

required by section 91.417 ("Maintenance records") or section 121.380 ("Maintenance recording requirements") of the Federal Aviation Regulations (14 CFR 91.417 or 14 CFR 121.380, respectively) for the actions required by this AD, provided that the recordkeeping method is approved by the FAA and is included in a revision to the maintenance/inspection program. For the purposes of this paragraph, "the FAA" is defined as the cognizant Principal Maintenance Inspector (PMI) for operators that are assigned a PMI (*i.e.*, part 121, 125, and 135 operators), and the cognizant Flight Standards District Office for other operators (*i.e.*, part 91 operators).

(2) After the initial accomplishment of the ED/CPCP tasks required by paragraph (h) of this AD, any extension of the repetitive intervals specified in the manual must be approved by the Manager, New York Aircraft Certification Office (ACO), FAA.

#### Corrective Actions

(j) If any corrosion is found during accomplishment of any action required by paragraph (h) of this AD: Before further flight, rework, repair, or replace, as applicable, in accordance with a method approved by either the Manager, New York ACO, FAA; or Transport Canada Civil Aviation (TCCA) (or its delegated agent).

#### Reporting Requirements for Level 3 Corrosion Findings

(k) If any Level 3 corrosion, as defined in Part 1 of the Bombardier (de Havilland) DHC-6 Twin Otter, Dash 7 & Dash 8 Corrosion Prevention and Control Manual PSM 1-GEN-5, Revision 3, dated November 30, 1998, is found during the accomplishment of any action required by this AD, do paragraphs (k)(1), (k)(2), and (k)(3) of 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.

(1) Within 3 days after the finding of Level 3 corrosion, report findings to the Manager, New York ACO, FAA, in accordance with the Bombardier (de Havilland) DHC-6 Twin Otter, Dash 7 & Dash 8 Corrosion Prevention and Control Manual PSM 1-GEN-5, Revision 3, dated November 30, 1998.

(2) Within 10 days after the finding of Level 3 corrosion, either submit a plan to the FAA to identify a schedule for accomplishing the applicable CPCP task on the remainder of the airplanes in the operator's fleet that are subject to this AD, or provide data substantiating that the Level 3 corrosion that was found is an isolated case. The FAA may impose a schedule other than that proposed in the plan upon finding that a change to the schedule is needed to ensure that any other Level 3 corrosion is detected in a timely manner. For the purposes of this paragraph, "the FAA" is defined as the cognizant Principal Maintenance Inspector (PMI) for operators that are assigned a PMI (*i.e.*, part 121, 125, and 135 operators), and the cognizant Flight Standards District Office for other operators (*i.e.*, part 91 operators).

(3) Within the time schedule approved in accordance with paragraph (k)(2) of this AD,

accomplish the applicable task on the remainder of the airplanes in the operator's fleet that are subject to this AD.

#### Limiting Future Corrosion Findings

(l) If corrosion findings that exceed Level 1 are found in any area during any repeat of any CPCP task after the initial accomplishment required by paragraph (h) of this AD: Within 60 days after such finding, implement a means approved by the FAA to reduce future findings of corrosion in that area to Level 1 or better. For the purposes of this paragraph, "the FAA" is defined as the cognizant PMI for operators that are assigned a PMI (*i.e.*, part 121, 125, and 135 operators), and the cognizant Flight Standards District Office for other operators (*i.e.*, part 91 operators).

#### Scheduling Corrosion Tasks for Transferred Airplanes

(m) Before any airplane subject to this AD is transferred and placed into service by an operator: Establish a schedule for accomplishing the CPCP tasks required by this AD in accordance with paragraph (m)(1) or (m)(2) of this AD, as applicable.

(1) For airplanes on which the CPCP tasks required by this AD have been accomplished previously at the schedule established by this AD: Perform the first CPCP task in each area in accordance with the previous operator's schedule, or in accordance with the new operator's schedule, whichever results in an earlier accomplishment of that CPCP task. After the initial accomplishment of each CPCP task in each area as required by this paragraph, repeat each CPCP task in accordance with the new operator's schedule.

(2) For airplanes on which the CPCP tasks required by this AD have not been accomplished previously, or have not been accomplished at the schedule established by this AD: The new operator must perform each initial CPCP task in each area before further flight or in accordance with a schedule approved by the FAA. For the purposes of this paragraph, "the FAA" is defined as the cognizant Principal Maintenance Inspector (PMI) for operators that are assigned a PMI (*i.e.*, part 121, 125, and 135 operators), and the cognizant Flight Standards District Office for other operators (*i.e.*, part 91 operators).

#### Alternative Methods of Compliance (AMOCs)

(n)(1) The Manager, New York 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: Pong K. Lee, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7324; fax (516) 794-5531.

(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.

#### Related Information

(o) Canadian airworthiness directive CF-2007-06, dated April 10, 2007, also addresses the subject of this AD.

Issued in Renton, Washington, on August 3, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E9-19420 Filed 8-12-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0745; Directorate Identifier 2009-CE-036-AD]

RIN 2120-AA64

#### Airworthiness Directives; American Champion Aircraft Corp. Models 7ECA, 7GCAA, 7GCBC, 7KCAB, 8KCAB, and 8GCBC Airplanes

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

**ACTION:** Notice of Proposed Rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all American Champion Aircraft Corp. Models 7ECA, 7GCAA, 7GCBC, 7KCAB, 8KCAB, and 8GCBC airplanes, manufactured prior to 1989 and equipped with folding rear seat backs. This proposed AD would require inspection of the rear seat back hinge areas for cracking and excessive elongation of the rear seat hinge bolt hole and, if cracking or excessive elongation is found, replacement of the rear seat frame. This proposed AD results from an occurrence of the rear seat hinge area failing in flight. We are proposing this AD to detect and correct cracking of the rear seat back hinge area and excessive elongation of the rear seat hinge bolt hole, either of which could result in failure of the seat back. This failure could lead to a rear-seated pilot or passenger inadvertently interfering with the control stick while attempting to not roll to the rear of the airplane upon seat back failure. Consequently, this failure could result in loss of control.

**DATES:** We must receive comments on this proposed AD by September 28, 2009.

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

- *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.

For service information identified in this proposed AD, contact American Champion Aircraft Corporation, P.O. Box 37, 32032 Washington Ave., Rochester, Wisconsin 53167; telephone: (262) 534–6315; fax: (262) 534–2395; Internet: <http://www.amerchampionaircraft.com/Technical/Technical.html>.

**FOR FURTHER INFORMATION CONTACT:** Wess Rouse, Aerospace Engineer, 2300 East Devon Avenue, Room 107, Des Plaines, Illinois 60018; telephone: (847) 294–8113; fax: (847) 294–7834.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your

comments to an address listed under the **ADDRESSES** section. Include the docket number, “FAA–2009–0745; Directorate Identifier 2009–CE–036–AD” at the beginning 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 we receive concerning this proposed AD.

**Discussion**

We received information that during a training flight on an American Champion Aircraft Corp. Model 8KCAB airplane the rear seat hinge failed. While performing spins, with the student pilot in the front seat and the instructor pilot in the rear seat, the rear seat hinge broke, which resulted in the rear seat back failing. The instructor pilot partially fell into the baggage area. The student and the instructor were able to recover from the spins and landed safely at the airport.

The Models 7GCAA, 7GCBC, 7KCAB, and 8GCBC airplanes incorporate the same or similar seat configuration.

This condition, if not corrected, could result in failure of the rear seat back. This failure could lead to a rear-seated

pilot or passenger inadvertently interfering with the control stick while attempting to not roll to the rear of the airplane upon seat back failure. Consequently, this failure could result in loss of control.

**Relevant Service Information**

We have reviewed American Champion Aircraft Corp. Service Letter No. 431, dated July 20, 2009.

The service information describes procedures for inspecting the rear seat hinge areas for cracking and excessive elongation of the rear seat hinge bolt and, if cracking or excessive elongation is found, replacing the rear seat frame.

**FAA’s Determination and Requirements of the Proposed AD**

We are proposing this AD because we evaluated all information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design. This proposed AD would require inspecting the rear seat back hinge areas for cracking and excessive elongation of the rear seat hinge bolt hole and, if cracking or excessive elongation is found, replacing the rear seat frame.

**Costs of Compliance**

We estimate that this proposed AD would affect 2,000 airplanes in the U.S. registry.

We estimate the following costs to do the proposed inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
.5 work-hour × \$80 per hour = \$40 .....	Not applicable .....	\$40	\$80,000

We estimate the following costs to do any necessary replacements that would

be required based on the results of the proposed inspection. We have no way of

determining the number of airplanes that may need this replacement:

Labor cost	Parts cost	Total cost per airplane
1.5 work-hours × \$80 per hour = \$120 .....	Remanufactured seat \$200, New standard seat \$645, New wide seat \$765.	Remanufactured seat \$320, New standard seat \$765, New wide seat \$885.

**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 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 that the 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.

#### Examining the AD Docket

You may examine the AD docket that contains the proposed AD, the regulatory evaluation, any comments received, and other information 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 Docket Office (telephone (800) 647-5527) is located at the street address stated 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.

#### 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:

**American Champion Aircraft Corp.:** Docket No. FAA-2009-0745; Directorate Identifier 2009-CE-036-AD.

#### Comments Due Date

- (a) We must receive comments on this airworthiness directive (AD) action by September 28, 2009.

#### Affected ADs

- (b) None.

#### Applicability

(c) This AD applies to Models 7ECA, 7GCAA, 7GCBC, 7KCAB, 8KCAB, and 8GCBC airplanes, all serial numbers, that are:

- (1) Manufactured prior to 1989;
- (2) Equipped with folding rear seat backs; and
- (3) Certificated in any category.

#### Unsafe Condition

(d) This AD results from an occurrence of the rear seat frame failing in flight. We are proposing this AD to detect and correct cracking of the rear seat back hinge area and excessive elongation of the rear seat hinge bolt hole, which could result in failure of the rear seat back. This failure could lead to a rear-seated pilot or passenger inadvertently interfering with the control stick while attempting to not roll to the rear of the airplane upon seat back failure. Consequently, this failure could result in loss of control.

#### Compliance

- (e) To address this problem, you must do the following, unless already done:

Actions	Compliance	Procedures
(1) Inspect the rear seat back hinge area for cracking and elongation of the rear seat hinge bolt hole.	Within the next 25 hours time-in-service (TIS) after the effective date of this AD and repetitively thereafter at intervals not to exceed every 100 hours TIS or every 12 months, whichever occurs first.	Follow American Champion Aircraft Corp. Service Letter No. 431, dated July 20, 2009.
(2) If cracking or excessive elongation of the rear seat bolt hole is found during any inspection required in paragraph (e)(1) of this AD, replace the seat frame with a factory remanufactured seat frame, a new part number (P/N) 7-1500 (standard) seat frame, or a new P/N 7-1501 (wide) seat frame. Replacement of the seat frame terminates the repetitive inspections requirements of this AD.	Before further flight after the inspection where cracking or excessive elongation of the rear seat bolt hole is found.	Follow American Champion Aircraft Corp. Service Letter No. 431, dated July 20, 2009.
(3) You may at any time replace the rear seat frame with a factory remanufactured seat frame, a new part number (P/N) 7-1500 (standard) seat frame, or a new P/N 7-1501 (wide) seat frame to terminate the repetitive inspection requirements of this AD.	Not applicable .....	Follow American Champion Aircraft Corp. Service Letter No. 431, dated July 20, 2009.

#### Alternative Methods of Compliance (AMOCs)

(f) The Manager, Chicago Aircraft Certification 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: Wess Rouse, Aerospace Engineer, 2300 East Devon Avenue, Room 107, Des Plaines, Illinois 60018; telephone: (847) 294-8113; fax: (847) 294-7834. 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.

#### Related Information

(g) To get copies of the service information referenced in this AD, contact American Champion Aircraft Corporation, P.O. Box 37, 32032 Washington Ave., Rochester, Wisconsin 53167; telephone: (262) 534-6315; fax: (262) 534-2395; Internet: <http://www.amerchampionaircraft.com/Technical/Technical.html>. To view the AD docket, go to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at <http://www.regulations.gov>.

Issued in Kansas City, Missouri, on August 7, 2009.

**Scott A. Horn,**

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

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