

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0399; Directorate Identifier 2008-NM-226-AD]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed 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:

A change in dimensions of the fuse blocks in the Auxiliary Power Unit (APU) Start Contactor Assembly (ASCA) box assembly can cause an incorrect interface between the bus bars and fuses. This condition can result in an increase in temperature, which could damage the ASCA box and/or compromise the availability of battery bus supply.

The unsafe condition could result in the ignition of a fire in the ASCA box. The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by June 1, 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 W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed 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](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>.

You may review copies of the referenced 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.

#### 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 this proposed AD, 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.

#### FOR FURTHER INFORMATION CONTACT:

Wing Chan, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7311; fax (516) 794-5531.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2009-0399; Directorate Identifier 2008-NM-226-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will

consider all comments received by the closing date and may amend this proposed AD based on 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 proposed AD.

#### Discussion

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2008-34, dated December 2, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

A change in dimensions of the fuse blocks in the Auxiliary Power Unit (APU) Start Contactor Assembly (ASCA) box assembly can cause an incorrect interface between the bus bars and fuses. This condition can result in an increase in temperature, which could damage the ASCA box and/or compromise the availability of battery bus supply.

The unsafe condition could result in the ignition of a fire in the ASCA box. The required actions include inspecting the ASCA boxes to determine the part number; and for certain ASCA boxes, doing a detailed inspection of the fuse block date code, and replacement of the fuse block with new hardware if necessary. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Bombardier has issued Service Bulletin 670BA-49-012, Revision A, dated August 28, 2008. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of This Proposed 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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an 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 also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 108 products of U.S. registry. We also estimate that it would take about 5 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$43,200, or \$400 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

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 proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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:

**Bombardier (Formerly Canadair):** Docket No. FAA-2009-0399; Directorate Identifier 2008-NM-226-AD.

#### Comments Due Date

(a) We must receive comments by June 1, 2009.

#### Affected ADs

(b) None.

#### Applicability

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

(1) Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), serial numbers 10112 through 10199, and 10201 through 10206.

(2) Bombardier Model CL-600-2D15 (Regional Jet Series 705) and CL-600-2D24 (Regional Jet Series 900), serial numbers 15007 through 15026, 15030, and 15031.

#### Subject

(d) Air Transport Association (ATA) of America Code 49: Airborne Auxiliary Power.

#### Reason

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

A change in dimensions of the fuse blocks in the Auxiliary Power Unit (APU) Start Contactor Assembly (ASCA) box assembly can cause an incorrect interface between the bus bars and fuses. This condition can result in an increase in temperature, which could damage the ASCA box and/or compromise the availability of battery bus supply.

The unsafe condition could result in the ignition of a fire in the ASCA box. The required actions include inspecting the ASCA boxes to determine the part number; and for certain ASCA boxes, doing a detailed inspection of the fuse block date code, and replacement of the fuse block with new hardware if necessary.

### Actions and Compliance

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

(1) Within 1,500 flight hours after the effective date of this AD, perform an inspection of the ASCA box to determine the part number and, for ASCA boxes having part number BA670-53328-1 or BA670-53328-951, perform a detailed inspection of the fuse block date code, in accordance with Bombardier Service Bulletin 670BA-49-012, Revision A, dated August 28, 2008. Before further flight, replace all fuse blocks that have a date code between K23 (0323) through M08 (0508) inclusive, in accordance with Bombardier Service Bulletin 670BA-49-012, Revision A, dated August 28, 2008.

(2) Inspections and replacement actions are also acceptable for compliance with the requirements of paragraph (f)(1) of this AD, if done before the effective date of this AD in accordance with Bombardier Service Bulletin 670BA-49-012, dated June 28, 2007.

### 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, Systems and Flight Test Branch, ANE-172, 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: Wing Chan, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7311; fax (516) 794-5531. 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, 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 Transport Canada Civil Aviation Airworthiness Directive CF-2008-34, dated December 2, 2008; and Bombardier Service Bulletin 670BA-49-012, Revision A, dated August 28, 2008; for related information.

Issued in Renton, Washington, on April 22, 2009.

**Stephen P. Boyd,**

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

[FR Doc. E9-9866 Filed 4-29-09; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-29060; Directorate Identifier 2007-NE-34-AD]

RIN 2120-AA64

#### Airworthiness Directives; International Aero Engines (IAE)

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for IAE V2500-A1, V2527E-A5, V2527M-A5, V2528-D5, V2530-A5, and V2533-A5 turbofan engines. This proposed AD would require a onetime inspection of certain vortex reducers for cracks, and replacing the reducer and high-pressure (HP) compressor stage 3-8 drum if the reducer is cracked. This proposed AD results from reports of fractured vortex reducers found at shop visits. We are proposing this AD to inspect for cracks in the vortex reducer. Cracks in the vortex reducer could cause an uncontained failure of the HP compressor stage 3-8 drum, which could result in damage to the airplane.

**DATES:** We must receive any comments on this proposed AD by June 29, 2009.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200

New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493-2251.

Contact International Aero Engines, 400 Main St., East Hartford, CT 06108; telephone (860) 565-5515, fax (860) 565-0600 for a copy of the service information identified in this AD.

#### FOR FURTHER INFORMATION CONTACT:

Kevin Dickert, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [kevin\\_dickert@faa.gov](mailto:kevin_dickert@faa.gov); telephone (781) 238-7117; fax (781) 238-7199.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send us any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2007-29060; Directorate Identifier 2007-NE-34-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light 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 with FAA personnel concerning this proposed AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

##### 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 this proposed AD, the regulatory evaluation, any comments received, and other information. The

street address for the Docket Operations office (telephone (800) 647-5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### Discussion

International Aero Engines has informed us that they received reports of two fractured vortex reducers found at engine shop visits. Those findings prompted IAE to perform stress analyses and lifing work on both the vortex reducer and the HP compressor stage 3-8 drum. That work showed that a cracked vortex reducer leads to an increase in stress levels at the bolt holes of the HP compressor stage 3-8 drum. For certain stage 3-8 drums, the stress increase at the stage 8 bolt holes could lead to a reduced drum life depending on the drum life when the vortex reducer was cracked and the thrust rating of the engine. Stage 3-8 drums, part numbers (P/Ns) 6A5467, 6A6473, and 6A7401, could fail from the increased loading caused by a cracked vortex reducer. This condition, if not corrected, could cause an uncontained failure of the HP compressor stage 3-8 drum, which could result in damage to the airplane.

#### Relevant Service Information

We have reviewed and approved the technical contents of IAE Service Bulletin (SB) V2500-ENG-72-0510, Revision 1, dated October 8, 2007, that describes procedures for inspecting the vortex reducer for cracks.

#### FAA's Determination and Requirements of the Proposed AD

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other products of this same type design. We are proposing this AD, which would require a onetime fluorescent penetrant inspection of certain vortex reducers for cracks.

#### Costs of Compliance

We estimate that this proposed AD would affect no engines installed on airplanes of U.S. registry. Based on this, we estimate there is no cost to U.S. operators for the proposed 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.