

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 June 3, 2009.

**Stephen P. Boyd,**

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

[FR Doc. E9-13570 Filed 6-10-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0531; Directorate Identifier 2009-CE-030-AD; Amendment 39-15938; AD 2009-12-15]

**RIN 2120-AA64**

#### Airworthiness Directives; GROB-Werke Model G120A Airplanes

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

**ACTION:** Final rule; request for comments

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

The manufacturer has advised of receiving a report from a G 120A operator of an electrical fire caused by a chafed/scorched cable loom. It has been found that the RH main power distribution cable chafed on the instrument panel combing. It is likely that vibrations made the wiring to chafe. The chafing caused eventually electrical arcing and subsequently an in-flight fire that damaged partially the instrument panel cover.

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** This AD becomes effective July 1, 2009.

On July 1, 2009, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

We must receive comments on this AD by July 13, 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 W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### 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 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.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No.: 2009-0107, dated May 8, 2009 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

The manufacturer has advised of receiving a report from a G 120A operator of an electrical fire caused by a chafed/scorched cable loom. It has been found that the RH main power distribution cable chafed on the instrument panel combing. It is likely that vibrations made the wiring to chafe. The chafing caused eventually electrical arcing and subsequently an in-flight fire that damaged partially the instrument panel cover.

For the reasons stated above, this new AD mandates inspection of all cable looms in the front of the instrument panel cover, repair as necessary and installation of a protective cover on the edge of the instrument panel combing.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

GROB Aircraft AG has issued Service Bulletin No. MSB1121-108, dated

March 18, 2009, and Service Bulletin No. MSB1121-108/1, dated April 27, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of the 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 this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by the State of Design Authority and determined the 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 have also required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements take precedence over those copied from the MCAI.

#### FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because if left uncorrected, the power distribution cable could chafe leading to electrical arcing and an in-flight fire. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

#### Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant

data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2009-0531; Directorate Identifier 2009-CE-030-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because 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 we receive about this 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.

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 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 regulatory evaluation of the estimated costs to comply with this 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.

### 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:

**2009-12-15 GROB-Werke:** Amendment 39-15938; Docket No. FAA-2009-0531; Directorate Identifier 2009-CE-030-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective July 1, 2009.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Model G120A airplanes, serial numbers 85001 through 85007 and 85026 through 85034, 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:

"The manufacturer has advised of receiving a report from a G 120A operator of an electrical fire caused by a chafed/scorched cable loom. It has been found that the RH main power distribution cable chafed on the instrument panel combing. It is likely that vibrations made the wiring to chafe. The chafing caused eventually electrical arcing and subsequently an in-flight fire that damaged partially the instrument panel cover.

"For the reasons stated above, this new AD mandates inspection of all cable looms in the front of the instrument panel cover, repair as necessary and installation of a protective cover on the edge of the instrument panel combing."

#### Actions and Compliance

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

(1) Before further flight after July 1, 2009 (the effective date of this AD), inspect the electrical cables for chafing and scorching marks in accordance with the

accomplishment instructions of GROB Aircraft AG Service Bulletin No. MSB1121-108, dated March 18, 2009, or GROB Aircraft AG Service Bulletin No. MSB1121-108/1, dated April 27, 2009.

(2) If any chafe, burn, or scorch mark is found during the inspection required in paragraph (f)(1) of this AD, before further flight, replace the damaged cable(s) in accordance with the FAA Advisory Circular 43.13-1B Change 1, dated September 27, 2001, and install a protective cover on the attachment edge of the instrument panel combing in accordance with the accomplishment instructions of GROB Aircraft AG Service Bulletin No. MSB1121-108, dated March 18, 2009, or GROB Aircraft AG Service Bulletin No. MSB1121-108/1, dated April 27, 2009. You may get a copy of the FAA Advisory Circular on the Internet at [http://rgl.faa.gov/Regulatory and Guidance Library/rgAdvisoryCircular.nsf/Frameset?OpenPage](http://rgl.faa.gov/Regulatory%20and%20Guidance%20Library/rgAdvisoryCircular.nsf/Frameset?OpenPage).

(3) If no chafe, burn, or scorch mark is found during the inspection required in paragraph (f)(1) of this AD, within the next 100 hours time-in-service (TIS) after July 1, 2009 (the effective date of this AD), install a protective cover on the attachment edge of the instrument panel combing in accordance with the accomplishment instructions of GROB Aircraft AG Service Bulletin No. MSB1121-108, dated March 18, 2009, or GROB Aircraft AG Service Bulletin No. MSB1121-108/1, dated April 27, 2009.

(4) Thereafter, at intervals not to exceed every 200 hours TIS, repeat the inspection of the electrical cables for chafing and scorching marks in accordance with the accomplishment instructions of GROB Aircraft AG Service Bulletin No. MSB1121-108/1, dated April 27, 2009.

#### FAA AD Differences

**Note:** 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, 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: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; 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.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2009-0107, dated May 8, 2009; GROB Aircraft AG Service Bulletin No. MSB1121-108, dated March 18, 2009; and GROB Aircraft AG Service Bulletin No. MSB1121-108/1, dated April 27, 2009, for related information.

#### Material Incorporated by Reference

(i) You must use GROB Aircraft AG Service Bulletin No. MSB1121-108, dated March 18, 2009; and GROB Aircraft AG Service Bulletin No. MSB1121-108/1, dated April 27, 2009, 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 GROB Aircraft AG/Customer Service, 86874 Tussenhausen-Mattsies, Germany; telephone: +49 (0) 8268-998-105; fax: +49 (0) 8268-998-200; e-mail [productsupport@grob-aircraft.com](mailto:productsupport@grob-aircraft.com); Internet: <http://www.grob-aircraft.eu/service-and-support/g-120/documentation/service-bulletins.html>.

(3) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329-3768.

(4) You may also review copies of the service information incorporated by reference for this AD 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 June 4, 2009.

**Kim Smith,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-13576 Filed 6-10-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-1364; Directorate Identifier 2008-NM-103-AD; Amendment 39-15928; AD 2009-12-05]

**RIN 2120-AA64**

#### Airworthiness Directives; Boeing Model 737-300, -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 737-300, -400, and -500 series airplanes. This AD requires modifying the control power wiring of the normal supply fan and the low flow sensor for the equipment cooling system of the electronic flight instrument system (EFIS). This AD results from a report of loss of both the normal EFIS cooling supply and the indication of EFIS cooling loss due to a single failure of the battery bus, causing eventual power-down of the EFIS displays; the standby attitude indication is also powered by this battery bus. We are issuing this AD to prevent loss of all attitude indications from both the standby indicator and EFIS displays, which could decrease the ability of the flightcrew to maintain the safe flight and landing of the airplane.

**DATES:** This AD is effective July 16, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of July 16, 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](mailto: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:** Suk Jang, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6511; 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 737-300, -400, and -500 series airplanes. That NPRM was published in the **Federal Register** on January 12, 2009 (74 FR 1153). That NPRM proposed to require modifying the control power wiring of the normal supply fan and the low flow sensor for the equipment cooling system of the electronic flight instrument system (EFIS).

#### Comments

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

#### Supportive Comments

Boeing and Continental Airlines support the actions in the NPRM.

#### Request To Add an Alternate Method of Compliance

Lufthansa German Airlines asks that we add a method acceptable for compliance with the corresponding requirements of the NPRM. Lufthansa notes that, as specified in paragraphs (f), (g)(1), and (g)(2) of the NPRM, actions done in accordance with Boeing Alert Service Bulletin 737-21A1156, Revision 1, dated October 23, 2007; or Boeing Alert Service Bulletin 737-21A1156, dated June 20, 2006; are acceptable for compliance. Lufthansa adds that these actions prevent loss of all attitude indications from both the standby indicator and EFIS displays in case of battery bus failure. (The following is a clarification of the commenter's description of acceptable sources of service information specified in this AD: Boeing Alert Service Bulletin 737-21A1156, Revision 2, dated December 11, 2008, is the source of service information referred to in the NPRM for accomplishing the specified actions. Actions done previously in accordance with Boeing Alert Service Bulletin 737-21A1156, Revision 1, dated October 23, 2007; or Boeing Alert Service Bulletin