–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–1043; Directorate Identifier 2008–NM–036–AD; Amendment 39–15845; AD 2009–06–09]

RIN 2120–AA64

Airworthiness Directives; 328 Support Services GmbH Dornier Model 328–100 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:

During overhaul on a Dornier 328–100 landing gear unit, parts of the MLG (main