

Report MDC-92K9145. Accomplishing the revision in accordance with a later revision of Report MDC-92K9145 is an acceptable method of compliance if the revision is approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA.

#### **Revise the Airworthiness Limitations (AWLs) Section**

(h) For Model 717-200, Model MD-88, and Model MD-90-30 airplanes: Before December 16, 2008, revise the AWLs section of the Instructions for Continued Airworthiness (ICA) to incorporate the information specified in Appendixes B, C, and D of Report MDC-92K9145. Accomplishing the revision in accordance with a later revision of Report MDC-92K9145 is an acceptable method of compliance if the revision is approved by the Manager, Los Angeles ACO.

#### **No Alternative Inspections, Inspection Intervals, or Critical Design Configuration Control Limitations (CDCCLs)**

(i) After accomplishing the actions specified in paragraph (g) or (h) of this AD, as applicable, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are part of a later revision of Report MDC-92K9145 that is approved by the Manager, Los Angeles ACO; or unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (k) of this AD.

#### **No Reporting Requirement**

(j) Although Report MDC-92K9145 specifies to submit certain information to the manufacturer, this AD does not require that action.

#### **Alternative Methods of Compliance (AMOCs)**

(k)(1) The Manager, Los Angeles ACO, FAA, ATTN: Serj Harutunian, Aerospace Engineer, Propulsion Branch, ANM-140L, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5254; fax (562) 627-5210; 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**

(l) You must use the Boeing Twinjet Special Compliance Items Report, MDC-92K9145, Revision G, dated June 7, 2007, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The document contains the following errors:

(i) The Index of Page Changes specifies incorrect revision levels for certain pages. The revision levels specified on each page are correct.

(ii) There are three sets of pages (six pages total) with the same page numbers in

Appendix C (i.e., pages C1 and C2). The first set of page numbers (i.e., Appendix C title page and Twinjet Airworthiness Limitation Instructions (ALIs)) is correct. The second set of page numbers (i.e., ALI 20-2) is incorrect. Those pages should be identified as page numbers C6 and C7 as specified in the Index of Page Changes. The third set of page numbers (i.e., ALI 20-3) is also incorrect. Those pages should be identified as page numbers C8 and C9 as specified in the Index of Page Changes.

(iii) None of the pages are dated. The issue date for each revision is specified in the Index of Page Changes.

(2) 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.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024).

(4) 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](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on May 15, 2008.

**Ali Bahrami,**

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

[FR Doc. E8-11502 Filed 5-28-08; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2008-0231; Directorate Identifier 2007-NM-218-AD; Amendment 39-15534; AD 2008-11-12]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated 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:

To date, there have been at least 10 reported events on Fokker 70 (F28 Mark 0070) and Fokker 100 (F28 Mark 0100) aircraft where the flight crew manually overpowered the autopilot, inadvertently neglecting to disengage the autopilot. \* \* \* When the autopilot is not disengaged, the elevator servomotor is overpowered and the horizontal stabilizer is moved by the Automatic Flight Control & Augmentation System (AFCAS) auto-trim in a direction opposite to the (manual) deflection of the elevator, causing high elevator control forces. This condition, if not corrected, could cause the stabilizer to move to an extreme out-of-trim position, creating the (remote) possibility of loss of control of the aircraft, due to the extreme control loads.

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

**DATES:** This AD becomes effective July 3, 2008.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 3, 2008.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

#### **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 March 3, 2008 (73 FR 11366). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

To date, there have been at least 10 reported events on Fokker 70 (F28 Mark 0070) and Fokker 100 (F28 Mark 0100) aircraft where the flight crew manually overpowered the autopilot, inadvertently neglecting to disengage the autopilot. Detailed investigation of these incidents has shown that this usually occurs in a high workload environment that demands immediate manual control of the aircraft by the pilot flying, e.g. terrain warning. When the autopilot is not disengaged, the elevator servomotor is overpowered and the horizontal stabilizer is moved by the

Automatic Flight Control & Augmentation System (AFCAS) auto-trim in a direction opposite to the (manual) deflection of the elevator, causing high elevator control forces. This condition, if not corrected, could cause the stabilizer to move to an extreme out-of-trim position, creating the (remote) possibility of loss of control of the aircraft, due to the extreme control loads. In the original design of AFCAS, operation of the control wheel-mounted stabilizer trim switches has no effect when the autopilot is engaged. Based on the assumption that stabilizer trim switches will be operated by the pilot flying when encountering high control forces, an Autopilot Disconnect Unit has been developed that disconnects the autopilot when the stabilizer trim switches are operated. Since a potentially unsafe condition has been identified that may exist or develop on aircraft of this type design, this Airworthiness Directive requires the installation of Autopilot Disconnect Units and associated wiring changes.

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

#### 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.

#### Correction to Table Information

We have corrected the date of Fokker Drawing W46143, Sheet 03, Issue K, to March 7, 2002, in Table 1 of this AD.

#### Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD with the change described previously. We determined that this change will not increase the economic burden on any operator or increase the scope of the AD.

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

#### Costs of Compliance

We estimate that this AD will affect about 12 products of U.S. registry. We

also estimate that it will take about 27 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$80 per work-hour. Required parts will cost about \$3,000 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$61,920, or \$5,160 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 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 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 Operations office 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 Operations 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 adding the following new AD:

#### 2008-11-12 Fokker Services B.V.:

Amendment 39-15534. Docket No. FAA-2008-0231; Directorate Identifier 2007-NM-218-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective July 3, 2008.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Fokker Model F.28 Mark 0070 and 0100 airplanes, all serial numbers; certificated in any category.

#### Subject

(d) Air Transport Association (ATA) of America Code 22: Auto flight.

#### Reason

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

To date, there have been at least 10 reported events on Fokker 70 (F28 Mark 0070) and Fokker 100 (F28 Mark 0100) aircraft where the flight crew manually overpowered the autopilot, inadvertently neglecting to disengage the autopilot. Detailed investigation of these incidents has shown that this usually occurs in a high workload environment that demands immediate manual control of the aircraft by the pilot flying, e.g. terrain warning. When the autopilot is not disengaged, the elevator

servomotor is overpowered and the horizontal stabilizer is moved by the Automatic Flight Control & Augmentation System (AFCAS) auto-trim in a direction opposite to the (manual) deflection of the elevator, causing high elevator control forces. This condition, if not corrected, could cause the stabilizer to move to an extreme out-of-trim position, creating the (remote) possibility of loss of control of the aircraft, due to the extreme control loads. In the original design of AFCAS, operation of the

control wheel-mounted stabilizer trim switches has no effect when the autopilot is engaged. Based on the assumption that stabilizer trim switches will be operated by the pilot flying when encountering high control forces, an Autopilot Disconnect Unit has been developed that disconnects the autopilot when the stabilizer trim switches are operated. Since a potentially unsafe condition has been identified that may exist or develop on aircraft of this type design, this Airworthiness Directive requires the

installation of Autopilot Disconnect Units and associated wiring changes.

#### Actions and Compliance

(f) Within 36 months after the effective date of this AD, unless already done, install autopilot disconnect units and do associated wiring changes in accordance with Section 3, "Accomplishment Instructions," of Fokker Service Bulletin SBF100-22-050, dated April 25, 2006, including the drawings listed in Table 1 of this AD.

TABLE 1.—DRAWINGS INCLUDED IN FOKKER SERVICE BULLETIN SBF100-22-050

Fokker drawing	Sheet	Issue	Date
W41501 .....	057	CQ .....	April 25, 2006.
W41501 .....	058	CQ .....	April 25, 2006.
W41501 .....	059	CQ .....	April 25, 2006.
W41501 .....	060	CQ .....	April 25, 2006.
W41501 .....	061	CR .....	April 25, 2006.
W41501 .....	062	CR .....	April 25, 2006.
W41504 .....	009	K .....	April 25, 2006.
W41504 .....	010	K .....	April 25, 2006.
W41504 .....	011	J .....	April 25, 2006.
W41504 .....	012	L .....	April 25, 2006.
W41504 .....	013	L .....	April 25, 2006.
W46140 .....	27	AR .....	March 5, 2002.
W46140 .....	28	AR .....	March 8, 2002.
W46143 .....	02	K .....	February 26, 2002.
W46143 .....	03	K .....	March 7, 2002.
W46144 .....	06	R .....	March 4, 2002.
W46144 .....	07	S .....	March 7, 2002.
W46912 .....	01	D .....	March 12, 2002.
W46930 .....	01	Original .....	March 14, 2002.
W46930 .....	02	E .....	March 14, 2002.
W46932 .....	01	D .....	March 13, 2002.
W59140 .....	177	GC .....	February 8, 2006.
W59140 .....	178	GB .....	February 6, 2006.
W59140 .....	221	GB .....	February 6, 2006.

#### 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, 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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton,

Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. 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,

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 Dutch Airworthiness Directive NL-2006-010, dated July 14, 2006; and Fokker Service Bulletin SBF100-22-050, dated April 25, 2006, including the drawings listed in Table 1 of this AD, for related information.

#### Material Incorporated by Reference

(i) You must use Fokker Service Bulletin SBF100-22-050, dated April 25, 2006, including the drawings specified in Table 2 of this AD, to do the actions required by this AD, unless the AD specifies otherwise.

TABLE 2.—DRAWINGS INCLUDED IN FOKKER SERVICE BULLETIN SBF100-22-050

Fokker drawing	Sheet	Issue	Date
W41501 .....	057	CQ .....	April 25, 2006.
W41501 .....	058	CQ .....	April 25, 2006.
W41501 .....	059	CQ .....	April 25, 2006.
W41501 .....	060	CQ .....	April 25, 2006.
W41501 .....	061	CR .....	April 25, 2006.
W41501 .....	062	CR .....	April 25, 2006.
W41504 .....	009	K .....	April 25, 2006.
W41504 .....	010	K .....	April 25, 2006.

TABLE 2.—DRAWINGS INCLUDED IN FOKKER SERVICE BULLETIN SBF100–22–050—Continued

Fokker drawing	Sheet	Issue	Date
W41504 .....	011	J .....	April 25, 2006.
W41504 .....	012	L .....	April 25, 2006.
W41504 .....	013	L .....	April 25, 2006.
W46140 .....	27	AR .....	March 5, 2002.
W46140 .....	28	AR .....	March 8, 2002.
W46143 .....	02	K .....	February 26, 2002.
W46143 .....	03	K .....	March 7, 2002.
W46144 .....	06	R .....	March 4, 2002.
W46144 .....	07	S .....	March 7, 2002.
W46912 .....	01	D .....	March 12, 2002.
W46930 .....	01	Original .....	March 14, 2002.
W46930 .....	02	E .....	March 14, 2002.
W46932 .....	01	D .....	March 13, 2002.
W59140 .....	177	GC .....	February 8, 2006.
W59140 .....	178	GB .....	February 6, 2006.
W59140 .....	221	GB .....	February 6, 2006.

(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 Fokker Services B.V., Technical Services Dept., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands.

(3) You may review copies 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/cfr/ibr-locations.html>.

Issued in Renton, Washington, on May 14, 2008.

**Ali Bahrami,**

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

[FR Doc. E8–11501 Filed 5–28–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2008–0544; Directorate Identifier 2008–NM–099–AD; Amendment 39–15535; AD 2008–10–51]

**RIN 2120–AA64**

#### Airworthiness Directives; Dornier Model 328–100 and –300 Airplanes

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

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

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting airworthiness directive (AD) 2008–10–51 that was sent previously to

all known U.S. owners and operators of all Dornier Model 328–100 and –300 airplanes by individual notices. This AD requires detailed visual and eddy current inspections of both the left-hand and right-hand lower wing panel of the rear trailing edge (inboard and outboard of flap lever arm 1 (rib 3 and rib 5)) for cracks, and repair if necessary. This AD is prompted by cracks found in the lower wing panel of the rear trailing edge (inboard and outboard of flap lever arm 1 (rib 5)) during a routine inspection on a Model 328–100 airplane. Subsequent inspection of the other Model 328–100 airplanes in the same fleet revealed several more airplanes with cracks at the same location. We are issuing this AD to prevent structural failure of the affected wing panel, possible separation of the wing from the airplane, and consequent loss of control of the airplane.

**DATES:** This AD becomes effective June 3, 2008 to all persons except those persons to whom it was made immediately effective by emergency AD 2008–10–51, issued May 8, 2008, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the AD is approved by the Director of the **Federal Register** as of June 3, 2008.

We must receive comments on this AD by July 28, 2008.

**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 AD, contact 328 Support Services GmbH, P.O. Box 1252, D–82231 Wessling, Federal Republic of Germany.

#### 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:

Mike Borfitz, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2677; fax (425) 227–1149.

**SUPPLEMENTARY INFORMATION:** On May 8, 2008, we issued emergency AD 2008–10–51, which applies to all Dornier Model 328–100 and –300 airplanes.

#### Background

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, notified the FAA that an unsafe condition may exist on all Dornier Model 328–100 and –300 airplanes. The EASA advises that, during a routine inspection, cracks were found in the lower wing panel of the