

**§ 33.91 Engine system and component tests.**

(a) For those systems or components that cannot be adequately substantiated in accordance with endurance testing of § 33.87, the applicant must conduct additional tests to demonstrate that the systems or components are able to perform the intended functions in all declared environmental and operating conditions.

\* \* \* \* \*

Issued in Washington, DC, on July 2, 2008.

**Robert A. Sturgell,**

*Acting Administrator.*

[FR Doc. E8-19048 Filed 8-18-08; 8:45 am]

BILLING CODE 4910-13-P

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

[Docket No. FAA-2008-0627; Directorate Identifier 2008-CE-033-AD; Amendment 39-15647; AD 2008-17-09]

RIN 2120-AA64

**Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are superseding an existing airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued 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 rupture of the alternator and vapour cycle cooling system pulley drive assembly has reportedly been found. Such a failure could lead to the loss of the alternator and vapour cycle cooling systems and could also cause mechanical damage inside the powerplant compartment.

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

**DATES:** This AD becomes effective September 23, 2008.

As of September 23, 2008, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the Docket 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**

Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4119; *fax:* (816) 329-4090.

**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 June 9, 2008 (73 FR 32495), and proposed to supersede AD 2008-10-13, Amendment 39-15520 (73 FR 26318, May 9, 2008). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states that:

A rupture of the alternator and vapour cycle cooling system pulley drive assembly has reportedly been found. Such a failure could lead to the loss of the alternator and vapour cycle cooling systems and could also cause mechanical damage inside the powerplant compartment.

To address this condition, AD 2008-0063-E had been published to require a check of the pulley drive assembly for leakage and, as an interim action, removal of the compressor drive belt from the assembly, and adoption of a new operational procedure to keep the air-conditioning system deactivated.

This AD retains the requirements of AD 2008-0063-E which is superseded, introduces a mandatory terminating action which consists in replacing the original pulley drive assembly by a new one of an improved design—corresponding to the EADS SOCATA modification MOD 70-0231-21—that permits reinstallation of the compressor drive belt.

**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 FAA policies. Any such differences are highlighted in a NOTE within the AD.

**Costs of Compliance**

We estimate that this AD will affect 21 products of U.S. registry. We also estimate that it will take about 10 work-hours per product to comply with basic requirements of this AD. The average labor rate is \$80 per work-hour. Required parts will cost about \$2,912 per product.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$77,952, or \$3,712 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 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://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 the NPRM, 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.

#### 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 removing Amendment 39-15520 (73 FR 26318, May 9, 2008) and adding the following new AD:

**2008-17-09 EADS SOCATA:** Amendment 39-15647; Docket No. FAA-2008-0627; Directorate Identifier 2008-CE-033-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective September 23, 2008.

#### Affected ADs

(b) This AD supersedes AD 2008-10-13, Amendment 39-15520.

#### Applicability

(c) This AD applies to Models TBM 700 airplanes, serial numbers 434 through 455, certificated in any category.

#### Subject

(d) Air Transport Association of America (ATA) Code 24: Electric Power.

#### Reason

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

A rupture of the alternator and vapour cycle cooling system pulley drive assembly has reportedly been found. Such a failure

could lead to the loss of the alternator and vapour cycle cooling systems and could also cause mechanical damage inside the powerplant compartment.

To address this condition, AD 2008-0063-E had been published to require a check of the pulley drive assembly for leakage and, as an interim action, removal of the compressor drive belt from the assembly, and adoption of a new operational procedure to keep the air-conditioning system deactivated.

This AD retains the requirements of AD 2008-0063-E which is superseded, introduces a mandatory terminating action which consists in replacing the original pulley drive assembly by a new one of an improved design—corresponding to the EADS SOCATA modification MOD 70-0231-21—that permits reinstallation of the compressor drive belt.

#### Actions and Compliance

(f) Unless already done, do the following before further flight after May 9, 2008 (the compliance date retained from AD 2008-10-13):

(1) Position to “OFF” the air-conditioning “AIR COND” switch.

(2) Inspect for oil leakage in the pulley drive assembly by following EADS SOCATA Service Bulletin (SB) No. 70-156 Amendment 1, dated March 2008.

(i) If any leak is found, before further flight after the inspection, replace the pulley drive assembly part number (P/N) T700G215504900000 with P/N T700G215505710000 following EADS SOCATA Service Bulletin (SB) No. 70-156 Amendment 1, dated March 2008.

(ii) If no leak is found, before further flight, remove the compressor drive belt from the pulley drive assembly following either EADS SOCATA Service Bulletin (SB) No. 70-156, original issue; or EADS SOCATA Service Bulletin (SB) No. 70-156, Amendment 1; both dated March 2008.

(3) The air-conditioning “AIR COND” switch must be in the “OFF” position and the compressor drive belt must remain removed until the pulley drive assembly part number (P/N) T700G215504900000 is replaced with P/N T700G215505710000 following EADS SOCATA Service Bulletin (SB) No. 70-156 Amendment 1, dated March 2008. This replacement must be done before further flight if any leak is found and may be done at any time as terminating action to this AD.

(g) Within the next 12 months after September 23, 2008 (the effective date of this AD), unless already done, replace the pulley drive assembly P/N T700G215504900000 with P/N T700G215505710000 and reinstall the compressor drive belt, following EADS SOCATA Service Bulletin (SB) No. 70-156 Amendment 1, dated March 2008.

#### FAA AD Differences

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

#### Other FAA AD Provisions

(h) 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, if requested using the procedures found in 14 CFR 39.19. Send information to *ATTN:* Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4119; *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.

#### Special Flight Permit

(i) Under 14 CFR 39.23, we are limiting the special flight permits for the check of equipment of this AD under the following condition: The air-conditioning “AIR COND” switch is set to the “OFF” position.

#### Related Information

(j) Refer to MCAI European Aviation Safety Agency (EASA) Emergency AD No.: 2008-0067-E, dated April 3, 2008, and EADS SOCATA Service Bulletin (SB) No. 70-156 Amendment 1, dated March 2008, for related information.

#### Material Incorporated by Reference

(k) You must use EADS SOCATA Service Bulletin (SB) No. 70-156, original issue; or EADS SOCATA Service Bulletin (SB) No. 70-156, Amendment 1; both dated March 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 EADS SOCATA—Direction des Services, 65921 Tarbes Cedex 9, France; telephone: +33 (0)5 62 41 73 00; fax: +33 (0)5 62 41 7-54; or in the United States contact EADS SOCATA North America, Inc., North Perry Airport, 7501 South Airport Road, Pembroke Pines, Florida 33023; *telephone:* (954) 893-1400; *fax:* (954) 964-4141.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or 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 August 7, 2008.

**Kim Smith,**

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

[FR Doc. E8-18813 Filed 8-18-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-29174; Directorate Identifier 2007-NM-125-AD; Amendment 39-15641; AD 2008-17-03]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Boeing Model 737-100, -200, -200C, -300, -400, and -500 series airplanes. This AD requires repetitive inspections to detect cracking of the body station 303.9 frame, and corrective action if necessary. This AD also provides for optional terminating action for the repetitive inspections. This AD results from reports of cracks found at the cutout in the web of body station frame 303.9 inboard of stringer 16L. We are issuing this AD to detect and correct such cracking, which could prevent the left forward entry door from sealing correctly, and could cause in-flight decompression of the airplane.

**DATES:** This AD is effective September 23, 2008.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 23, 2008.

**ADDRESSES:** For service information identified in this AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207.

#### **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:**

Howard Hall, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6430; 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 737-100, -200, -200C, -300, -400, and -500 series airplanes. That NPRM was published in the *Federal Register* on September 13, 2007 (72 FR 52314). That NPRM proposed to require repetitive inspections to detect cracking of the body station 303.9 frame, and corrective action if necessary. That NPRM also proposed optional terminating action for the repetitive inspections.

##### **Comments**

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

##### **Support for the NPRM**

Boeing concurs with the NPRM.

##### **Request To Delay Final Rule**

The Air Transport Association (ATA), on behalf of its member United Airlines, requests that we delay issuing the final rule until kits (to repair cracks or to terminate the repetitive inspections) are readily available from Boeing. Only Boeing kits are specified; Boeing kit 65C37763-8 is under parts management control by Boeing.

We disagree with the request to delay issuing the final rule. To delay this action would be inappropriate, since we have determined that an unsafe condition exists, and that inspections must be conducted in a timely manner to ensure continued safety. Boeing is aware of the pending AD. We have been advised that kits are currently available from Boeing Spares, and that Boeing has already made forecasts to ensure continued kit availability. Operators that order out-of-stock kits from Boeing can request permission from Boeing Spares to manufacture the kits. We have been advised that Boeing Spares will provide the drawings and specifications required to make kits. The kits related to this AD are made up of simple parts that should be easy for operators to

fabricate. We have not changed the final rule regarding this issue.

##### **Request To Allow Existing Repairs as Terminating Action**

Continental requests that we revise the NPRM to allow existing FAA-approved repairs (in the inspection area specified in the NPRM) as terminating action for the proposed repetitive inspections. The commenter notes that the service bulletin has no provisions for inspecting existing FAA-approved repairs.

While certain previously installed repairs might be acceptable as a terminating action for the AD inspections, we cannot classify all previously installed repairs—even ones approved by the FAA—as terminating action unless the repair is properly evaluated in light of the requirements of this AD. Paragraph (j) of the final rule provides operators the opportunity to request approval of specific repair configurations as terminating action. Such a request should include data/rationale to show that the repair configuration provides an acceptable level of safety without continued inspections. We have not changed the final rule regarding this issue.

##### **Request To Extend Grace Period**

Continental Airlines requests that we revise the NPRM to extend the grace period for the initial inspection (for airplanes that have exceeded the specified flight-cycle threshold). The commenter requests an extension from 2,250 flight cycles to 4,500 flight cycles to coincide with a scheduled heavy maintenance check. The commenter asserts that the proposed grace period would not give operators adequate time to comply with the AD without added financial and logistical burden on the airlines. The commenter refers to AD 2005-20-03, amendment 39-14296 (70 FR 56361, September 27, 2005). That AD also applies to Boeing Model 737-100, -200, -200C, -300, -400, and -500 series airplanes. That AD requires repetitive inspections of the intercostal webs, attachment clips, and stringer splice channels for cracks; and corrective action if necessary. The commenter states that the inspection area is the same for AD 2005-20-03 and the subject NPRM. The grace period for that AD is 4,500 flight cycles, so extending the grace period in the NPRM to 4,500 flight cycles will provide an acceptable safety level in this AD.

We agree with the commenter's request and rationale. We have revised paragraph (h) in this final rule accordingly. We have coordinated this change with Boeing.