

Office. The AMOC approval letter must specifically reference this AD.

(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 Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2008-0216, dated December 9, 2008; and Airbus Service Bulletin A380-57-8014, dated November 21, 2008; for related information.

Material Incorporated by Reference

(i) You must use Airbus Service Bulletin A380-57-8014, including Appendix 01, dated November 21, 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 Airbus SAS-EANA (Airworthiness Office); 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 562 110 253; Fax +33 562 110 307; e-mail account.airworth-A380@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 May 1, 2009.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-10934 Filed 5-12-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0135; Directorate Identifier 2008-NM-170-AD; Amendment 39-15901; AD 2009-10-06]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747-400 and 747-400D Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Boeing Model 747-400 and 747-400D series airplanes. This AD requires repetitive inspections to detect cracks in the floor panel attachment fastener holes of the Section 41 upper deck floor beam upper chords, and related investigative and corrective actions if necessary. This AD results from reports of cracks found in the Section 41 upper deck floor beam upper chords. We are issuing this AD to detect and correct cracks in these chords, which could become large and cause the floor beams to become severed and result in rapid decompression or reduced controllability of the airplane.

DATES: This AD is effective June 17, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of June 17, 2009.

ADDRESSES: 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>.

Examining the AD Docket

You may examine the AD docket on the Internet at <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 address for the Docket Office (telephone 800-647-5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Ivan Li, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6437; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to certain Boeing Model 747-400 and 747-400D series airplanes. That NPRM was published in the **Federal Register** on February 18, 2009 (74 FR 7573). That NPRM proposed to require repetitive inspections to detect cracks in the floor panel attachment fastener holes of the Section 41 upper deck floor beam upper chords, and related investigative and corrective actions if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment received. Boeing supports the NPRM.

Conclusion

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting the AD as proposed.

Costs of Compliance

We estimate that this AD affects 53 airplanes of U.S. registry. The following table provides the estimated costs for U.S. operators to comply with this AD.

TABLE—ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Parts	Cost per product	Number of U.S.-registered airplanes	Fleet cost
Inspection	48 or 50	\$80	None	\$3,840 or \$4,000 per inspection cycle.	53	Up to \$212,000 per inspection cycle.

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

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.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

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:

2009-10-06 Boeing: Amendment 39-15901. Docket No. FAA-2009-0135; Directorate Identifier 2008-NM-170-AD.

Effective Date

- (a) This airworthiness directive (AD) is effective June 17, 2009.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to Boeing Model 747-400 and 747-400D series airplanes, certificated in any category; as identified in Boeing Alert Service Bulletin 747-53A2688, dated August 21, 2008.

Subject

- (d) Air Transport Association (ATA) of America Code 53: Fuselage.

Unsafe Condition

- (e) This AD results from reports of cracks found in the Section 41 upper deck floor beam upper chords. We are issuing this AD to detect and correct cracks in these chords, which could become large and cause the floor beams to become severed and result in rapid decompression or reduced controllability of the airplane.

Compliance

- (f) Comply with this AD within the compliance times specified, unless already done.

Inspections and Corrective Actions

- (g) Except as required by paragraphs (h) and (i) of this AD: At the applicable times in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 747-53A2688, dated August 21, 2008 ("the service bulletin"), do an inspection (open-hole or surface high frequency eddy current) to detect cracks in the floor panel attachment fastener holes of the Section 41 upper deck floor beam upper chords, and do applicable related investigative and corrective actions, by accomplishing all the applicable actions specified in the Accomplishment

Instructions of the service bulletin. Repeat the inspections thereafter at the applicable times specified in paragraph 1.E., "Compliance," of the service bulletin.

- (h) If any crack is found during any inspection required by paragraph (g) of this AD, and Boeing Alert Service Bulletin 747-53A2688, dated August 21, 2008, specifies to contact Boeing for appropriate action: Before further flight, repair the crack using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

- (i) Where Boeing Alert Service Bulletin 747-53A2688, dated August 21, 2008, specifies a compliance time after the date on the service bulletin, this AD requires compliance within the specified compliance time after the effective date of this AD.

Alternative Methods of Compliance (AMOCs)

- (j)(1) The Manager, Seattle 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: Ivan Li, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6437; fax (425) 917-6590.

- (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 principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

- (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, and the approval must specifically refer to this AD.

Material Incorporated by Reference

- (k) You must use Boeing Alert Service Bulletin 747-53A2688, dated August 21, 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 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>.

(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 May 1, 2009.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-10935 Filed 5-12-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-1131; Directorate Identifier 2008-NE-37-AD; Amendment 39-15903; AD 2009-10-08]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney Models PW2037, PW2037(M), and PW2040 Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Pratt & Whitney models PW2037, PW2037(M), and PW2040 turbofan engines with high-pressure turbine (HPT) 2nd stage hubs that have previously been exposed to Pratt & Whitney cleaning procedure SPOP 10 or SPOP 9 or equivalent procedure. This AD requires a onetime optical comparator inspection (OCI) of the blade retention slots of the affected HPT 2nd stage hubs at the next HPT overhaul after the effective date of the AD. This AD results from an uncontained release of HPT 2nd stage blades and blade retention lugs. We are issuing this AD to remove nonconforming HPT 2nd stage hubs, which could result in an uncontained release of turbine blades and blade retention lugs, and damage to the airplane.

DATES: This AD becomes effective June 17, 2009.

ADDRESSES: You can get the service information identified in this AD from Pratt & Whitney, 400 Main Street, East Hartford, CT 06108.

The Docket Operations office is located at Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

FOR FURTHER INFORMATION CONTACT: Mark Riley, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: mark.riley@faa.gov; telephone (781) 238-7758, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: The FAA proposed to amend 14 CFR part 39 with a proposed AD. The proposed AD applies to PW models PW2037, PW2037(M), and PW2040 turbofan engines. We published the proposed AD in the **Federal Register** on November 14, 2008 (73 FR 67427). That action proposed to require inspecting all HPT 2nd stage hubs at the next HPT overhaul after the effective date of the AD.

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 AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

Comments

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

Recommend Referring to the Inspection as “Special Dimensional Inspection”

Pratt & Whitney recommends that the inspection in the proposed AD be referred to as a “Special Dimensional Inspection” per Pratt & Whitney Alert Service Bulletin (ASB) PW2000 72-734, which is approved by the FAA. The proposed AD currently specifies an Optical Comparator Inspection (OCI). Use of the term “Special Dimensional Inspection” instead of OCI will provide better alignment with the inspection procedures that Pratt & Whitney is presently developing and for which it

will seek FAA approval, to use as an alternative to OCI.

We do not agree. The inspection is an OCI. Therefore, identifying the type of inspection the AD requires by its name is proper. We did not change the AD.

Request To Revise the Estimated Cost

Pratt & Whitney and two air carriers request that we revise the estimated cost to perform an OCI. Pratt & Whitney states that the cost is higher than previously anticipated and we should add about \$4,000 to the cost of each disk overhaul. Delta Air Lines states that the total cost is actually closer to \$8,000 and it should include shipping (\$1,000), vendor charges (\$5,900), and should take into account additional inventory required (\$180,000 per hub) due to out-of-service time required to support the off-site inspection.

We partially agree. We agree that the cost estimate in the proposed AD is not accurate. We do not agree that it should consider shipping charges or additional inventory requirements unique to each operator. We changed the cost to perform the OCI to \$4,000 for each HPT stage 2 hub as quoted by Pratt & Whitney and updated the total to \$3,048,000.

Request for Clarification of the Inspection Being a Onetime Inspection

Pratt & Whitney and two air carriers request clarification in the AD to state that the inspection is a onetime inspection. Also, Delta Air Lines comments that repetitive inspections should be required unless the cause of the hub out-of-tolerance condition is addressed. They also stated that the cause of the hub out-of-tolerance condition is not known and repetitive inspections are therefore required.

We partially agree. We agree that we need to clarify that the OCI is a onetime inspection requirement. We changed the AD to clarify that the OCI is a onetime inspection requirement. We do not agree that the AD should require repetitive inspections. If we determine at a later date that repetitive inspections are required, we may issue an AD to require them.

Proposal To Eliminate the Fluorescent Penetrant Inspection

Pratt & Whitney and United Airlines propose that we eliminate the fluorescent penetrant inspection (FPI) requirement for the HPT 2nd stage hub. FPI of the HPT 2nd stage hub is redundant, since it is already mandated per FAA AD 2005-18-03.

We agree. We changed the AD to only require a onetime OCI of the HPT 2nd stage hub after the fluorescent penetrant