

inclusive, 19000110 through 19000139 inclusive, 19000141 through 19000158 inclusive, 19000160 through 19000176 inclusive, 19000178 through 19000202 inclusive, 19000204 through 19000213 inclusive, and 19000215.

#### Subject

(d) Air Transport Association (ATA) of America Code 57: Wings.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states: It has been found the possibility of missing points of sealant application on the vapor barrier assembly in the wing stub rear box. In the event of fuel tank leak in this region associated with an unsealed vapor barrier assembly, migration of flammable vapors and fluids to middle electronic bay may occur, which then could lead to an uncontained fire event if the flammable vapors finds an ignition source. The required actions include a detailed inspection for gaps, voids, or holes in the sealant. Corrective actions include applying sealant into any gaps, voids, or holes.

#### Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Actions

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

(1) Within 6,000 flight hours or 24 months after the effective date of this AD, whichever occurs first, do a detailed inspection of the vapor barrier assembly in the wing stub rear box for missing sealant which forms gaps, voids or holes, in accordance with the Accomplishment Instructions of Embraer Service Bulletin 170-57-0036, dated March 13, 2009 (for Model ERJ 170-100 LR, -100 STD, -100 SE, -100 SU, -200 LR, -200 STD, and -200 SU airplanes); or Embraer Service Bulletin 190-57-0027, dated March 18, 2009 (for Model ERJ 190-100 STD, -100 LR, -100 IGW, -200 STD, -200 LR, and -200 IGW airplanes).

**Note 1:** For the purposes of this AD, a detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirror, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate access procedures may be required."

(2) If the vapor barrier sealant is found to be correctly applied in accordance with the Accomplishment Instructions of Embraer Service Bulletin 170-57-0036, dated March 13, 2009 (for Model ERJ 170-100 LR, -100 STD, -100 SE, -100 SU, -200 LR, -200 STD, and -200 SU airplanes); or Embraer Service Bulletin 190-57-0027, dated March 18, 2009 (for Model ERJ 190-100 STD, -100 LR, -100 IGW, -200 STD, -200 LR, and -200 IGW airplanes); no further action is required by this AD.

(3) If any vapor barrier sealant is found missing (gaps, voids or holes) during the inspection required by paragraph (f)(1) of this AD, before further flight apply sealant into the applicable gaps, voids, and holes, in accordance with the Accomplishment Instructions of Embraer Service Bulletin 170-57-0036, dated March 13, 2009 (for Model ERJ 170-100 LR, -100 STD, -100 SE, -100 SU, -200 LR, -200 STD, and -200 SU airplanes); or Embraer Service Bulletin 190-57-0027, dated March 18, 2009 (for Model ERJ 190-100 STD, -100 LR, -100 IGW, -200 STD, -200 LR, and -200 IGW airplanes).

#### FAA AD Differences

**Note 2:** 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, International Branch, ANM-116, Transport Airplane Directorate, 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: Kenny Kaulia, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2848; 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 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

(i) Refer to MCAI Brazilian Airworthiness Directives 2009-07-01 and 2009-07-02, both effective July 13, 2009; Embraer Service Bulletin 170-57-0036, dated March 13, 2009; and Embraer Service Bulletin 190-57-0027, dated March 18, 2009; for related information.

Issued in Renton, Washington, on December 28, 2009.

**Ali Bahrami,**

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

[FR Doc. E9-31276 Filed 1-4-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-1228; Directorate Identifier 2009-NM-015-AD]

**RIN 2120-AA64**

#### **Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 382, 382B, 382E, 382F, and 382G Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 382, 382B, 382E, 382F, and 382G airplanes. This proposed AD would require repetitive inspections for any damage of the lower surface of the center wing box, and corrective actions if necessary. This proposed AD results from reports of fatigue cracks of the lower surface of the center wing box. We are proposing this AD to detect and correct such cracks, which could result in the structural failure of the wings.

**DATES:** We must receive comments on this proposed AD by February 19, 2010.

**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.

For service information identified in this proposed AD, contact Lockheed Martin Corporation/Lockheed Martin Aeronautics Company, Airworthiness Office, Dept. 6AOM, Zone 0252, Column

P-58, 86 S. Cobb Drive, Marietta, Georgia 30063; telephone 770-494-5444; fax 770-494-5445; e-mail [ams.portal@lmco.com](mailto:ams.portal@lmco.com); Internet <http://www.lockheedmartin.com/ams/tools/TechPubs.html>. You may review copies of the referenced 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.

#### 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 proposed 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:** Carl Gray, Aerospace Engineer, Airframe Branch, ACE-117A, FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, College Park, Georgia 30337; telephone (404) 474-5554; fax (404) 474-5606.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2009-1228; Directorate Identifier 2009-NM-015-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed 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 proposed AD.

#### Discussion

We have received reports of fatigue cracks of the lower surface of the center wing box. Large fatigue cracks, some with multiple origins indicating link-up of smaller fatigue cracks, and generalized small fatigue cracks have

been found during wing durability testing and in-service operations. This condition, if not corrected, could result in reduced wing residual strength below the design limit load capacity, which could result in the structural failure of the wings.

#### Relevant Service Information

We have reviewed Lockheed Service Bulletin 382-57-85 (82-790), Revision 2, dated August 23, 2007, including Appendices A, B, C, D, E, F, and G, Revision 1, dated March 8, 2007. The service bulletin describes procedures for doing repetitive nondestructive inspections of the lower surface of the center wing box (including the panel, stringers, beam caps, panel repairs, fittings, and cold-work holes) for any damage (including cracking, corrosion, structural deformation, and dents), and corrective action, if necessary. The corrective action includes contacting Lockheed for repair instructions.

#### FAA's Determination and Requirements of This Proposed AD

We are proposing this AD because we evaluated all relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design. This proposed AD would require accomplishing the actions specified in the service information described previously, except as discussed under "Differences Between the Proposed AD and Relevant Service Information."

#### Differences Between the Proposed AD and Relevant Service Information

Although the service bulletin specifies that operators may contact the manufacturer for disposition of certain repair conditions, this proposed AD would require operators to repair those conditions using a method approved by the FAA.

Although the service bulletin specifies that operators can adjust thresholds and intervals, use alternate repetitive inspection intervals, and use alternate inspection methods if applicable, this proposed AD would require any alternate methods to be approved by the Manager, Atlanta ACO.

Although the service bulletin provides a longer compliance time of 22,000 flight hours to inspect cold-worked holes, this AD would require all holes to be inspected within 10,000 flight hours, as reports indicate that fatigue cracks are of sufficient size and density, requiring a shorter compliance time.

Operators should note that, although the Accomplishment Instructions of

Lockheed Service Bulletin 382-57-85 (82-790), Revision 2, dated August 23, 2007, including Appendices A, B, C, D, E, F, and G, Revision 1, dated March 8, 2007, describe procedures for submitting a report of any damages, this proposed AD would not require such action.

#### Costs of Compliance

We estimate that this proposed AD would affect 15 airplanes of U.S. registry. We also estimate that it would take about 2,000 work-hours per product to comply with this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of this proposed AD to the U.S. operators to be \$2,400,000, or \$160,000 per airplane.

#### 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 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 this 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.

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.

#### 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:

**Lockheed Martin Corporation/Lockheed Martin Aeronautics Company:** Docket No. FAA-2009-1228; Directorate Identifier 2009-NM-015-AD.

#### Comments Due Date

(a) We must receive comments by February 19, 2010.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 382, 382B, 382E, 382F, and 382G series airplanes, certificated in any category.

#### Subject

(d) Air Transport Association (ATA) of America Code 57: Wings.

#### Unsafe Condition

(e) This AD results from reports of fatigue cracks of the lower surface of the center wing box. The Federal Aviation Administration is issuing this AD to detect and correct such cracks, which could result in the structural failure of the wings.

#### Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Inspection

(g) At the times specified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD, whichever occurs latest: Do a nondestructive inspection of the lower surface of the center wing box for any damage, in accordance with Lockheed Service Bulletin 382-57-85 (82-790), Revision 2, dated August 23, 2007, including Appendixes A, B, C, D, E, F, and G, Revision 1, dated March 8, 2007. Repeat the inspections thereafter at intervals not to exceed 10,000 flight hours.

(1) Prior to the accumulation of 40,000 total flight hours on the center wing.

(2) Within 365 days after the effective date of this AD.

(3) Within 10,000 flight hours on the center wing box after the accomplishment of the service bulletin if done before the effective date of this AD.

**Note 1:** These inspection procedures supplement the existing Hercules Air Freighter progressive inspection procedures and previously issued Lockheed Martin service bulletins. After the effective date of this AD, there are no inspection procedures in those documents that fully meet the requirements of this AD.

#### Corrective Action

(h) If any damage is found during any inspection required by this AD: Before further flight, repair any damage using a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA. For a repair method to be approved by the Manager, Atlanta ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

#### Exceptions to the Service Bulletin

(i) Lockheed Service Bulletin 382-57-85 (82-790), Revision 2, dated August 23, 2007, including Appendixes A, B, C, D, E, F, and G, Revision 1, dated March 8, 2007, specifies that operators may adjust thresholds and intervals, use alternative repetitive inspection intervals, and use alternative inspection methods, if applicable. However, this AD requires that any alternative methods or intervals be approved by the Manager, Atlanta ACO. For any alternative methods or intervals to be approved by the Manager, Atlanta ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

(j) Where Lockheed Service Bulletin 382-57-85 (82-790), Revision 2, dated August 23, 2007, including Appendixes A, B, C, D, E, F, and G, Revision 1, dated March 8, 2007, specifies that alternative repetitive inspections intervals may be used for cold-worked holes, this AD does not allow the longer interval. This AD requires that all cold-worked and non-cold worked holes be re-inspected at 10,000-flight-hour intervals.

(k) Where Lockheed Service Bulletin 382-57-85 (82-790), Revision 2, dated August 23, 2007, including Appendixes A, B, C, D, E, F, and G, Revision 1, dated March 8, 2007, describes procedures for submitting a report of any damages, this AD does not require such action.

#### Inspections Accomplished in Accordance With Lockheed Service Bulletin 382-57-83 (82-783)

(l) Inspections accomplished before the effective date of this AD, in accordance with Lockheed Service Bulletin 382-57-83 (82-783), Revision 1, dated August 22, 2006, including Appendix B, dated March 18, 2005, are considered acceptable for compliance with the corresponding action specified in paragraph (g) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(m)(1) The Manager, Atlanta 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: Carl Gray, Aerospace Engineer, Airframe Branch, ACE-117A, FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, College Park, GA 30337; telephone (404) 474-5554; fax (404) 474-5606.

(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.

Issued in Renton, Washington, on December 23, 2009.

**Ali Bahrami,**

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

[FR Doc. E9-31289 Filed 1-4-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-1004; Directorate Identifier 2009-NE-36-AD]

RIN 2120-AA64

#### Airworthiness Directives; Rolls-Royce plc RB211-Trent 800 Series Turbofan Engines

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed 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:

During 2004, an incident was reported involving uncontained multiple intermediate-pressure (IP) turbine blade release on a Trent 700 engine. The blade release was the result of an overspeed of the IP turbine rotor that was initiated by an internal fire in the high-pressure/intermediate-pressure (HP/IP) bearing chamber. Post-incident analysis and investigation has established that blockage of the HP/IP turbine bearing oil vent tube due