

for Continued Airworthiness to incorporate the inspections, thresholds, and intervals specified in Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 2, dated December 1, 2006.

(i) For Model F.28 Mark 1000, 2000, 3000, and 4000 airplanes: Incorporate into the FAA-approved maintenance inspection program the inspections, thresholds, and intervals specified in Fokker Service Bulletin SBF28-28-050, Revision 1, dated January 8, 2008.

(2) Within 3 months after April 23, 2008, do the action in paragraph (f)(2)(i) or (f)(2)(ii) of this AD, as applicable.

(i) For Model F.28 Mark 0070 and 0100 airplanes: Revise the ALS of the Instructions for Continued Airworthiness to incorporate the CDCCLs as defined in Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 2, dated December 1, 2006, except for the CDCCL component titled "Level Control Pilot Valve Solenoid, jiffy junction."

(ii) For Model F.28 Mark 1000, 2000, 3000, and 4000 airplanes: Incorporate into the FAA-approved maintenance inspection program the CDCCLs as defined in Fokker Service Bulletin SBF28-28-050, Revision 1, dated January 8, 2008.

(3) Where Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 2, dated December 1, 2006; and Fokker Service Bulletin SBF28-28-050, Revision 1, dated January 8, 2008; allow for exceptional short-term extensions, an exception is acceptable to the FAA if it is approved by the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

(4) After accomplishing the actions specified in paragraphs (f)(1) and (f)(2) of this AD, no alternative inspection, inspection interval, or CDCCL may be used, unless the inspection, interval, or CDCCL is approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (g)(1) of this AD.

(5) Actions done before the effective date of this AD in accordance with Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 1, dated January 31, 2006; or Fokker Service Bulletin F28/28-050, dated June 30, 2006; are acceptable for compliance with the corresponding requirements of this AD.

**Note 2:** For Model F.28 Mark 1000, 2000, 3000, and 4000 airplanes, after an operator complies with the requirements of paragraphs (f)(1)(ii) and (f)(2)(ii) of this AD, those paragraphs do not require that operators subsequently record accomplishment of those requirements each time an applicable action is accomplished according to that operator's FAA-approved maintenance inspection program.

## New Information

### Explanation of CDCCL Requirements

**Note 3:** Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the ALS for certain airplanes, and the FAA-approved maintenance program for certain other airplanes, as required by paragraph (f) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the ALS for certain airplanes, and the FAA-approved maintenance program for certain other airplanes has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

### FAA AD Differences

**Note 4:** 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, 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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. 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.

(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 ensure 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) Airworthiness Directive 2006-0206, dated June 11, 2006; EASA Airworthiness Directive 2006-0208, dated July 12, 2006; Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 2, dated December 1, 2006; and Fokker Service

Bulletin SBF28-28-050, Revision 1, dated January 8, 2008; for related information.

### Material Incorporated by Reference

(i) You must use Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 2, dated December 1, 2006; and Fokker Service Bulletin SBF28-28-050, Revision 1, dated January 8, 2008; as applicable; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register previously approved the incorporation by reference of Fokker 70/100 Fuel Airworthiness Limitation Items (ALI) and Critical Design Configuration Control Limitations (CDCCL) Report SE-672, Issue 2, dated December 1, 2006; and Fokker Service Bulletin SBF28-28-050, Revision 1, dated January 8, 2008; on April 23, 2008 (73 FR 14661, March 19, 2008).

(2) For service information identified in this AD, contact Fokker Services B.V., Technical Services Dept., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands; telephone +31 (0)252-627-350; fax +31 (0)252-627-211; e-mail [technicalservices.fokkerservices@stork.com](mailto:technicalservices.fokkerservices@stork.com); Internet <http://www.myfokkerfleet.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](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on November 6, 2009.

**Ali Bahrami,**

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

[FR Doc. E9-27962 Filed 11-20-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2008-0821; Directorate Identifier 2008-NE-20-AD; Amendment 39-16094; AD 2009-24-06]**

**RIN 2120-AA64**

### Airworthiness Directives; General Electric Company (GE) CF34-8E 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 GE CF34-8E series turbofan engines with certain part number (P/N) full authority digital electronic controls (FADECs) installed. That AD currently requires removing certain P/N FADECs. This superseding AD requires removal of 12 more P/Ns of FADECs. This AD results from 20 additional reports received of loss of thrust control events since AD 2008-16-01 was issued. We are issuing this AD to prevent loss of thrust control of the airplane.

**DATES:** This AD becomes effective December 28, 2009.

**ADDRESSES:** 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:**

Alan Strom, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [alan.strom@faa.gov](mailto:alan.strom@faa.gov); telephone (781) 238-7143; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 by superseding AD 2008-16-01, Amendment 39-15619 (73 FR 44628, July 31, 2008), with a proposed AD. The proposed AD applies to GE CF34-8E series turbofan engines with FADECs, P/Ns 4120T00P31, 4120T00P32, 4120T00P41, 4120T00P42, 4120T00P43, 4120T00P44, 4120T00P47, 4120T00P48, 111E9320G32, 111E9320G33, 111E9320G42, 111E9320G43, 111E9320G44, 111E9320G45, 111E9320G48, or 111E9320G49 installed. We published the proposed AD in the **Federal Register** on August 24, 2009 (74 FR 42610). That action proposed to require removal of 12 more P/Ns of FADECs than what AD 2008-16-01 required to be removed.

**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 comment received. The commenter supports the proposal.

**Conclusion**

We have carefully reviewed the available data, including 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 will affect 273 engines installed on airplanes of U.S. registry. We also estimate that it will take about one work-hour per engine to perform the actions, and that the average labor rate is \$80 per work-hour, with a parts cost per engine of \$55. Based on these figures, we estimate the total cost of the AD to U.S. operators to be \$36,855.

**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 summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

**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 Federal Aviation Administration 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 removing Amendment 39-15619 (73 FR 44628, July 31, 2008), and by adding a new airworthiness directive, Amendment 39-16094, to read as follows:

**2009-24-06 General Electric Company:**  
Amendment 39-16094. Docket No. FAA-2008-0821; Directorate Identifier 2008-NE-20-AD.

**Effective Date**

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

**Affected ADs**

(b) This AD supersedes AD 2008-16-01, Amendment 39-15619.

**Applicability**

(c) This AD applies to General Electric Company (GE) CF34-8E series turbofan engines with full authority digital electronic controls (FADECs), part numbers (P/Ns) 4120T00P31, 4120T00P32, 4120T00P41, 4120T00P42, 4120T00P43, 4120T00P44, 4120T00P47, 4120T00P48, 111E9320G32, 111E9320G33, 111E9320G42, 111E9320G43, 111E9320G44, 111E9320G45, 111E9320G48, or 111E9320G49 installed. These engines are installed on, but not limited to, Empresa Brasileira de Aeronautica S.A. (EMBRAER) ERJ 170 series airplanes.

**Unsafe Condition**

(d) This AD results from 20 additional reports received of loss of thrust control events since AD 2008-16-01 was issued. We are issuing this AD to prevent loss of thrust control of the airplane.

**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.

#### Removal of CF34-8E FADECs

(f) Within 660 flight hours time-in-service (TIS) after the effective date of this AD, remove FADEC P/Ns 4120T00P31, 4120T00P32, 4120T00P41, 4120T00P42, 4120T00P43, 4120T00P44, 4120T00P47, 4120T00P48, 111E9320G32, 111E9320G33, 111E9320G42, 111E9320G43, 111E9320G44, 111E9320G45, 111E9320G48, and 111E9320G49.

#### Installation Prohibition

(g) After 660 flight hours TIS after the effective date of this AD, do not install any FADEC P/N 4120T00P31, 4120T00P32, 4120T00P41, 4120T00P42, 4120T00P43, 4120T00P44, 4120T00P47, 4120T00P48, 111E9320G32, 111E9320G33, 111E9320G42, 111E9320G43, 111E9320G44, 111E9320G45, 111E9320G48, or 111E9320G49 onto any GE CF34-8E series engine.

#### Alternative Methods of Compliance

(h) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(i) Contact Alan Strom, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [alan.strom@faa.gov](mailto:alan.strom@faa.gov); telephone (781) 238-7143; fax (781) 238-7199, for more information about this AD.

(j) Guidance on removal and replacement with an FAA-approved FADEC software version can be found in GE Alert Service Bulletin No. CF34-8E-AL S/B 73-A0020, dated November 12, 2008. For a copy of this service information, contact General Electric Company, GE-Aviation, Room 285, 1 Newmann Way, Cincinnati, OH 45215, telephone (513) 552-3272; fax (513) 552-3329; e-mail: [geae.aoc@ge.com](mailto:geae.aoc@ge.com).

#### Material Incorporated by Reference

(k) None.

Issued in Burlington, Massachusetts, on November 16, 2009.

**Peter A. White,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. E9-27985 Filed 11-20-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0246; Directorate Identifier 2009-NE-04-AD; Amendment 39-16091; AD 2009-24-04]

RIN 2120-AA64

#### Airworthiness Directives; Rolls-Royce Corporation AE 3007A1/1, AE 3007A1/3, AE 3007A1, AE 3007A1E, AE 3007A1P, AE 3007A3, AE 3007C, and AE 3007C1 Turbofan Engines

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for Rolls-Royce Corporation (RRC) AE 3007A1/1, AE 3007A1/3, AE 3007A1, AE 3007A1E, AE 3007A1P, AE 3007A3, AE 3007C, and AE 3007C1 turbofan engines with a fan spinner part number (P/N) 23070964 or P/N 23078783, installed. This AD requires replacement of the fan spinner. This AD results from a report of a fan spinner releasing from an AE 3007A turbofan engine, during flight. We are issuing this AD to prevent the fan spinner from releasing, which could result in injury, damage to the engine, and damage to the airplane.

**DATES:** This AD becomes effective December 28, 2009.

**ADDRESSES:** 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:** Michael Downs, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, IL 60018; e-mail: [michael.downs@faa.gov](mailto:michael.downs@faa.gov); telephone: (847) 294-7870; fax: (847) 294-7834.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with a proposed AD. The proposed AD applies to RRC AE 3007A1/1, AE 3007A1/3, AE 3007A1, AE 3007A1E, AE 3007A1P, AE 3007A3, AE 3007C, and AE 3007C1 turbofan engines with a fan spinner P/N 23070964 or P/N 23078783, installed. We published the proposed AD in the **Federal Register** on June 24, 2009 (74 FR 30017). That action proposed to require replacement of the fan spinner.

#### 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.

#### Request To Change the Compliance Time

One commenter, Rolls-Royce Corporation, requests that we change the compliance time of no later than 1,500 additional cycles-in-service, to no later than 4,000 additional cycles-in-service. The commenter bases this change on their updated risk assessment of the affected fan spinners.

We have reviewed Rolls-Royce Corporation's updated risk assessment and agree with the change in compliance time. We changed the AD to state the compliance time to be no later than 4,000 additional cycles-in-service.

#### Request To Specify Installation of an Approved Fan Spinner

One commenter, EMBRAER, requests that we specify that an approved fan spinner must be installed after the affected fan spinner is removed. The commenter states that the proposed AD does not instruct to install a fan spinner, and operators might interpret the AD as allowing engines to operate without a fan spinner.

We agree. We added wording to paragraphs (f) and (g) that states to install an approved P/N fan spinner.

#### 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 with the changes described previously. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Costs of Compliance

We estimate that this AD will affect 1,600 RRC AE 3007A series and AE 3007C series turbofan engines installed