

- (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.

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.

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:

2008-21-06 Boeing: Amendment 39-15690. Docket No. FAA-2008-0640; Directorate Identifier 2008-NM-070-AD.

Effective Date

(a) This airworthiness directive (AD) is effective November 20, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Boeing Model 747-400, 747-400D, and 747-400F series airplanes, certificated in any category; as identified in Boeing Special Attention Service Bulletin 747-28-2260, dated March 13, 2008.

Unsafe Condition

(d) This AD results from fuel system reviews conducted by the manufacturer. We are issuing this AD to prevent a fire or explosion in the fuel tank and consequent loss of the airplane.

Compliance

(e) Comply with this AD within the compliance times specified, unless already done.

Installation

(f) Within 60 months after the effective date of this AD, install an extension tube to the existing pump discharge port of the scavenge pump on the outboard side of the center fuel tank in the main fuel tank #2, in accordance with the Accomplishment

Instructions of Boeing Special Attention Service Bulletin 747-28-2260, dated March 13, 2008.

Alternative Methods of Compliance (AMOCs)

(g)(1) The Manager, Seattle Aircraft Certification Office (SACO), FAA, ATTN: Sulmo Mariano, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, SACO, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6501; fax (425) 917-6590; has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(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 appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

Material Incorporated by Reference

(h) You must use Boeing Special Attention Service Bulletin 747-28-2260, dated March 13, 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 Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207.

(3) You may review copies of the service information incorporated by reference at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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.

Issued in Renton, Washington, on October 2, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-24130 Filed 10-15-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-0749; Directorate Identifier 2008-CE-044-AD; Amendment 39-15692; AD 2008-21-08]

RIN 2120-AA64

Airworthiness Directives; Air Tractor, Inc. Models AT-402, AT-402A, and AT-402B Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Air Tractor, Inc. (Air Tractor) Models AT-402, AT-402A, and AT-402B airplanes. This AD requires you to repetitively visually inspect the rudder and vertical fin hinge attaching structure for loose fasteners and inspect the rudder or vertical fin skins, spars, hinges, or brackets for cracks and/or corrosion. This AD also requires you to replace any damaged parts found as a result of the inspections and install an external doubler at the upper rudder hinge. Installation of the external doubler at the upper rudder hinge is terminating action for the repetitive inspection requirements. This AD results from a report of a Model AT-402 airplane with a loose upper rudder hinge caused by fatigue. We are issuing this AD to detect and correct loose fasteners; any cracks in the rudder or vertical fin skins, spars, hinges, or brackets; or corrosion of the rudder and vertical fin hinge attaching structure. Hinge failure adversely affects ability to control yaw and has led to the rudder folding over in flight. This condition could allow the rudder to contact the elevator and affect ability to control pitch with consequent loss of control.

DATES: This AD becomes effective on November 20, 2008.

On November 20, 2008, the Director of the Federal Register approved the incorporation by reference of Snow Engineering Co. Service Letter #247, revised June 2, 2008, listed in this AD.

As of December 21, 2006 (71 FR 66661, November 16, 2006), the Director of the Federal Register approved the incorporation by reference of Snow Engineering Co. Process Specification Number 145, dated December 6, 1991, listed in this AD.

ADDRESSES: For service information identified in this AD, contact Air Tractor, Inc., P.O. Box 485, Olney, Texas

76374; telephone: (940) 564-5616; facsimile: (940) 564-5612; E-mail: parts@airtractor.com; Web site: <http://www.airtractor.com>.
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>. The docket number is FAA-2008-0749; Directorate Identifier 2008-CE-044-AD.
FOR FURTHER INFORMATION CONTACT:
Andy McAnaul, Aerospace Engineer, 10100 Reunion Pl, San Antonio, Texas 78216; telephone: (210) 308-3365; fax: (210) 308-3370.
SUPPLEMENTARY INFORMATION:

Discussion

On July 1, 2008, we issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include

an AD that would apply to certain Air Tractor Models AT-402, AT-402A, and AT-402B airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on July 8, 2008 (73 FR 38933). The NPRM proposed to require you to repetitively visually inspect the rudder and vertical fin hinge attaching structure for loose fasteners and inspect the rudder or vertical fin skins, spars, hinges, or brackets for cracks and/or corrosion. This AD would also require you to replace any damaged parts found as a result of the inspections and install an external doubler at the upper rudder hinge. Installation of the external doubler at the upper rudder hinge is terminating action for the repetitive inspection requirements.

Comments

We provided the public the opportunity to participate in developing

this AD. We received no comments on the proposal or on the determination of the cost to the public.

Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Costs of Compliance

We estimate that this AD affects 220 airplanes in the U.S. registry.
We estimate the following costs to do the inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1 work-hour × \$80 per hour = \$80	Not applicable	\$80	\$17,600

Any required replacements will vary depending upon the damage found, and any replacements required will vary based on the results of the inspection. Based on this, we have no way of

determining the potential replacement costs for each airplane or the number of airplanes that will need the replacements based on the result of the inspections.

We estimate the following costs to do installation of the external doubler at the upper rudder hinge:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
5 work-hours × \$80 per hour = \$400	\$217	\$617	\$135,740

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 AD.

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 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 summary of the costs to comply with this AD (and other

information as included in the Regulatory Evaluation) and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include “Docket No. FAA-2008-0749; Directorate Identifier 2008 CE-044-AD” in your request.

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 Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. FAA amends § 39.13 by adding the following new AD:

2008–21–08 Air Tractor, Inc.: Amendment 39–15692; Docket No. FAA–2008–0749; Directorate Identifier 2008–CE–044–AD.

Effective Date

(a) This AD becomes effective on November 20, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Models AT–402, AT–402A, and AT–402B airplanes, serial numbers 0694 through 1176, that are certificated in any category.

Unsafe Condition

(d) This AD results from a report of a Model AT–402 airplane with a loose upper

rudder hinge caused by fatigue. We are issuing this AD to detect and correct loose fasteners; any cracks in the rudder or vertical fin skins, spars, hinges, or brackets; or corrosion of the rudder and vertical fin hinge attaching structure. Hinge failure adversely affects ability to control yaw and has led to the rudder folding over in flight. This condition could allow the rudder to contact the elevator and affect ability to control pitch with consequent loss of control.

Compliance

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

Actions	Compliance	Procedures
(1) Inspect visually the rudder and vertical fin hinge attachment for loose fasteners; and inspect the rudder or vertical fin skins, spars, hinges, and brackets for cracks and/or corrosion.	Initially inspect when the airplane reaches a total of 3,500 hours time-in-service (TIS) or within the next 100 hours TIS after November 20, 2008 (the effective date of this AD), whichever occurs later. Thereafter, repetitively inspect at intervals not to exceed every 100 hours TIS. Installation of the external doubler at the upper rudder hinge required by paragraph (e)(2)(ii) or (e)(3) of this AD is terminating action for the repetitive inspections required by this AD.	Follow Snow Engineering Co. Service Letter #247, revised June 2, 2008.
(2) If you find any damage as a result of any inspection required by paragraph (e)(1) of this AD, you must: (i) Replace any damaged parts with new parts; and (ii) Do the installation of the external doubler at the upper rudder hinge.	Before further flight after any inspection required by paragraph (e)(1) of this AD where you find any damaged parts. The installation of the external doubler at the upper rudder hinge required by paragraph (e)(2)(ii) or (e)(3) of this AD terminates the repetitive inspections required by this AD.	Follow Snow Engineering Co. Service Letter #247, revised June 2, 2008; and Snow Engineering Co. Process Specification Number 145, dated December 6, 1991.
(3) Do the installation of the external doubler at the upper rudder hinge.	When the airplane reaches a total of 5,000 hours TIS after November 20, 2008 (the effective date of this AD) or within the next 100 hours TIS after November 20, 2008 (the effective date of this AD), whichever occurs later. The installation of the external doubler at the upper rudder hinge required by paragraph (e)(2)(ii) or (e)(3) of this AD terminates the repetitive inspections required by this AD.	Follow Snow Engineering Co. Service Letter #247, revised June 2, 2008; and Snow Engineering Co. Process Specification Number 145, dated December 6, 1991.
(4) Do not install any rudder without the external doubler at the upper rudder hinge required by paragraph (e)(3) of this AD.	As of November 20, 2008 (the effective date of this AD).	Not Applicable.

**Alternative Methods of Compliance
(AMOCs)**

(f) The Manager, Fort Worth Airplane 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: Andrew McAnaul, Aerospace Engineer, ASW–150 (c/o MIDO–43), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; telephone: (210) 308–3365; facsimile: (210) 308–3370. 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.

Material Incorporated by Reference

(g) You must use Snow Engineering Co. Service Letter #247, revised June 2, 2008; and Snow Engineering Co. Process Specification Number 145, dated December 6, 1991, 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 Snow Engineering Co. Service Letter #247, revised June 2, 2008, under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) On December 21, 2006 (71 FR 66661, November 16, 2006), the Director of the Federal Register approved the incorporation by reference of Snow Engineering Co. Process Specification Number 145, dated December 6, 1991.

(3) For service information identified in this AD, contact Air Tractor, Inc., P.O. Box 485, Olney, Texas 76374; telephone: (940) 564–5616; facsimile: (940) 564–5612; E-mail: parts@airtractor.com; Web site: <http://www.airtractor.com>.

(4) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, 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.

Issued in Kansas City, Missouri.

Kim Smith,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-24137 Filed 10-15-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-1088; Directorate Identifier 2008-NE-15-AD; Amendment 39-15691; AD 2008-21-07]

RIN 2120-AA64

Airworthiness Directives; Dowty Propellers R408 Series Propellers

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (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 an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Three in-service propellers have been found to have blades which have lost the bonded metallic leading edge guard. If the leading edge guard comes off as the propeller turns, it could cause secondary damage to aircraft or injury to personnel. For the reasons described above, EASA issued Emergency AD 2007-0223-E to require repetitive inspections of the blade Leading Edge (L/E) guards for correct bonding until they accumulate more than 1,200 flight hours (FH) time in service.

This AD requires actions that are intended to address the unsafe condition described in the MCAI, which could result in the loss of the bonded metallic leading edge guard, and could result in damage to the airplane or injury to personnel.

DATES: This AD becomes effective October 31, 2008.

We must receive comments on this AD by November 17, 2008.

The Director of the Federal Register approved the incorporation by reference of Dowty Propellers Alert Service Bulletin (ASB) D8400-61-A69, dated August 15, 2007, and ASB D8400-61-A69, Revision 1, dated September 18, 2007, listed in the AD as of October 31, 2008.

ADDRESSES: You may send comments by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- **Mail:** U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- **Hand Delivery:** Deliver to mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- **Fax:** (202) 493-2251.

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 the same as the mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

Terry Fahr, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: terry.fahr@faa.gov; telephone (781) 238-7155; fax (781) 238-7170.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2007-0223 R2, dated October 26, 2007, (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Three in-service propellers have been found to have blades which have lost the bonded metallic leading edge guard. If the leading edge guard comes off as the propeller turns, it could cause secondary damage to aircraft or injury to personnel.

For the reasons described above, EASA issued Emergency AD 2007-0223-E to require repetitive inspections of the blade Leading Edge (L/E) guards for correct bonding until they accumulate more than 1,200 FH time in service. Revision 1 of this AD was issued to clarify the required inspections and follow-up actions depending on findings and to make

reference to the latest Dowty Alert Service Bulletin (ASB) revision.

This AD has been further revised for clarification, specifying that blades repaired at the tip are only allowed to continue up to 500 hours in service after repair. This limitation was already in the Dowty ASB and the Note is added to the AD to avoid the impression that the AD does not require the same limitation.

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

Relevant Service Information

Dowty Propellers has issued Alert Service Bulletins D8400-61-A69, dated August 15, 2007; and Revision 1, dated September 18, 2007. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of the United Kingdom, and is approved for operation in the United States. Pursuant to our bilateral agreement with the United Kingdom, 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 United Kingdom and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

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 the required compliance time to detect the unsafe condition is too short for public comment. 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-2008-1088; Directorate Identifier 2008-NE-15-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of