



TECHNICAL INSTRUCTION HAC21-003 Rev. N/C, December 22, 2021

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Airworthiness Directives

2008-10-09 R1

2008-10-10 R1

2008-10-07 R1

2008-10-06 R1

2012-12-15

2008-11-01 R1

2008-11-13

65C33095-5KT Gasket

INSTALLED ON

BOEING 737, 747, 757, 767, 777 SERIES AIRCRAFT

(SEE THE TURBINE KINETICS, INC. SUPPLEMENT(s) FOR SPECIFIC MODELS)

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The only controlled copy can be found at <http://ipc.heico.com>



TECHNICAL INSTRUCTION HAC21-003 Rev. N/C, December 22, 2021

1. Introduction

This HEICO Aerospace Technical Instruction (TI) is in response to the Turbine Kinetics, Inc. (TK) request for an Alternate Means of Compliance (AMOC) to the Airworthiness Directives (ADs) listed on page 1 of this TI (see Attachment 1). The subject ADs require revising the FAA-approved maintenance program by incorporating new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. The ADs result from a design review of fuel tank systems. The ADs are intended to prevent the potential for ignition sources inside the fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Contact HEICO Customer Support for assistance or questions regarding this TI at:

- Telephone: 954-961-9800 (8AM to 5PM EST)
- FAX: 954-987-7585
- Email: cs@heico.com

2. Discussion

TK (A HEICO Company) has received PMA (see Attachment 2) for an article installed within the fuel tank systems referenced in the ADs listed on page 1 of this TI. A request for an AMOC to the subject ADs for TK Part Number (P/N) 65C33095-5KT was submitted to the FAA. The FAA responded as follows:

Since your PMA gasket is the same as the OEM and installation procedures are the same, no AMOC's are needed for the subject AD's. The PMA Supplement provides the authority to install the part in lieu of the OEM part. All of the Airworthiness Limitations required by the AD's listed and any future AD's that address the OEM part or its installation would also apply to your PMA part.

Please see Attachment 3 for a copy of the FAA's response.

3. Material Information

This document will be maintained and the latest approved revision posted on the HEICO web site at <http://ipc.heico.com>.

4. Revision and Approval History

Initial Release – December 22, 2021

Attachment 1

[Federal Register: December 31, 2009 (Volume 74, Number 250)]

[Rules and Regulations]

[Page 69264-69267]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr31de09-8]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1210; Directorate Identifier 2009-NM-165-AD; Amendment 39-16148; AD 2008-10-09 R1]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: The FAA is revising an existing airworthiness directive (AD), which applies to all Model 737-100, -200, -200C, -300, -400, and -500 series airplanes. That AD currently requires revising the FAA-approved maintenance program to incorporate new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires an initial inspection to phase in certain repetitive AWL inspections, and repair if necessary. This AD clarifies the intended effect of the AD on spare and on-airplane fuel tank system components. That AD results from a design review of the fuel tank system. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective January 15, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of January 15, 2010.

On June 12, 2008 (73 FR 25970, May 8, 2008), the Director of the Federal Register approved the incorporation by reference of a certain other publication listed in the AD.

We must receive any comments on this AD by February 16, 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 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; 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 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: Sue Lucier, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6438; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

On April 29, 2008, we issued AD 2008-10-09, Amendment 39-15515 (73 FR 25970, May 8, 2008). That AD applied to all Model 737-100, -200, -200C, -300, -400, and -500 series airplanes. That AD required revising the FAA-approved maintenance program to incorporate new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also required an initial inspection to phase in certain repetitive AWL inspections, and repair if necessary. That AD resulted from a design review of the fuel tank system. The actions specified in that AD are intended to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Critical design configuration control limitations (CDCCLs) are limitation requirements to preserve a critical ignition source prevention feature of the fuel tank system design that is necessary to prevent the occurrence of an unsafe condition. The purpose of a CDCCL is to provide instruction to retain the critical ignition source prevention feature during configuration change that may be caused by alterations, repairs, or maintenance actions. A CDCCL is not a periodic inspection.

Actions Since AD Was Issued

Since we issued that AD, we have determined that it is necessary to clarify the AD's intended effect on spare and on-airplane fuel tank system components, regarding the use of maintenance manuals and instructions for continued airworthiness.

Section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)) specifies the following:

No person may operate an aircraft for which a manufacturer's maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitation section unless the mandatory * * * procedures * * * have been complied with.

Some operators have questioned whether existing components affected by the new CDCCLs must be reworked. We did not intend for the AD to retroactively require rework of components that had been maintained using acceptable methods before the effective date of the AD. Owners and operators of the affected airplanes therefore are not required to rework affected components identified as airworthy or installed on the affected airplanes before the required revisions of the FAA-approved maintenance program. But once the CDCCLs are incorporated into the FAA-approved maintenance program, future maintenance actions on components must be done in accordance with those CDCCLs.

Relevant Service Information

AD 2008-10-09 cites Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision March 2008. Since we issued that AD, Boeing has revised the referenced service information. We have reviewed Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision May 2009 (hereafter referred to as "Revision May 2009 of Document D6-38278-CMR"). Among other actions, the revised service information clarifies certain task descriptions and adds some new AWLs for certain airplanes.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other airplanes of the same type design. For this reason, we are issuing this AD to revise AD 2008-10-09. This new AD retains the requirements of the existing AD, and adds a new note to clarify the intended effect of the AD on spare and on-airplane fuel tank system components.

Explanation of Additional Changes to AD

AD 2008-10-09 allowed the use of alternative inspections, inspection intervals, or CDCCLs if they are part of a later revision of Revision March 2008 of Document D6-38278-CMR. AD 2008-10-09 also allowed the use of later revisions of Revision March 2008 of Document D6-38278-CMR. Those provisions have been removed from this AD. Allowing the use of a "later approved" or "later FAA-approved revisions" of specific service documents violates Office of the Federal Register regulations for approving materials that are incorporated by reference. Affected operators, however, may request approval to use a later revision or an alternative inspection, inspection interval, or CDCCL that is part of a later revision of the referenced service document, as an alternative method of compliance, under the provisions of paragraph (k) of this AD.

Costs of Compliance

There are about 2,337 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs, at an average labor rate of \$80 per work hour, for U.S. operators to comply with this AD.

Estimated Costs

Action	Work hours	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Maintenance program revision	8	None	\$640	672	\$430,080
Inspection	8	None	\$640	672	\$430,080

FAA's Justification and Determination of the Effective Date

This revision merely clarifies the intended effect on spare and on-airplane fuel tank system components, and makes no substantive change to the AD's requirements. For this reason, it is found that notice and opportunity for prior public comment for this action are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-1210; Directorate Identifier 2009-NM-165-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 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 the 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 AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

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 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. The FAA amends § 39.13 by removing Amendment 39-15515 (73 FR 25970, May 8, 2008) and adding the following new AD:



2008-10-09 R1 The Boeing Company: Amendment 39-16148. Docket No. FAA-2009-1210; Directorate Identifier 2009-NM-165-AD.

Effective Date

(a) This airworthiness directive (AD) is effective January 15, 2010.

Affected ADs

(b) This AD revises AD 2008-10-09, Amendment 39-15515.

Applicability

(c) This AD applies to all The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 series airplanes, certificated in any category.

Unsafe Condition

(d) This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Compliance

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

Restatement of Requirements of AD 2008-10-09, With Revised Compliance Method

Service Information Reference

(f) The term "Revision March 2008 of Document D6-38278-CMR," as used in this AD, means Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision March 2008. The term "Revision May 2009 of Document D6-38278-CMR," as used in the AD, means Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision May 2009.

Maintenance Program Revision

(g) Before December 16, 2008, revise the FAA-approved maintenance program to incorporate the information specified in paragraph (g)(1) or (g)(2) of this AD, as applicable; except that the initial inspection required by paragraph (h) of this AD must be done at the applicable compliance time specified in that paragraph.

(1) For Model 737-100, -200, and -200C series airplanes: Section C, "FUEL SYSTEMS AIRWORTHINESS LIMITATIONS," including AWLs No. 28-AWL-01 through No. 28-AWL-20 inclusive, of Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR. As an optional action, AWLs No. 28-AWL-21 through No. 28-AWL-23 inclusive, as identified in Section C of Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR, also may be incorporated into the FAA-approved maintenance program.

(2) For Model 737-300, -400, and -500 series airplanes: Section C, "FUEL SYSTEMS AIRWORTHINESS LIMITATIONS," including AWLs No. 28-AWL-01 through No. 28-AWL-19 inclusive, Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR. As an optional action, AWLs No. 28-AWL-20 through No. 28-AWL-22 inclusive, as identified in Section C of Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR, also may be incorporated into the FAA-approved maintenance program.

Initial Inspection and Repair if Necessary

(h) For the airplanes identified in the "Applicability" column of AWL No. 28-AWL-03 of Section C of Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR: At the later of the compliance times specified in paragraphs (h)(1) and (h)(2) of this AD, do a special detailed inspection of the lightning shield to ground termination on the out-of-tank fuel quantity indication system (FQIS) wiring to verify functional integrity, in accordance with AWL No. 28-AWL-03 of Section C of Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR. If any discrepancy is found during the inspection, repair the discrepancy before further flight in accordance with AWL No. 28-AWL-03 of Section C of Revision March 2008 of Document D6-38278-CMR, or Revision May 2009 of Document D6-38278-CMR. Accomplishing AWL No. 28-AWL-03 as part of an FAA-approved maintenance program before the applicable compliance time specified in paragraph (h)(1) or (h)(2) of this AD constitutes compliance with the requirements of this paragraph.

Note 1: For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

(1) Within 120 months since the date of issuance of the original standard airworthiness certification or the date of issuance of the original export certificate of airworthiness.

(2) Within 24 months after June 12, 2008 (the effective date of AD 2008-10-09).

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

(i) After accomplishing the actions specified in paragraphs (g) and (h) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (k) of this AD.

Credit for Actions Done According to Previous Revisions of the Service Information

(j) Actions done before the effective date of this AD in accordance with the Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision May 2006; Revision September 2006; Revision

November 2007; or Revision March 2008; are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD.

New Information

Explanation of CDCCL Requirements

Note 2: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the FAA-approved maintenance program, as required by paragraph (g) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the FAA-approved maintenance program has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Seattle 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: Sue Lucier, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6438; fax (425) 917-6590. Or, e-mail information to 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(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.

(3) AMOCs approved previously in accordance with AD 2008-10-09, Amendment 39-15515, are approved as AMOCs for the corresponding provisions of this AD.

Material Incorporated by Reference

(l) You must use Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision March 2008; or Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision May 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 Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision May 2009, under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The Director of the Federal Register previously approved the incorporation by reference of Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-38278-CMR, Revision March 2008, on June 12, 2008 (73 FR 25970, May 8, 2008).

(3) 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; Internet <https://www.myboeingfleet.com>.

(4) You may review copies of the 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.

(5) You may also review copies of the service information that is incorporated by reference 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 December 16, 2009.
Stephen P. Boyd,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. E9-30565 Filed 12-30-09; 8:45 am]

[Federal Register: January 12, 2010 (Volume 75, Number 7)]
[Rules and Regulations]
[Page 1529-1533]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1226; Directorate Identifier 2009-NM-149-AD; Amendment 39-16164; AD 2008-10-10 R1]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, and -900 Series Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: The FAA is revising an existing airworthiness directive (AD), which applies to certain Model 737-600, -700, -700C, -800, and -900 series airplanes. That AD currently requires revising the Airworthiness Limitations (AWLs) section of the Instructions for Continued Airworthiness by incorporating new limitations for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires an initial inspection to phase in certain repetitive AWL inspections, and repair if necessary. This AD clarifies the intended effect of the AD on spare and on-airplane fuel tank system components. This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective January 27, 2010.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of January 27, 2010.

On June 12, 2008 (73 FR 25986, May 8, 2008), the Director of the Federal Register approved the incorporation by reference of a certain other publication listed in the AD.

We must receive any comments on this AD by February 26, 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.

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FOR FURTHER INFORMATION CONTACT: Thomas Thorson, Aerospace Engineer, Propulsion Branch, ANM-140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6508; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

On April 29, 2008, we issued AD 2008-10-10, Amendment 39-15516 (73 FR 25986, May 8, 2008). That AD applied to certain Model 737-600, -700, -700C, -800, and -900 series airplanes. That AD required revising the Airworthiness Limitations (AWLs) section of the Instructions for Continued Airworthiness (ICA) by incorporating new limitations for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires an initial inspection to phase in certain repetitive AWL inspections, and repair if necessary. That AD resulted from a design review of the fuel tank systems. The actions specified in that AD are intended to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Critical design configuration control limitations (CDCCLs) are limitation requirements to preserve a critical ignition source prevention feature of the fuel tank system design that is necessary to prevent the occurrence of an unsafe condition. The purpose of a CDCCL is to provide instruction to retain the critical ignition source prevention feature during configuration change that may be caused by alterations, repairs, or maintenance actions. A CDCCL is not a periodic inspection.

Actions Since AD Was Issued

Since we issued that AD, we have determined that it is necessary to clarify the AD's intended effect on spare and on-airplane fuel tank system components, regarding the use of maintenance manuals and instructions for continued airworthiness.

Section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)) specifies the following:

No person may operate an aircraft for which a manufacturer's maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitation section unless the mandatory * * * procedures * * * have been complied with.

Some operators have questioned whether existing components affected by the new CDCCLs must be reworked. We did not intend for the AD to retroactively require rework of components that had been maintained using acceptable methods before the effective date of the AD. Owners and operators of the affected airplanes therefore are not required to rework affected components identified as airworthy or installed on the affected airplanes before the required revisions of the AWLs. But once the CDCCLs are incorporated into the AWLs, future maintenance actions on components must be done in accordance with those CDCCLs.

Relevant Service Information

AD 2008-10-10 cites Boeing Temporary Revision 09-020, dated March 2008, to the Boeing 737-600/700/800/900 Maintenance Planning Data (MPD) Document, D626A001-CMR. Since we issued that AD, Boeing has revised Section 9 of the referenced service information. We have reviewed the revised document. Section 9, Revision September 2009, dated September 2009, of Boeing 737-600/700/800/900 MPD, Document D626A001-CMR, adds no new procedures in regard to fuel tank safety. We have added paragraph (l) of this AD to give credit for actions required by paragraphs (g) and (h) of this AD that were done before the effective date of this AD in accordance with Section 9, Revision September 2009, dated September 2009, of Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, and the following earlier revisions: Revision March 2008, Revision April 2008, Revision June 2008, Revision February 2009, Revision March 2009, and Revision August 2009.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other airplanes of the same type design. For this reason, we are issuing this AD to revise AD 2008-10-10. This new AD retains the requirements of the existing AD, and adds a new note to clarify the intended effect of the AD on spare and on-airplane fuel tank system components.

Explanation of Additional Changes to AD

AD 2008-10-10 allowed the use of alternative inspections, intervals, or CDCCLs if they are part of a later revision of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008. AD 2008-10-10 also allowed the use of later revisions of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR. Those provisions have been removed from this AD. Allowing the use of "a later revision" or "later FAA-approved revisions" of specific service documents violates Office of the Federal Register regulations for approving materials that are incorporated by reference. Affected operators, however, may request approval to use a later revision or an alternative CDCCL, inspection, or interval, that is part of a later revision of the referenced service documents as an alternative method of compliance, under the provisions of paragraph (m) of this AD.

We have revised paragraphs (g)(1), (g)(2), (g)(3), and (h) of this AD to remove the term "Revision March 2008 of the MPD," which is defined in paragraph (f) of this AD. We have provided the full document citation throughout this AD to avoid any confusion about which specific document is being referenced. However, we have not removed the "Service Information Reference" paragraph from this AD. Because this AD revises AD 2008-10-10, we cannot change paragraph references, which would adversely affect compliance. Therefore, we have determined that leaving paragraph (f) of this AD unchanged is a less burdensome approach for operators, while still adhering to standard drafting guidance.

We have revised this AD to identify the legal name of the manufacturer as published in the most recent type certificate data sheet for the affected airplane models.

Costs of Compliance

This revision imposes no additional economic burden. The current costs for this AD are repeated for the convenience of affected operators, as follows:

There are about 1,960 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs, at an average labor rate of \$80 per work hour, for U.S. operators to comply with this AD.

Estimated Costs					
Action	Work hours	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
AWLs revision	8	None	\$640	682	\$436,480
Inspection	8	None	\$640	682	\$436,480

FAA's Justification and Determination of the Effective Date

This revision merely clarifies the intended effect on spare and on-airplane fuel tank system components, and makes no substantive change to the AD's requirements. For this reason, it is found that notice and opportunity for prior public comment for this action are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-1226; Directorate Identifier 2009-NM-149-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 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 the 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 AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

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 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. The FAA amends § 39.13 by removing Amendment 39-15516 (73 FR 25986, May 8, 2008) and adding the following new AD:



2008-10-10 R1 The Boeing Company: Amendment 39-16164. Docket No. FAA-2009-1226; Directorate Identifier 2009-NM-149-AD.

Effective Date

(a) This airworthiness directive (AD) is effective January 27, 2010.

Affected ADs

(b) This AD revises AD 2008-10-10, Amendment 39-15516.

Applicability

(c) This AD applies to The Boeing Company Model 737-600, -700, -700C, -800, and -900 series airplanes, certificated in any category, with an original standard airworthiness certificate or original export certificate of airworthiness issued before March 31, 2006.

Note 1: Airplanes with an original standard airworthiness certificate or original export certificate of airworthiness issued on or after March 31, 2006, must already be in compliance with the airworthiness limitations specified in this AD because those limitations were applicable as part of the airworthiness certification of those airplanes.

Note 2: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (m) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Unsafe Condition

(d) This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Compliance

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

Restatement of Requirements of AD 2008-10-10, With Revised Service Information

Service Information Reference

(f) The term "Revision March 2008 of the MPD," as used in this AD, means Boeing Temporary Revision (TR) 09-020, dated March 2008, to the Boeing 737-600/700/800/900 Maintenance Planning Data (MPD) Document, D626A001-CMR, Revision March 2008.

Revision to Airworthiness Limitations (AWLs) Section

(g) Before December 16, 2008, revise the AWLs section of the Instructions for Continued Airworthiness (ICA) by incorporating into the MPD the information in the subsections specified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD; except that the initial inspection required by paragraph (h) of this AD must be done at the applicable compliance time specified in that paragraph.

(1) Subsection E, "AIRWORTHINESS LIMITATIONS—FUEL SYSTEMS," of Boeing TR 09-020, dated March 2008, to the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; or of Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 Maintenance Planning Data (MPD) Document, D626A001-CMR.

(2) Subsection F, "PAGE FORMAT: FUEL SYSTEM AIRWORTHINESS LIMITATIONS," of Boeing TR 09-020, dated March 2008, to the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; or Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR.

(3) Subsection G, "AIRWORTHINESS LIMITATIONS—FUEL SYSTEM AWLs," AWLs No. 28-AWL-01 through No. 28-AWL-22 inclusive, of Boeing TR 09-020, dated March 2008, to the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; or Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR. As an optional action, AWLs No. 28-AWL-23 and No. 28-AWL-24, as identified in Subsection G of Boeing TR 09-020, dated March 2008, to the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; or Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR; also may be incorporated into the AWLs section of the ICA.

Initial Inspection and Repair if Necessary

(h) At the later of the compliance times specified in paragraphs (h)(1) and (h)(2) of this AD, do a special detailed inspection of the lightning shield to ground termination on the out-of-tank fuel quantity indication system (FQIS) wiring to verify functional integrity, in accordance with AWL No. 28-AWL-03 of Subsection G of Boeing TR 09-020, dated March 2008, to the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; or Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR. If any discrepancy is found during the inspection, repair the discrepancy before further flight in accordance with AWL No. 28-AWL-03 of Subsection G of Boeing TR 09-020, dated March 2008, to the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; or Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR. Accomplishing AWL No. 28-AWL-03 as part of an FAA-approved maintenance program before the applicable compliance time specified in paragraph (h)(1) or (h)(2) of this AD constitutes compliance with the requirements of this paragraph.

Note 3: For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination

is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

(1) Within 120 months since the date of issuance of the original standard airworthiness certification or the date of issuance of the original export certificate of airworthiness.

(2) Within 24 months after June 12, 2008 (the effective date of AD 2008-10-10).

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

(i) After accomplishing the actions specified in paragraphs (g) and (h) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (m) of this AD.

Credit for Actions Done According to Previous Revisions of the MPD

(j) Actions done before June 12, 2008, in accordance with the following MPDs are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD: Section 9 of the Boeing 737-600/700/700C/700IGW/800/900 MPD Document, D626A001-CMR, Revision March 2006; Revision May 2006; Revision October 2006; Revision November 2006; or Revision November 2006 R1; or Section 9 of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2007; Revision March 2007 R1; Revision March 2007 R2; or Revision February 2008.

Terminating Action for AD 2008-06-03, Amendment 39-15415

(k) Incorporating AWLs No. 28-AWL-21, No. 28-AWL-22, and No. 28-AWL-24 into the AWLs section of the ICA in accordance with paragraph (g) of this AD terminates the action required by paragraph (h)(1) of AD 2008-06-03.

New Information

Explanation of CDCCL Requirements

Note 4: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the AWLs, as required by paragraph (g) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the AWLs have been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

Credit for Actions Done According to Previous Revisions of the MPD

(l) Actions done before the effective date of this AD, in accordance with the following MPDs are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD: Section 9 of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, Revision March 2008; Revision April 2008; Revision June 2008; Revision February 2009; Revision March 2009; or Revision August 2009.

Alternative Methods of Compliance (AMOCs)

(m)(1) The Manager, Seattle Aircraft Certification Office (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: Thomas Thorson, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6508; fax (425) 917-6590. Or, e-mail information to 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(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 FSDO. The AMOC approval letter must specifically reference this AD.

(3) AMOCs approved previously in accordance with AD 2008-10-10 are approved as AMOCs for the corresponding provisions of this AD.

Material Incorporated by Reference

(n) You must use Boeing Temporary Revision 09-020, dated March 2008, to the Boeing 737-600/700/800/900 Maintenance Planning Data (MPD) Document D626A001-CMR; or Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR; 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 Section 9, Revision September 2009, dated September 2009, of the Boeing 737-600/700/800/900 MPD Document, D626A001-CMR, under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The Director of the Federal Register previously approved the incorporation by reference of Boeing Temporary Revision 09-020, dated March 2008, to the Boeing 737-600/700/800/900 Maintenance Planning Data (MPD) Document, D626A001-CMR, on June 12, 2008 (73 FR 25986, May 8, 2008).

(3) 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; Internet <https://www.myboeingfleet.com>.

(4) You may review copies of the 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.

(5) You may also review copies of the service information that is incorporated by reference 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 December 23, 2009.

Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1000; Directorate Identifier 2009-NM-164-AD; Amendment 39-16070; AD 2008-10-07 R1]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: The FAA is revising an existing airworthiness directive (AD), which applies to all Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP series airplanes. That AD currently requires revising the FAA-approved maintenance program by incorporating new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires the initial inspection of certain repetitive AWL inspections to phase in those inspections, and repair if necessary. This AD clarifies the intended effect of the AD on spare and on-airplane fuel tank system components. This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective November 16, 2009.

On June 12, 2008 (73 FR 25977, May 8, 2008), the Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD.

We must receive any comments on this AD by December 14, 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.

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; 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 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: Douglas Bryant, Aerospace Engineer, Propulsion Branch, ANM-140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6505; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

On April 28, 2008, we issued AD 2008-10-07, amendment 39-15513 (73 FR 25977, May 8, 2008). That AD applies to all Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP series airplanes. That AD requires revising the FAA-approved maintenance program by incorporating new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires the initial inspection of certain repetitive AWL inspections to phase in those inspections, and repair if necessary. That AD resulted from a design review of the fuel tank systems. The actions specified in that AD are intended to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Critical design configuration control limitations (CDCCLs) are limitation requirements to preserve a critical ignition source prevention feature of the fuel tank system design that is necessary to prevent the occurrence of an unsafe condition. The purpose of a CDCCL is to provide instruction to retain the critical ignition source prevention feature during configuration change that may be caused by alterations, repairs, or maintenance actions. A CDCCL is not a periodic inspection.

Actions Since AD Was Issued

Since we issued that AD, we have determined that it is necessary to clarify the AD's intended effect on spare and on-airplane fuel tank system components, regarding the use of maintenance manuals and instructions for continued airworthiness.

Section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)) specifies the following:

No person may operate an aircraft for which a manufacturer's maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitation section unless the mandatory * * * procedures * * * have been complied with.

Some operators have questioned whether existing components affected by the new CDCCLs must be reworked. We did not intend for the AD to retroactively require rework of components that had been maintained using acceptable methods before the effective date of the AD. Owners and operators of the affected airplanes therefore are not required to rework affected components identified as airworthy or installed on the affected airplanes before the required revisions of the FAA-approved maintenance program. But once the CDCCLs are incorporated into the FAA-approved maintenance program, future maintenance actions on components must be done in accordance with those CDCCLs.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other airplanes of the same type design. For this reason, we are issuing this AD to revise AD 2008-10-07. This new AD retains the requirements of the existing AD, and adds a new note to clarify the intended effect of the AD on spare and on-airplane fuel tank system components.

Explanation of Additional Change to AD

AD 2008-10-07 allowed the use of alternative inspections, inspection intervals, and CDCCLs if they are part of a later revision of the Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-13747-CMR, Revision March 2008. AD 2008-10-07 also allowed use of later revisions of Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-13747-CMR, Revision March 2008. Those provisions have been removed from this AD. Allowing the use of "a later revision" of a specific service document violates Office of the Federal Register policies for approving materials that are incorporated by reference. Affected operators, however, may request approval to use an alternative inspection, inspection interval, or CDCCL that is part of a later revision of the referenced service document as an alternative method of compliance, under the provisions of paragraph (k) of this AD.

Costs of Compliance

This revision imposes no additional economic burden. The current costs for this AD are repeated for the convenience of affected operators, as follows:

There are about 308 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs, at an average labor rate of \$80 per work hour, for U.S. operators to comply with this AD.

Estimated Costs					
Action	Work hours	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Maintenance program revision	8	None	\$640	93	\$59,520
Inspections	8	None	\$640	93	\$59,520

FAA's Justification and Determination of the Effective Date

This revision merely clarifies the intended effect on spare and on-airplane fuel tank system components, and makes no substantive change to the AD's requirements. For this reason, it is found

that notice and opportunity for prior public comment for this action are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-1000; Directorate Identifier 2009-NM-164-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 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 the 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 AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

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 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. The FAA amends § 39.13 by removing amendment 39-15513 (73 FR 25977, May 8, 2008) and adding the following new AD:



2008-10-07 R1 Boeing: Amendment 39-16070. Docket No. FAA-2009-1000; Directorate Identifier 2009-NM-164-AD.

Effective Date

(a) This airworthiness directive (AD) is effective November 16, 2009.

Affected ADs

(b) This AD revises AD 2008-10-07.

Applicability

(c) This AD applies to all Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP series airplanes, certificated in any category.

Note 1: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (k) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Unsafe Condition

(d) This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Compliance

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

Restatement of AD 2008-10-07 With Changes to Compliance Method: Service Information Reference

(f) The term "Revision March 2008 of Document D6-13747-CMR," as used in this AD, means Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-13747-CMR, Revision March 2008. (For the purposes of Revision March 2008 of Document D6-13747-CMR, the Model 747SR series airplane is basically a Model 747-100 series airplane with certain modifications to improve fatigue life.)

Maintenance Program Revision

(g) Before December 16, 2008, revise the FAA-approved maintenance program to incorporate the information in Section D, "AIRWORTHINESS LIMITATIONS–SYSTEMS," AWLs No. 28-AWL-01 through No. 28-AWL-19 inclusive, of Revision March 2008 of Document D6-13747-CMR; except that the initial inspections required by paragraph (h) of this AD must be done at the applicable compliance time specified in that paragraph. As an optional action, AWLs No. 28-AWL-20 through No. 28-AWL-23 inclusive, as identified in Section D of Revision March 2008 of Document D6-13747-CMR, also may be incorporated into the FAA-approved maintenance program.

Initial Inspections and Repair if Necessary

(h) Do the inspections specified in Table 1 of this AD at the compliance time specified in Table 1 of this AD, and repair any discrepancy, in accordance with Section D of Revision March 2008 of Document D6-13747-CMR. The repair must be done before further flight. Accomplishing the inspections identified in Table 1 of this AD as part of an FAA-approved maintenance program before the applicable compliance time specified in Table 1 of this AD constitutes compliance with the requirements of this paragraph.

Note 2: 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 procedures may be required."

Note 3: For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

Table 1 – Initial Inspections

AWL No.	Description	Compliance Time (whichever occurs later)	
		Threshold	Grace Period
28-AWL-01	A detailed inspection of external wires over the center fuel tank for damaged clamps, wire chafing, and wire bundles in contact with the surface of the center fuel tank	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 72 months after June 12, 2008 (the effective date of AD 2008-10-07)
28-AWL-03	A special detailed inspection of the lightning shield to ground termination on the out-of-tank fuel quantity indicating system to verify functional integrity	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 24 months after June 12, 2008

28-AWL-13	A special detailed inspection of the fault current bond of the fueling shutoff valve actuator of the center wing tank to verify electrical bond	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 60 months after June 12, 2008
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No Alternative Inspections, Inspection Intervals, or Critical Design Configuration Control Limitations (CDCCLs)

(i) After accomplishing the actions specified in paragraphs (g) and (h) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (k) of this AD.

Credit for Actions Done According to Previous Revisions of the Service Information

(j) Actions done before the June 12, 2008, in accordance with Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-13747-CMR, Revision March 2006; Revision May 2006; Revision December 2006; Revision January 2007; Revision September 2007; or Revision January 2008; are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD.

New Information

Explanation of CDCCL Requirements

Note 4: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the FAA-approved maintenance program, as required by paragraph (g) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the FAA-approved maintenance program has been revised, future maintenance actions on these components must be done, in accordance with the CDCCLs.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Seattle Aircraft Certification Office (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: Douglas Bryant, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle ACO, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6505; fax (425) 917-6590. Or, e-mail information to 9-ANM-Seattle-ACO-AMOC-Requests-faa.gov.

(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.

Material Incorporated by Reference

(l) You must use Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-13747-CMR, Revision March 2008, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register previously approved the incorporation by reference of Boeing 747-100/200/300/SP Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6-13747-CMR, Revision March 2008, on June 12, 2008 (73 FR 25977, May 8, 2008).

(2) 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; Internet <https://www.myboeingfleet.com>.

(3) You may review copies of the 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.

(4) You may also review copies of the service information that is incorporated by reference 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 22, 2009.

Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1222; Directorate Identifier 2009-NM-153-AD; Amendment 39-16160; AD 2008-10-06 R1]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Model 747-400, -400D, and -400F Series Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: The FAA is revising an existing airworthiness directive (AD), which applies to certain Model 747-400, -400D, and -400F series airplanes. That AD currently requires revising the FAA-approved maintenance program by incorporating new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires phasing in certain repetitive AWL inspections, and repair if necessary. This AD clarifies the intended effect of the AD on spare and on-airplane fuel tank system components. This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective January 22, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of January 22, 2010.

On June 12, 2008 (73 FR 25990, May 8, 2008), the Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD.

We must receive any comments on this AD by February 22, 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 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; 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 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: Judy Coyle, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6497; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

On April 28, 2008, we issued AD 2008-10-16, Amendment 39-15512 (73 FR 25990, May 8, 2008). That AD applied to certain Model 747-400, -400D, and -400F series airplanes. That AD required revising the FAA-approved maintenance program by incorporating new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also required the phasing in of certain repetitive AWL inspections, and repair if necessary. That AD resulted from a design review of the fuel tank systems. The actions specified in that AD are intended to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Critical design configuration control limitations (CDCCLs) are limitation requirements to preserve a critical ignition source prevention feature of the fuel tank system design that is necessary to prevent the occurrence of an unsafe condition. The purpose of a CDCCL is to provide instruction to retain the critical ignition source prevention feature during configuration change that may be caused by alterations, repairs, or maintenance actions. A CDCCL is not a periodic inspection.

Actions Since AD Was Issued

Since we issued that AD, we have determined that it is necessary to clarify the AD's intended effect on spare and on-airplane fuel tank system components, regarding the use of maintenance manuals and instructions for continued airworthiness.

Section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)) specifies the following:

No person may operate an aircraft for which a manufacturer's maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitation section unless the mandatory * * * procedures * * * have been complied with.

Some operators have questioned whether existing components affected by the new CDCCLs must be reworked. We did not intend for the AD to retroactively require rework of components that had been maintained using acceptable methods before the effective date of the AD. Owners and operators of the affected airplanes therefore are not required to rework affected components identified as airworthy or installed on the affected airplanes before the required revisions of the FAA-approved maintenance program. But once the CDCCLs are incorporated into the FAA-approved maintenance program, future maintenance actions on components must be done in accordance with those CDCCLs.

Relevant Service Information

AD 2008-10-06 cites Boeing Temporary Revision 09-010, dated March 2008, to the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9. Since we issued that AD, Boeing has revised the referenced service information. We have reviewed Revisions April 2008, and March 2009, to Section 9 of the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9. The revised MPDs add no new procedures, and revise certain others.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other airplanes of the same type design. For this reason, we are issuing this AD to revise AD 2008-10-06. This new AD retains the requirements of the existing AD, and adds a new note to clarify the intended effect of the AD on spare and on-airplane fuel tank system components.

Explanation of Additional Changes to AD

AD 2008-10-06 allowed the use of later revisions of the FAA-approved maintenance program. That provision has been removed from this AD. Allowing the use of "a later revision" of specific service documents violates Office of the Federal Register regulations for approving materials that are incorporated by reference. Affected operators, however, may request approval to use a later revision of the referenced service documents as an alternative method of compliance, under the provisions of paragraph (l) of this AD.

We have revised this AD to identify the legal name of the manufacturer as published in the most recent type certificate data sheet for the affected airplane models.

Costs of Compliance

This revision imposes no additional economic burden. The current costs for this AD are repeated for the convenience of affected operators, as follows:

We estimate that this AD affects 596 airplanes of U.S. registry. We also estimate that it takes about 48 work-hours per product to comply with this AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$2,288,640, or \$3,840 per product.

FAA's Justification and Determination of the Effective Date

This revision merely clarifies the intended effect on spare and on-airplane fuel tank system components, and makes no substantive change to the AD's requirements. For this reason, it is found that notice and opportunity for prior public comment for this action are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-1222; Directorate Identifier 2009-NM-153-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 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 the 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 AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

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 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. The FAA amends § 39.13 by removing amendment 39-15512 (73 FR 25990, May 8, 2008) and adding the following new AD:



2008-10-06 R1 The Boeing Company: Amendment 39-16160. Docket No. FAA-2009-1222; Directorate Identifier 2009-NM-153-AD.

Effective Date

- (a) This airworthiness directive (AD) is effective January 22, 2010.

Affected ADs

- (b) This AD revises AD 2008-10-06, Amendment 39-15512.

Applicability

(c) This AD applies to The Boeing Company Model 747-400, -400D, and -400F series airplanes, certificated in any category; with an original standard airworthiness certificate or original export certificate of airworthiness issued before April 12, 2006.

Note 1: Airplanes with an original standard airworthiness certificate or original export certificate of airworthiness issued on or after April 12, 2006, must be already in compliance with the airworthiness limitations specified in this AD because those limitations were applicable as part of the airworthiness certification of those airplanes.

Note 2: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (l) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Unsafe Condition

(d) This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Compliance

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

Service Information Reference

(f) The term "Revision March 2008 of the MPD," as used in this AD, means Boeing Temporary Revision (TR) 09-010, dated March 2008. Boeing TR 09-010 is published as Section 9 of the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9, Revision March 2008.

Restatement of AD 2008-10-06, With Revised Compliance Method

Maintenance Program Revision

(g) Before December 16, 2008, revise the FAA-approved maintenance program by incorporating the information in the subsections specified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD; except that the initial inspections specified in Table 1 of this AD must be done at the compliance times specified in Table 1.

(1) Subsection B, "AIRWORTHINESS LIMITATIONS (AWLs)–SYSTEMS," of Boeing TR 09-010, dated March 2008; or Section 9, Revision April 2008, or March 2009, of the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9.

(2) Subsection C, "PAGE FORMAT: FUEL SYSTEMS AIRWORTHINESS LIMITATIONS," of Boeing TR 09-010, dated March 2008; or Section 9, Revision April 2008, or March 2009, of the Boeing 747-400 MPD, Document, D621U400-9.

(3) Subsection D, "AIRWORTHINESS LIMITATIONS–FUEL SYSTEMS," AWLs No. 28-AWL-01 through No. 28-AWL-23 inclusive, of Boeing TR 09-010, dated March 2008; or Section 9, Revision April 2008, or March 2009, of the Boeing 747-400 MPD Document, D621U400-9. As an optional action, AWLs No. 28-AWL-24 through No. 28-AWL-29 inclusive, as identified in Subsection D of Boeing TR 09-010, Revision March 2008; or Section 9, Revision April 2008, or March 2009, of the Boeing 747-400 MPD Document, D621U400-9; also may be incorporated into the FAA-approved maintenance program.

Initial Inspections and Repair if Necessary

(h) Do the inspections specified in Table 1 of this AD at the compliance time specified in Table 1 of this AD, and repair any discrepancy, in accordance with Subsection D of Boeing TR 09-010 dated March 2008; or Section 9, Revision April 2008, or March 2009, of the Boeing 747-400 MPD Document, D621U400-9. The repair must be done before further flight. Accomplishing the inspections identified in Table 1 of this AD as part of an FAA-approved maintenance program before the applicable compliance time specified in Table 1 of this AD constitutes compliance with the requirements of this paragraph.

Note 3: 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 procedures may be required."

Note 4: For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

Table 1 – Initial Inspections

AWL No.	Description	Compliance Time (whichever occurs later)	
		Threshold	Grace Period
28-AWL-01	A detailed inspection of external wires over the center fuel tank for damaged or loose clamps, wire chafing, and wire bundles in contact with the surface of the center fuel tank	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 72 months after June 12, 2008 (the effective date of AD 2008-10-06)
28-AWL-03	A special detailed inspection of the lightning shield to ground termination on the out-of-tank fuel quantity indicating system to verify functional integrity	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 24 months after June 12, 2008 (the effective date of AD 2008-10-06)
28-AWL-10	A special detailed inspection of the fault current bond of the fueling shutoff valve actuator of the center wing tank to verify electrical bond	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 60 months after June 12, 2008 (the effective date of AD 2008-10-06)

Incorporation of Additional AWLs for Certain Airplanes

(i) For Model 747-400 series airplanes equipped with an auxiliary fuel tank: Before December 16, 2008, revise the FAA-approved maintenance program by incorporating AWLs No. 28-AWL-30, No. 28-AWL-31, and No. 28-AWL-32 of Subsection D of Boeing TR 09-010, dated March 2008; or Section 9, Revision April 2008, or March 2009, of the Boeing 747-400 MPD Document, D621U400-9.

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

(j) After accomplishing the applicable actions specified in paragraphs (g), (h), and (i) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (l) of this AD.

Credit for Actions Done According to Previous Revisions of the MPD

(k) Actions done before June 12, 2008, in accordance with Section 9 of the Boeing 747-400 MPD Document, D621U400-9, Revision 23, dated March 2006; Revision 24, dated June 2006; Revision November 2006; Revision December 2006; Revision December 2006 R1; Revision May 2007; Revision October 2007; or Revision November 2007; are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD.

New Information

Explanation of CDCCL Requirements

Note 5: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the FAA-approved maintenance program, as required by paragraph (g) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the FAA-approved maintenance program has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

Alternative Methods of Compliance (AMOCs)

(1)(1) The Manager, Seattle 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: Judy Coyle, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6497; fax (425) 917-6590. Or, e-mail information to 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(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.

(3) AMOCs approved previously in accordance with AD 2008-10-06, are approved as AMOCs for the corresponding provisions of this AD.

Material Incorporated by Reference

(m) You must use Boeing Temporary Revision 09-010, dated March 2008, to the Boeing 747-400 Maintenance Planning Data (MPD) Document D621U400-9; Section 9, Revision April 2008, of the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9; or Section 9, Revision March 2009, of the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9; 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 Section 9, Revision April 2008, of the Boeing 747-400 Maintenance Planning Data (MPD) Document D62U400-9; and Section 9, Revision March 2009, of the Boeing 747-400 Maintenance Planning Data (MPD) Document, D621U400-9; under 5 U.S.C. 522(a) and 1 CFR part 51.

(2) The Director of the Federal Register previously approved the incorporation by reference of Boeing Temporary Revision 09-010, dated March 2008, to the Boeing 747-400 MPD Document D621U400-9, on June 12, 2008 (73 FR 25990, May 8, 2008).

(3) 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; Internet <https://www.myboeingfleet.com>.

(4) You may review copies of the 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.

(5) You may also review copies of the service information that is incorporated by reference 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 December 21, 2009.
Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.

[Federal Register Volume 77, Number 141 (Monday, July 23, 2012)]
[Rules and Regulations]
[Pages 42964-42971]
From the Federal Register Online via the Government Printing Office [www.gpo.gov]
[FR Doc No: 2012-17558]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0304; Directorate Identifier 2010-NM-103-AD; Amendment 39-17095; AD 2012-12-15]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for The Boeing Company Model 757 Airplanes. That AD currently requires revising the Airworthiness Limitations (AWLs) section of the Instructions for Continued Airworthiness by incorporating new limitations for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires the initial inspection of certain repetitive AWL inspections to phase-in those inspections, and repair if necessary. This new AD requires actions that were provided previously as optional actions, and would require a certain initial inspection to be accomplished for a revised AWL. This AD was prompted by a report that an AWL required by the existing AD must be revised. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective August 27, 2012.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of August 27, 2012.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of June 12, 2008 (73 FR 25974, May 8, 2008).

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; Internet <https://www.myboeingfleet.com>. 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.

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 (phone: 800-647-5527) is 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: Tak Kobayashi, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6499; fax: 425-917-6590; email: takahisa.kobayashi@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede airworthiness directive (AD) AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008). That AD applies to the specified products. The NPRM published in the Federal Register on April 8, 2011 (76 FR 19710). That NPRM proposed to continue to require revising the Airworthiness Limitations (AWLs) section of the Instructions for Continued Airworthiness by incorporating new limitations for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements, and the initial inspection of certain repetitive AWL inspections to phase-in those inspections, and repair if necessary. That NPRM also proposed to require actions that were provided previously as optional actions, and would require a certain initial inspection to be accomplished for a revised AWL.

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comments received. Boeing supports the NPRM (76 FR 19710, April 8, 2011).

Request To Refer to the Most Recent Revision of Service Information

United Airlines (UAL) requested that paragraph (l) of the NPRM (76 FR 19710, April 8, 2011) be revised to allow use of Boeing Temporary Revision (TR) 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 Maintenance Planning Data (MPD) Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; to comply with the proposed requirements of that paragraph.

We infer that the commenter would like the AD to reference the current revision of the service information. We agree to revise this AD to refer to the most recent revision. We have revised paragraph (k) of this AD (paragraph (l) of the NPRM (76 FR 19710, April 8, 2011), and also paragraphs (h), (l), (m), and (n) of this AD (paragraphs (h), (m), (n), and (o) of the NPRM, respectively) to reference Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

Request To Allow Use of Later Revisions to Certain Service Information

UAL requested that additional revisions of service information be included in paragraphs (s) and (t) of the NPRM (76 FR 19710, April 8, 2011). UAL noted in particular, the MPD revisions approved by the ACO after publication of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008). Since paragraphs (g), (h), and (i) of AD 2008-10-11 allow the use of a later revision of the MPD that is approved by the Seattle ACO without requesting an alternative method of compliance (AMOC), UAL believed that operators that used those later revisions after publication of AD 2008-10-11, without an AMOC, for the actions required by paragraphs (g), (h), and (i) of that AD would be in violation of the NPRM because they would not receive credit for using those revisions.

We agree that for paragraph (h) of this AD (the restated actions of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008)), the following revisions of the MPD are acceptable. Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; and Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; are the acceptable revisions that have been approved after June 12, 2008 (the effective date of AD 2008-10-11). No AMOC approval is needed to use any of those three documents. We have revised paragraph (h) of this AD accordingly, and also paragraphs (k), (l), (m), and (n) of this AD (paragraphs (l), (m), (n), and (o) of the NPRM (76 FR 19710, April 8, 2011)) to reference all three MPD revisions that are acceptable for compliance with the requirements of this AD.

No change is necessary for paragraph (g) of this AD, because paragraph (k) of this AD (paragraph (l) of the NPRM (76 FR 19710, April 8, 2011)) (which terminates the requirements of paragraph (g) of this AD) has been revised to include those three MPD revisions.

Also, no change is necessary to paragraph (i) of this AD, because that paragraph does not reference service information. The paragraph clarifies that after accomplishing paragraphs (g) and (h) of this AD (except as required by paragraphs (k) and (l) of this AD respectively), no alternative inspections, inspection intervals, or critical design configuration control limitations (CDCCLs) are acceptable unless approved in accordance with the procedures specified in paragraph (s) of this AD.

Since we have included the MPD revision that was proposed as credit by paragraph (s) of the NPRM (76 FR 19710, April 8, 2011) as an MPD revision that is acceptable for compliance with this AD, we have deleted paragraph (s) of the NPRM (and re-identified paragraph (t) of the NPRM as paragraph (r)(2) of this AD) from this AD.

We do not agree that any revision to paragraph (r)(2) of this AD (paragraph (t) of the NPRM (76 FR 19710, April 8, 2011)) is necessary. Paragraph (r)(2) of this AD gives credit for a certain revision of the MPD for paragraphs (m) and (n) of this AD (paragraphs (n) and (o) of the NPRM), which are not a part of the existing actions of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008). We have not revised this AD in this regard.

Request To Revise Wording in Certain AWLs

UAL requested that wording in certain AWLs that refer to "later revisions" of component maintenance manuals (CMMs) be removed. UAL noted that the FAA removed references to "a later revision" of Section 9 of the Boeing 757 MPD Document, D622N001-9 (referenced as Boeing TR 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, in AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008)), to be consistent with FAA policy and with Office of the Federal Register regulations for approving materials that are incorporated by reference. UAL stated that section 51.1(f) of the Code of Federal Regulations (1 CFR 51.1(f)) prohibits the incorporation by reference of future amendments or revisions of publications, and

because specific revisions of the Boeing 757 MPD Document, D622N001-9, are incorporated by reference into the Federal Register, UAL believed that the MPD should also omit language referring to future revisions of CMMs.

We disagree with the request. Paragraphs (g)(3) and (k)(3) (paragraph (l)(3) of the NPRM (76 FR 19710, April 8, 2011)) of this AD do not require operators to comply with applicable AWLs, but instead, require operators to incorporate applicable AWLs into their maintenance program. Once those applicable AWLs are incorporated into the operators' maintenance programs, operators are in compliance with paragraphs (g)(3) and (k)(3) of this AD. Compliance with the condition defined in each AWL is required by section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)) as stated in Note 1 of the NPRM (76 FR 19710, April 8, 2011). Because this AD does not mandate compliance with the AWLs, any documents specified in the AWLs are not incorporated by reference in the Federal Register, and therefore, section 51.1(f) of the Code of Federal Regulations (1 CFR 51.1(f)) does not apply. We have not changed this AD in this regard.

Request To Clarify Differences Between Paragraphs (l)(3), (i), and (p) of the NPRM (76 FR 19710, April 8, 2011)

UAL requested further clarification in regards to paragraphs (i), (l)(3), and (p) of the NPRM (76 FR 19710, April 8, 2011). UAL noted that certain AWLs contain reference to later revisions of component maintenance manuals (CMMs). However, paragraphs (i) and (p) of the NPRM state that once certain AWLs are incorporated into the maintenance program, "no alternative inspections, intervals, or CDCCLs may be used unless * * * approved as an AMOC * * *." Given this restriction, UAL believes that as long as certain AWLs specify "later revisions" of certain documents, it would not be possible to comply with paragraphs (i) and (p) of the NPRM. UAL also asked if every future revision of a CMM approved by the Seattle ACO would require separate AMOC approval to satisfy the requirements of paragraphs (i) and (p) of the NPRM.

We agree to provide clarification. There is no conflict between the requirements of paragraph (k)(3) of this AD (paragraph (l)(3) of the NPRM (76 FR 19710, April 8, 2011)) and paragraphs (i) and (o) of this AD. Paragraphs (i) and (o) (paragraphs (i) and (p) of the NPRM) of this AD prohibit the use of an alternative inspection, inspection interval, or CDCCL unless it is approved as an AMOC. The intent of paragraphs (i) and (o) of this AD is to prohibit the use of an alternative AWL without AMOC approval, as each AWL defines an inspection, inspection interval, or CDCCL. If an operator desires to use an alternative AWL, such as an AWL defined in an MPD revision that is different from those specified in paragraphs (g)(3) and (k)(3) of this AD, that operator must obtain AMOC approval to use that alternative AWL, as required by paragraphs (i) and (o) of this AD. Once operators incorporate the AWLs required by this AD or alternative AWLs that have been approved as an AMOC into their maintenance program, they are in compliance with the requirements of paragraphs (g)(3) and (k)(3) of this AD, as applicable. After incorporation of the AWLs, operators are required to comply with each AWL by 14 CFR 91.403(c). Operators are in compliance with those AWLs as long as they use CMM revisions that have been approved by the Seattle ACO. Therefore, separate AMOC approval is not necessary to use CMM revisions that have been approved by the Seattle ACO. We have not changed this AD in this regard.

Request To Consolidate Paragraphs (i) and (p) of the NPRM (76 FR 19710, April 8, 2011)

UAL requested that we consolidate paragraphs (i) and (p) of the NPRM (76 FR 19710, April 8, 2011) into a single paragraph. UAL stated that it found what it considers to be an overlap between paragraphs (i) and (p) of the NPRM. UAL suggested that consolidating the paragraphs would streamline the AD and reduce confusion for operators.

We disagree. Paragraph (i) of this AD is a part of the restatement of the existing requirements of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008), and is for the restated requirements of paragraphs (g) and (h) of this AD. Paragraph (o) of this AD (paragraph (p) of the

NPRM (76 FR 19710, April 8, 2011)) is part of the new requirements of this superseding AD, and is intended to be effective once the revision required by paragraph (k) of this AD is done. We have not changed this AD in this regard. However, we have clarified paragraph (i) of this AD by noting that doing the actions required by paragraph (k) of this AD is an exception to the requirements of paragraph (i) of this AD.

Request To Consolidate the Credit Paragraphs

UAL requested that we consolidate paragraphs (j), (s), and (t) of the NPRM (76 FR 19710, April 8, 2011) into a single paragraph. UAL requested this action for the convenience of providing operators a single paragraph to reference. In an example that UAL provided, UAL suggested combining paragraphs (j) and (s) of the NPRM into one sub-paragraph with the same effective date of June 12, 2008, and paragraph (t) of the NPRM as the other sub-paragraph with an effective date of "before the effective date of this AD."

We partially agree. Paragraph (s) of the NPRM (76 FR 19710, April 8, 2011) has been deleted as previously discussed. Paragraphs (j) and (t) of the NPRM can be consolidated. We have removed paragraph (j) of the NPRM, re-identified subsequent paragraphs, and relocated the information from paragraph (j) of the NPRM to paragraph (r)(1) of this AD. The information in paragraph (t) of the NPRM is now in paragraph (r)(2) of this AD.

Request To Clarify or Revise the Effective Dates in Regards to a Certain Revision Level of the MPD Document

UAL requested that we revise a sentence in paragraph (h) of the NPRM (76 FR 19710, April 8, 2011) that reads "After the effective date of this AD, only * * * may be used" to allow 6 months before requiring operators to use the current revision of the MPD when complying with the initial inspection requirements of paragraph (h) of the NPRM. UAL noted that paragraph (h) of the NPRM proposed to require use of Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9, immediately after the effective date of the AD, while paragraph (l) of the NPRM would have allowed 6 months to incorporate the Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9, into the maintenance program. UAL is concerned about the effect that such a short compliance time could have on airplanes on which the operator started the initial inspection (using a previous revision of the MPD) before the effective date of the AD and completes the inspection after the effective date of the AD.

We agree to revise paragraph (h) of this AD to allow 6 months after the effective date of this AD before operators are required to do initial inspections using Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9. This change would make paragraphs (h) and (k) of this AD more consistent with each other.

Request To Confirm Existence of Paragraph (h)(2) of the NPRM (76 FR 19710, April 8, 2011)

UAL stated that it could not confirm the existence of paragraph (h)(2) of the NPRM (76 FR 19710, April 8, 2011).

We agree to provide clarification. Paragraph (h)(1)(ii) of this AD (paragraph (h)(2) of the NPRM (76 FR 19710, April 8, 2011)), along with paragraphs (h)(1)(i) and (h)(1)(iii) of this AD (paragraphs

(h)(1) and (h)(3) of the NPRM), are located within table 1 to paragraph (h)(1) of this AD. We have not changed this AD in this regard.

Request To Allow Use of Certain Hot Short Protectors (HSPs)

UAL requested the addition of a paragraph to the NPRM (76 FR 19710, April 8, 2011) that would allow the use of an HSP that passed a functional test described in a manufacturer's CMM. UAL noted that paragraph (r) of the NPRM discusses AWL No. 28-AWL-22, which specifies that a new unit be used during replacement of the HSP. UAL stated that Goodrich's CMM stated that the HSP is not repairable, however, the inclusion of a functional test procedure seems to indicate that an HSP can be used if it passes the functional test.

We disagree. AWL No. 28-AWL-22 as specified in the Boeing 757 MPD Document revisions required by paragraph (k)(3) of this AD (paragraph (l)(3) of the NPRM (76 FR 19710, April 8, 2011)) specifies the use of a new HSP. An operator's failure to comply with that AWL would be a violation of section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)). However, if an operator wants to incorporate an alternative AWL that allows for use of an HSP unit that passed a functional test, that operator may request an AMOC under the provisions of paragraph(s) of this AD. We have not changed this AD in this regard.

Request To Revise Instead of Supersede

UAL asked why the FAA is proposing to supersede AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008) instead of revising that AD. UAL listed 18 revised ADs that address the same subject for different model airplanes. UAL stated that superseding an AD drives many AMOC requests and could also set up "compliance traps."

We disagree. This AD requires new actions in addition to those originally required by AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008), while the other ADs that UAL listed do not require any additional action. When additional actions must be mandated, we supersede the existing AD instead of revising the AD. No change to this AD has been made in this regard.

Explanation of Other Changes Made to This AD

We have re-designated Note 4 of the NPRM (76 FR 19710, April 8, 2011) as paragraph (k)(4) of this AD. We have also reviewed Note 4 of the NPRM and determined that the reference to paragraph (k) of this AD may be removed. Paragraph (k)(4) of this AD is intended to clarify that this AD does not require rework of components that had been maintained using acceptable methods before the revisions of the maintenance program, as originally required by paragraph (g) of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008).

We have redesignated Note 1 of the NPRM (76 FR 19710, April 8, 2011) as paragraph (c)(2) of this AD, and paragraph (c) of the NPRM as paragraph (c)(1) of this AD.

We have revised the paragraph structure of paragraph (h) of this AD. Paragraphs (h), (h)(1), (h)(2), and (h)(3) of the NPRM (76 FR 19710, April 8, 2011) are reidentified as paragraphs (h)(1), (h)(1)(i), (h)(1)(ii), and (h)(1)(iii) of this AD, respectively. We have also revised the heading of table 1 of the NPRM for more orderly codification within the Code of Federal Regulations.

We have redesignated Notes 2 and 3 of the NPRM (76 FR 19710, April 8, 2011) as paragraphs (h)(2), and (h)(3) of this AD, respectively.

We have revised certain headers throughout this AD.

We have revised the wording in paragraphs (r)(1) and (r)(2) of this AD (paragraphs (j) and (t) of the NPRM (76 FR 19710, April 8, 2011)); this change has not changed the intent of these paragraphs.

We have corrected the definition of the term "MPD document" throughout this AD; this change does not affect the intent of any requirement in this AD.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (76 FR 19710, April 8, 2011) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (76 FR 19710, April 8, 2011).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Costs of Compliance

There are about 990 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs for U.S. operators to comply with this AD.

Estimated Costs

Action	Work hours	Average labor rate per hour	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
AWLs revision (required by AD 2008–10–11, Amendment 39–15517 (73 FR 25974, May 8, 2008))	8	\$85	\$680	639	\$434,520
Inspections (required by AD 2008–10–11)	8	85	680	639	434,520
AWLs revision (new required action)	1	85	85	639	54,315

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 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),

(3) Will not affect intrastate aviation in Alaska, and

(4) 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.

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 removing airworthiness directive (AD) 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008), and adding the following new AD:



2012-12-15 The Boeing Company: Amendment 39-17095; Docket No. FAA-2011-0304; Directorate Identifier 2011-NM-103-AD.

(a) Effective Date

This airworthiness directive (AD) is effective August 27, 2012.

(b) Affected ADs

This AD supersedes AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008). Certain requirements of this AD terminate certain requirements of AD 2008-11-07, Amendment 39-15529 (73 FR 30755, May 29, 2008); AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008); and AD 2009-06-20, Amendment 39-15857 (74 FR 12236, March 24, 2009).

(c) Applicability

(1) This AD applies to all The Boeing Company Model 757-200, -200PF, -200CB, and -300 series airplanes, certificated in any category.

(2) This AD requires revisions to certain operator maintenance documents to include new actions (e.g., inspections) and/or critical design configuration control limitations (CDCCLs). Compliance with these actions and/or CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval of an alternative method of compliance (AMOC) according to paragraph(s) of this AD. The request should include a description of changes to the required actions that will ensure the continued operational safety of the airplane.

(d) Subject

Air Transport Association (ATA) of America Code 28: Fuel.

(e) Unsafe Condition

This AD results from a design review of the fuel tank systems. The Federal Aviation Administration is issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

(f) Compliance

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

(g) Retained Revision of Airworthiness Limitations (AWLs) Section

This paragraph restates the requirements of paragraph (g) of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008). Before December 16, 2008, revise the AWLs section of the Instructions for Continued Airworthiness (ICA) by incorporating the information in the subsections specified in paragraphs (g)(1) through (g)(3) of this AD into the maintenance planning data (MPD) document; except that the initial inspections specified in table 1 to paragraph (h)(1) of this AD must be done at the compliance times specified in table 1 to paragraph (h)(1) of this AD. Accomplishing the requirements of paragraph (k) of this AD terminates the requirements of this paragraph.

(1) Subsection E, "AIRWORTHINESS LIMITATIONS–FUEL SYSTEMS," of Boeing Temporary Revision (TR) 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

(2) Subsection F, "PAGE FORMAT: SYSTEMS AIRWORTHINESS LIMITATIONS," of Boeing TR 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

(3) Subsection G, "AIRWORTHINESS LIMITATIONS–FUEL SYSTEM AWLs," AWLs No. 28-AWL-01 through No. 28-AWL-24 inclusive, of Boeing TR 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9. As an optional action, AWLs No. 28-AWL-25 and No. 28-AWL-26, as identified in Subsection G of Boeing TR 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, also may be incorporated into the AWLs section of the ICA.

(h) Retained Initial Inspections and Repair, With Revised Service Information

(1) This paragraph restates the requirements of paragraph (h) of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008). Do the inspections specified in table 1 to paragraph (h)(1) of this AD at the compliance time identified in table 1 to paragraph (h)(1) of this AD, and repair any discrepancy, in accordance with Subsection G of Boeing TR 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; except as required by paragraph (n) of this AD. The repair must be done before further flight. Accomplishing the inspections identified in table 1 to paragraph (h)(1) of this AD as part of a maintenance program before the applicable compliance time specified in table 1 paragraph (h)(1) of this AD constitutes compliance with the requirements of this paragraph. As of 6 months after the effective date of this AD, only Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; may be used.

Table 1 to Paragraph (h)(1) of This AD—Initial Inspections

AWL No.	Description	Compliance time (whichever occurs later)	
		Threshold	Grace period
(i) 28–AWL–01	A detailed inspection of external wires over the center fuel tank for damaged clamps, wire chafing, and wire bundles in contact with the surface of the center fuel tank.	Within 120 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness.	Within 72 months after June 12, 2008 (the effective date of AD 2008–10–11, Amendment 39-15517 (73 FR 25974, May 8, 2008)).
(ii) 28–AWL–03	A special detailed inspection of the lightning shield to ground termination on the out-of-tank fuel quantity indicating system to verify functional integrity.	Within 120 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness.	Within 24 months after June 12, 2008.
(iii) 28–AWL–14	A special detailed inspection of the fault current bond of the fueling shutoff valve actuator of the center wing tank to verify electrical bond.	Within 120 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness.	Within 60 months after June 12, 2008.

(2) 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 procedures may be required."

(3) For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

(i) No Alternative Inspections, Inspection Intervals, or CDCCLs for Paragraphs (g) and (h) of This AD

Except as required by paragraph (k) of this AD, after accomplishing the actions specified in paragraphs (g) and (h) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (s) of this AD.

(j) Terminating Action for AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008)

Incorporating AWLs No. 28-AWL-23, No. 28-AWL-24, and No. 28-AWL-25 into the AWLs section of the ICA in accordance with paragraph (g)(3) of this AD or the maintenance program in

accordance with paragraph (k)(3) of this AD terminates the action required by paragraph (h)(2) of AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008).

(k) New Revision of Airworthiness Limitations (AWLs) Section

Within 6 months after the effective date of this AD, revise the maintenance program by incorporating the information in the subsections specified in paragraphs (k)(1) through (k)(3) of this AD. Accomplishing the actions required by this paragraph terminates the requirements of paragraph (g) of this AD.

(1) Subsection E, "AIRWORTHINESS LIMITATIONS–FUEL SYSTEMS," of Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

(2) Subsection F, "PAGE FORMAT: FUEL SYSTEMS AIRWORTHINESS LIMITATIONS," of Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

(3) Subsection G, "AIRWORTHINESS LIMITATIONS–FUEL SYSTEM AWLs," AWLs No. 28-AWL-01 through No. 28-AWL-26 inclusive, of Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

(4) Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the maintenance program, as required by paragraph (g) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the maintenance program has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

(l) Compliance Time for AWL No. 28-AWL-03

The initial compliance time for AWL No. 28-AWL-03 of Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; is within 120 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness, or within 24 months after the effective date of this AD, whichever occurs later. Accomplishing the actions required by this paragraph terminates the requirements of paragraph (h)(2) of this AD.

(m) Initial Inspection Compliance Times for AWL No. 28-AWL-25

The initial inspection compliance time for AWL No. 28-AWL-25 of Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; is within 72 months after accomplishing Boeing Service Bulletin 757-28A0088.

(n) Initial Inspection Compliance Times for AWL No. 28-AWL-26

The initial inspection compliance time for AWL No. 28-AWL-26 of Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision December 2008; Boeing TR 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9; or Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9; is within 12 months after accomplishing Boeing Service Bulletin 757-28A0105.

(o) No Alternative Inspections, Inspection Intervals, or CDCCLs After the Actions Required by Paragraph (k) of This AD Are Done

After accomplishing the actions specified in paragraph (k) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (s) of this AD.

(p) Terminating Action for AD 2008-11-07, Amendment 39-15529 (73 FR 30755, May 29, 2008)

Incorporating AWLs No. 28-AWL-20 and No. 28-AWL-26 into the maintenance program in accordance with paragraph (k)(3) of this AD terminates the actions required by paragraphs (j) and (m) of AD 2008-11-07, Amendment 39-15529 (73 FR 30755, May 29, 2008).

(q) Terminating Action for AD 2009-06-20, Amendment 39-15857 (74 FR 12236, March 24, 2009)

Incorporating AWL No. 28-AWL-22 into the maintenance program in accordance with paragraph (k)(3) of this AD terminates the actions required by paragraph (h) of AD 2009-06-20, Amendment 39-15857 (74 FR 12236, March 24, 2009).

(r) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraphs (g) and (h) of this AD, if those actions were done before June 12, 2008 (the effective date of AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008), using Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9, Revision March 2006; Revision October 2006; Revision January 2007; or Revision November 2007.

(2) This paragraph provides credit for actions required by paragraphs (m) and (n) of this AD, if those actions were done before the effective date of this AD, using Boeing TR 09-008, dated March

2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9.

(s) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) AMOCs approved previously for AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008), are approved as AMOCs for the corresponding provisions of this AD.

(t) Related Information

For more information about this AD, contact Tak Kobayashi, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle ACO, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6499; fax: 425-917-6590; email: takahisa.kobayashi@faa.gov.

(u) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the following service information under 5 U.S.C. 552(a) and 1 CFR part 51 on the date specified.

(2) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise.

(3) The following service information was approved for IBR on August 27, 2012.

(i) Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 Maintenance Planning Data (MPD) Document, D622N001-9, Revision December 2008.

(ii) Boeing Temporary Revision (TR) 09-010, dated July 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of Boeing 757 MPD Document, D622N001-9. Boeing TR 09-010 is published as Section 9 of the Boeing 757 MPD Document, D622N001-9, Revision July 2010.

(iii) Boeing TR 09-011, dated November 2010, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9. Boeing TR 09-011 is published as Section 9 of the Boeing 757 MPD Document, D622N001-9, Revision November 2010.

(4) The following service information was approved for IBR on June 12, 2008 (73 FR 25974, May 8, 2008).

(i) Boeing TR 09-008, dated March 2008, to Section 9, "Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs)," of the Boeing 757 MPD Document, D622N001-9. Boeing TR 09-008 is published as Section 9 of the Boeing 757 Maintenance Planning Data (MPD) Document, D622N001-9, Revision March 2008. The Boeing 757 MPD Document, D622N001-9, Revision March 2008, was incorrectly referred to in AD 2008-10-11, Amendment 39-15517 (73 FR 25974, May 8, 2008), as the "Boeing 757 Maintenance Planning Document (MPD) Document, D622N001-9, Revision March 2008.

(ii) Reserved.

(5) 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; Internet <https://www.myboeingfleet.com>.

(6) You may review copies of the 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.

(7) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at an NARA facility, 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 June 6, 2012.

Michael Kaszycki,
Acting Manager, Transport Airplane Directorate,
Aircraft Certification Service.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1195; Directorate Identifier 2009-NM-152-AD; Amendment 39-16145; AD 2008-11-01 R1]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Model 767-200, -300, -300F, and -400ER Series Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: The FAA is revising an existing airworthiness directive (AD), which applies to certain Model 767-200, -300, -300F, and -400ER series airplanes. That AD currently requires revising the FAA-approved maintenance program to incorporate new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also requires an initial inspection to phase in certain repetitive AWL inspections, and repair if necessary. This AD clarifies the intended effect of the AD on spare and on-airplane fuel tank system components. This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective January 12, 2010.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of January 12, 2010.

On June 25, 2008 (73 FR 29414, May 21, 2008), the Director of the Federal Register approved the incorporation by reference of a certain other publication listed in the AD.

We must receive any comments on this AD by February 26, 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 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; 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 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: Douglas Bryant, Aerospace Engineer, Propulsion Branch, ANM-140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6505; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

On May 8, 2008, we issued AD 2008-11-01, Amendment 39-15523 (73 FR 29414, May 21, 2008). That AD applied to certain Model 767-200, -300, -300F, and -400ER series airplanes. That AD required revising the FAA-approved maintenance program to incorporate new airworthiness limitations (AWLs) for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. That AD also required an initial inspection to phase in certain repetitive AWL inspections, and repair if necessary. That AD resulted from a design review of the fuel tank systems. The actions specified in that AD are intended to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Critical design configuration control limitations (CDCCLs) are limitation requirements to preserve a critical ignition source prevention feature of the fuel tank system design that is necessary to prevent the occurrence of an unsafe condition. The purpose of a CDCCL is to provide instruction to retain the critical ignition source prevention feature during configuration change that may be caused by alterations, repairs, or maintenance actions. A CDCCL is not a periodic inspection.

Actions Since AD Was Issued

Since we issued that AD, we have determined that it is necessary to clarify the AD's intended effect on spare and on-airplane fuel tank system components, regarding the use of maintenance manuals and instructions for continued airworthiness.

Section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)) specifies the following:

No person may operate an aircraft for which a manufacturer's maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitation section unless the mandatory * * * procedures * * * have been complied with.

Some operators have questioned whether existing components affected by the new CDCCLs must be reworked. We did not intend for the AD to retroactively require rework of components that had been maintained using acceptable methods before the effective date of the AD. Owners and operators of the affected airplanes therefore are not required to rework affected components identified as airworthy or installed on the affected airplanes before the required revisions of the FAA-approved maintenance program. But once the CDCCLs are incorporated into the FAA-approved maintenance program, future maintenance actions on components must be done in accordance with those CDCCLs.

Relevant Service Information

AD 2008-11-01 cites Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision April 2008. Since we issued that AD, Boeing has revised the referenced service information. We have reviewed Section 9 of the Boeing 767 MPD Document, D622T001-9, Revision May 2009. The changes included in Subsection D of Section 9 of the Boeing 767 MPD Document, D622T001-9, Revision May 2009, are for clarification only, and either Revision April 2008 or Revision May 2009 of the Boeing 767 MPD Document are acceptable. There are no changes to Subsection E of Section 9 in Revision May 2009 of the Boeing 767 MPD Document.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other airplanes of the same type design. For this reason, we are issuing this AD to revise AD 2008-11-01. This new AD retains the requirements of the existing AD, and adds a new note to clarify the intended effect of the AD on spare and on-airplane fuel tank system components. We have renumbered subsequent notes accordingly.

Explanation of Changes Made to This Proposed AD

We have revised this AD to identify the correct legal name of the manufacturer as published in the most recent type certificate data sheet for the affected airplane models.

Explanation of Additional Changes to AD

AD 2008-11-01 allowed the use of alternate CDCCLs if they are part of a later revision of the Boeing 767 MPD Document, D622T001-9, Revision April 2008. That provision has been removed from this AD. Allowing the use of "a later revision" of specific service documents violates Office of the Federal Register regulations for approving materials that are incorporated by reference. Affected operators, however, may request approval to use an alternative CDCCL that is part of a later revision of the referenced service documents as an alternative method of compliance, under the provisions of paragraph (k) of this AD.

Costs of Compliance

This revision imposes no additional economic burden. The current costs for this AD are repeated for the convenience of affected operators, as follows:

There are about 824 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs, at an average labor rate of \$80 per work hour, for U.S. operators to comply with this AD.

Estimated Costs					
Action	Work hours	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Maintenance program revision	8	None	\$640	332	\$212,480
Inspections	8	None	\$640	332	\$212,480

FAA's Justification and Determination of the Effective Date

This revision merely clarifies the intended effect on spare and on-airplane fuel tank system components, and makes no substantive change to the AD's requirements. For this reason, it is found that notice and opportunity for prior public comment for this action are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-1195; Directorate Identifier 2009-NM-152-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 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 the 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 AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

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 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. The FAA amends § 39.13 by removing Amendment 39-15523 (73 FR 29414, May 21, 2008) and adding the following new AD:



2008-11-01 R1 The Boeing Company: Amendment 39-16145. Docket No. FAA-2009-1195; Directorate Identifier 2009-NM-152-AD.

Effective Date

- (a) This airworthiness directive (AD) is effective January 12, 2010.

Affected ADs

- (b) This AD revises AD 2008-11-01, Amendment 39-15523.

Restatement of Requirements of AD 2008-11-01, With Revised Compliance Method

Applicability

(c) This AD applies to The Boeing Company Model 767-200, -300, -300F, and -400ER series airplanes, certificated in any category; with an original standard airworthiness certificate or original export certificate of airworthiness issued before April 22, 2006.

Note 1: Airplanes with an original standard airworthiness certificate or original export certificate of airworthiness issued on or after April 22, 2006, must already be in compliance with the airworthiness limitations specified in this AD because those limitations were applicable as part of the airworthiness certification of those airplanes.

Note 2: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (k) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Unsafe Condition

(d) This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

Compliance

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

Service Information Reference

(f) The term "Revision April 2008 of the MPD," as used in this AD, means Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision April 2008. The term "Revision May 2009 of the MPD," as used in this AD, means Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document D622T001-9, Revision May 2009.

Maintenance Program Revision

(g) Before December 16, 2008, revise the FAA-approved maintenance program by incorporating the information in the subsections specified in paragraphs (g)(1) and (g)(2) of this AD; except that the initial inspections specified in Table 1 of this AD must be done at the compliance times specified in Table 1 of this AD; and except that the task interval for AWL No. 28-AWL-05 is 72 months.

(1) Subsection D, "AIRWORTHINESS LIMITATIONS–SYSTEMS," of Revision April 2008 or Revision May 2009 of the MPD.

(2) Subsection E, "PAGE FORMAT: FUEL SYSTEMS AIRWORTHINESS LIMITATIONS," AWLs No. 28-AWL-01 through No. 28-AWL-26 inclusive, of Revision April 2008 or Revision May 2009 of the MPD. As an optional action, AWLs No. 28-AWL-27 and No. 28-AWL-28, as identified in Subsection E of Revision April 2008 or Revision May 2009 of the MPD, also may be incorporated into the FAA-approved maintenance program.

Initial Inspections and Repair if Necessary

(h) Do the inspections specified in Table 1 of this AD at the compliance time specified in Table 1 of this AD, and repair any discrepancy, in accordance with Subsection D, "AIRWORTHINESS LIMITATIONS–SYSTEMS," of Revision April 2008 or Revision May 2009 of the MPD. The repair must be done before further flight. Accomplishing the inspections identified in Table 1 of this AD as part of an FAA-approved maintenance program before the applicable compliance time specified in Table 1 of this AD constitutes compliance with the requirements of this paragraph.

Note 3: 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 procedures may be required."

Note 4: For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

Table 1 – Initial Inspections

AWL No.	Description	Compliance Time (whichever occurs later)	
		Threshold	Grace Period
28-AWL-01	A detailed inspection of external wires over the center fuel tank for damaged clamps, wire chafing, and wire bundles in contact with the surface of the center fuel tank	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 72 months after June 25, 2008 (the effective date AD 2008-11-01)
28-AWL-05	A special detailed inspection of the bulkhead fitting bond for the hydraulic line tank penetration	Within 72 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 60 months after June 25, 2008
28-AWL-18	A special detailed inspection of the lightning shield to ground termination on the out-of-tank fuel quantity indicating system to verify functional integrity	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 24 months after June 25, 2008
28-AWL-26	A special detailed inspection of the lightning shield to ground termination on the out-of-tank surge tank fuel level sensor to verify functional integrity	Within 144 months since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness	Within 24 months after June 25, 2008

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

(i) After accomplishing the actions specified in paragraphs (g) and (h) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an AMOC, in accordance with the procedures specified in paragraph (k) of this AD.

Credit for Actions Done According to Previous Revisions of the MPD

(j) Actions done before June 25, 2008, in accordance with Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision March 2006; Revision October 2006; Revision January 2007; Revision October 2007; or Revision March 2008; are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD.

New Information

Explanation of CDCCL Requirements

Note 5: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the FAA-approved maintenance program, as required by paragraph (g) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the FAA-approved maintenance program has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Seattle Aircraft Certification Office (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: Douglas Bryant, Aerospace Engineer, Propulsion Branch, ANM-140S, Seattle ACO, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6505; fax (425) 917-6590. Or, e-mail information to 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(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.

(3) AMOCs approved previously in accordance with AD 2008-11-01, Amendment 39-15523, are approved as AMOCs for the corresponding provisions of this AD.

Material Incorporated by Reference

(l) You must use Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision April 2008; or Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision May 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 Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision May 2009, under 5 U.S.C. 552(a) and 1 CFR Part 51.

(2) The Director of the Federal Register previously approved the incorporation by reference of Section 9 of the Boeing 767 Maintenance Planning Data (MPD) Document, D622T001-9, Revision April 2008, on June 25, 2008 (73 FR 29414, May 21, 2008).

(3) 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; Internet <https://www.myboeingfleet.com>.

(4) You may review copies of the 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.

(5) You may also review copies of the service information that is incorporated by reference 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 December 11, 2009.
Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2007-28389; Directorate Identifier 2006-NM-171-AD; Amendment 39-15536; AD 2008-11-13]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 777-200, -200LR, -300, and -300ER Series Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Boeing Model 777-200, -200LR, -300, and -300ER series airplanes. This AD requires revising the Airworthiness Limitations (AWLs) section of the Instructions for Continued Airworthiness by incorporating new limitations for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 requirements. This AD also requires the initial performance of certain repetitive inspections specified in the AWLs to phase in those inspections, and repair if necessary. This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

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 the AD as of July 3, 2008.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207.

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: Margaret Langsted, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6500; fax (425) 917-6590.

SUPPLEMENTARY INFORMATION:

Discussion

The FAA issued a supplemental notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to certain Boeing Model 777-200, -200LR, -300, and -300ER series airplanes. That supplemental NPRM was published in the Federal Register on February 28, 2008 (73 FR 10698). That supplemental NPRM proposed to require revising the Airworthiness Limitations (AWLs) section of the Instructions for Continued Airworthiness (ICA) by incorporating new limitations for fuel tank systems to satisfy Special Federal Aviation Regulation No. 88 (SFAR 88) requirements. That supplemental NPRM also proposed to require the initial performance of certain repetitive inspections specified in the AWLs to phase in those inspections, and repair if necessary.

Actions Since NPRM Was Issued

Since we issued the NPRM, Boeing has issued Temporary Revision (TR) 09-014, dated December 2007. Boeing TR 09-014 is published as Section 9 of the Boeing 777 Maintenance Planning Document (MPD) Document, D622W001-9, Revision February 2008 (hereafter referred to as "Revision February 2008 of the MPD"). The supplemental NPRM referred to Revision October 2007 of the MPD as the appropriate source of service information for accomplishing the proposed actions. Revision February 2008 of the MPD revises AWL No. 28-AWL-03 to reflect the new maximum loop resistance values associated with the lightning protection of the unpressurized fuel quantity indicating system (FQIS) wire bundle installations.

Accordingly, we have revised paragraphs (f), (g), and (h) of this AD to refer to Revision February 2008 of the MPD. We also have added a new paragraph (j) to this AD specifying that actions done before the effective date of this AD in accordance with Revision October 2007 or Revision December 2007 of the MPD are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD.

Operators should note that we have revised paragraph (g)(2) of this AD to require incorporating only AWLs No. 28-AWL-01 through No. 28-AWL-20 inclusive. AWLs No. 28-AWL-21 through No. 28-AWL-26 were added in Revision December 2007 of the MPD for Model 777-200LR series airplanes equipped with an auxiliary fuel tank. We might issue additional rulemaking to require the incorporation of those AWLs. However, as an optional action, operators may incorporate those optional AWLs as specified in paragraph (g)(2) of this AD. Operators should also note that we might issue a separate NPRM that proposes to incorporate AWL No. 28-AWL-19 and No. 28-AWL-20 into the AWLs section of the ICA and the associated design change.

Comments

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

Support for the Supplemental NPRM

Boeing, American Airlines, and United Airlines (UAL) concur with the contents of the supplemental NPRM. The Air Transport Association (ATA) agrees with the intent of the supplemental NPRM.

Request for Clarification of Paragraph (g)

The ATA, on behalf of UAL, submitted a comment stating that there might be a logic error in the proposed requirement of paragraph (g) of the supplemental NPRM. UAL states that it understands that the proposed action is to revise the AWLs section of the ICA to "Incorporate the MPD into the MPD."

We infer that the commenters request that we clarify the requirements of paragraph (g) of this AD. We agree that clarification is necessary. The intent of paragraph (g) of this AD is to require the operator to incorporate Subsections D and E of Revision February 2008 of the MPD into the operator's existing MPD. We have deleted the words "into the MPD" from paragraph (g) of this AD to eliminate any confusion.

Request To Revise the Loop Resistance Values for AWL No. 28-AWL-03

The ATA, on behalf of Continental Airlines (CAL), submitted a request to revise the loop resistance values for AWL No. 28-AWL-03 of Revision October 2007 of the MPD to reflect the appropriate limits for in-service airplanes. CAL states that the limits in AWL No. 28-AWL-03 reflect factory limits, and that mandating those limits would result in non-compliance and ground the Model 777 fleet. CAL states that the limits in AWL No. 28-AWL-03 should be harmonized with the limits in Tables 601 and 602 of Task 05-55-54-200-801 of the Boeing 777 Airplane Maintenance Manual (AMM), which contain bonding resistance values for in-service airplanes. CAL further requests that the new limits be published before May 2008, so that operators have adequate time to develop the necessary task cards before the required compliance time of paragraph (g) of this AD.

We agree that the loop resistance values for AWL No. 28-AWL-03 of Revision October 2007 of the MPD needed to be revised. Boeing published Revision February 2008 of the MPD to specify the appropriate values, which agree with the AMM. As stated previously, we have revised this AD accordingly.

Request To Clarify Paragraph (i)

The ATA, on behalf of UAL, requests that we clarify paragraph (i) of the supplemental NPRM. UAL interprets paragraph (i) to mean that, prior to the accomplishment of paragraphs (g) and (h) of the supplemental NPRM, an operator is allowed to use alternative inspections, inspection intervals, or critical design configuration control limitations (CDCCLs), which are not part of subsequent revisions of Revision October 2007 of the MPD. UAL states that, if this interpretation is true, then paragraph (i) might be in conflict with section 121.1113 ("Fuel tank system maintenance program") of the Federal Aviation Regulations (14 CFR 121.1113). UAL asks us to clarify whether paragraph (i) suspends the intent of 14 CFR 121.1113 and allows deviations until paragraphs (g) and (h) are complied with.

We disagree with UAL's interpretation that this AD conflicts with 14 CFR 121.1113. The two requirements are entirely compatible. That section requires that, no later than December 16, 2008, operators must incorporate applicable inspections, procedures, and limitations for fuel tank systems that have been approved under SFAR 88. The AWLs required by this AD are a portion of the SFAR 88 documents approved for these airplanes. Since the compliance date for this AD was chosen to coincide with the compliance date for 14 CFR 121.1113, compliance with this AD by that date will also be partial compliance with 14 CFR 121.1113, and neither that section nor this AD impose requirements before that date. Paragraph (i) of this AD is also consistent with 14 CFR 121.1113 in that both prohibit changing the requirements unless the changes are approved by the Seattle Aircraft Certification Office (ACO), which is the oversight office for this airplane model. No change to this AD is necessary in this regard.

Request To Clarify Use of Equivalent Tools and Chemicals

JAL requests that we provide guidelines for using equivalent tools and chemical materials according to the component maintenance manuals (CMMs). JAL states that normally operators can use equivalents without FAA approval when the CMM specifies that equivalents may be used. JAL also states that it has received further clarification from Boeing specifying that unless a CDCCL refers to a certain tool by part number or certain chemicals by name, an operator can continue to use equivalent tools or materials according to the CMMs.

We acknowledge the commenter's request and are working with Boeing to provide appropriate flexibility while still ensuring that items critical for maintaining safety continue to be specifically identified in the CMMs. However, to delay issuance of this AD would be inappropriate.

We agree that when the CMMs allow use of equivalent tools or chemical materials, operators and repair stations may use equivalents. We have already approved the use of the CMMs at the revision levels specified in Revision February 2008 of the MPD, including the use of equivalent tools or chemicals where the CMMs state equivalents are allowed. If the CMM does not allow use of an equivalent, none may be used. No change to this AD is necessary in this regard.

Request To Delete Reference to Task Cards

All Nippon Airways (ANA) requests that we delete the words "and task card," unless the task card references are listed in Subsection D of the MPD or Appendix 1 of the AD. Those words are located in the following sentence in the "Ensuring Compliance with Fuel Tank System AWLs" section of the original NPRM: "Operators that do not use Boeing's revision service should revise their maintenance manuals and task cards to highlight actions tied to CDCCLs to ensure that maintenance personnel are complying with the CDCCLs." ANA believes that if a task card refers to the AMM, which includes the CDCCL note, then highlighting the CDCCL items is not necessary because they are already highlighted in the AMM and maintenance personnel always refer to the AMM. ANA further states that the applicable task card references are not listed in Subsection D of the MPD, or in Appendix 1 of the original NPRM; they refer only to the AMM. ANA, therefore, states that it is difficult to find out or distinguish the affected task card.

JAL believes that the proposed requirement regarding the CDCCLs is to incorporate the manufacturer's maintenance manuals into an operator's maintenance manual. If the description of a CDCCL is missing from the manufacturer's AMM, then JAL believes that operators are not responsible for the requirements of the AD.

We agree that the task cards might not need to be revised because an operator might find that the AMM notes are sufficient. However, we disagree with deleting the reference to the task cards since some operators might need to add notes to their task cards. This AD does not require any changes to the maintenance manuals or task cards. The AD requires incorporating new AWLs into the operator's maintenance program. It is up to the operator to determine how best to ensure compliance with the new AWLs. In the "Ensuring Compliance with Fuel Tank System AWLs" section of the original NPRM, we were only suggesting, not requiring, ways that an operator could implement CDCCLs into its maintenance program. We have not changed this AD in this regard.

Request To Clarify Meaning of Task Cards

JAL requests that we clarify whether "task cards," as found in the "Recording Compliance with Fuel Tank System AWLs" section of the original NPRM, means Boeing task cards only or if they also include an operator's unique task cards.

We intended that "task cards" mean both Boeing and an operator's unique task cards, as applicable. The intent is to address whatever type of task cards are used by mechanics for maintenance. This AD would not require any changes to the AMMs or task cards relative to the

CDCCLs. We are only suggesting ways an operator might implement CDCCLs into its maintenance program. No change to this AD is necessary in this regard.

Request To Revise Intervals for Certain AWL Inspections

KLM Royal Dutch Airlines (KLM), on behalf of several operators, requests that we review a 45-page proposal to align certain airworthiness limitation item (ALI) intervals with the applicable maintenance significant item (MSI) and enhanced zonal analysis procedure (EZAP) intervals for Model 737, 747, 757, 767, and 777 airplanes. The recommendations in that proposal ensure that the ALI intervals align with the maintenance schedules of the operators. Among other changes, the proposal recommends revising certain AWL inspection intervals from 16,000 flight cycles/3,000 days to only 6,000 days for Model 777 airplanes.

We infer that KLM requests we revise paragraph (h) of this AD to extend the compliance time to 6,000 days for AWLs No. 28-AWL-01 and No. 28-AWL-03. We disagree because we have determined that it would be inappropriate to extend the inspection intervals. Given the safety implications for these inspections, 6,000 days (approximately over 16 years) is too long, especially since these areas are accessed more frequently than every 16 years for maintenance. Also, KLM did not include any reliability information showing that the systems can continue to safely operate between the proposed inspection periods. However, according to the provisions of paragraph (k) of this AD, we might approve requests to adjust the compliance time if the request includes data that prove that the new compliance time would provide an acceptable level of safety. No change to this AD is necessary in this regard.

Request To Require Latest Revision of the AMM

JAL requests that we revise the original NPRM to require incorporation of the latest revision of the manufacturer's AMM. JAL asserts that we have allowed Boeing to include statements in the Boeing AMM allowing operators to use certain CMM revision levels or later revisions. JAL states that, with the exception of the CMM, operators cannot find what revision level of the AMM needs to be incorporated into the operator's AMM in order to comply with the proposed requirements of the original NPRM. JAL also states that it could take several weeks to incorporate the manufacturer's AMM.

JAL further requests that we clarify whether it is acceptable to change the procedures in the AMM with Boeing's acceptance. JAL states that the MPD notes that any use of parts, methods, techniques, or practices not contained in the applicable CDCCL and AWL inspection must be approved by the FAA office that is responsible for the airplane model type certificate, or applicable regulatory agency. JAL also states that the Boeing AMM or CMM notes to obey the manufacturer's procedures when doing maintenance that affects a CDCCL or AWL inspection. However, JAL believes that according to the original NPRM it is acceptable to change the AMM procedures with Boeing's acceptance.

We disagree with the changes proposed by the commenter. This AD does not require revising the AMM. This AD does require revising your maintenance program to incorporate the AWLs identified in Revision February 2008 of the MPD. However, complying with the AWL inspections or CDCCLs will require other actions by operators including AMM revisions. In the U.S., operators are not required to use original equipment manufacturer (OEM) maintenance manuals. Operators may develop their own manuals, which are reviewed and accepted by the FAA Flight Standards Service. In order to maintain that flexibility for operators, all of the AWLs contain all of the critical information, such as maximum bonding resistances and minimum separation requirements. The FAA Flight Standards Service will only accept operator manuals that contain all of the information specified in the AWLs, so there is no need to require operators to use the OEM maintenance manuals.

Regarding JAL's request for clarification of approval of AWL changes, we infer JAL is referring to the following sentence located in the "Changes to AMMs Referenced in Fuel Tank System AWLs"

section of the original NPRM: "A maintenance manual change to these tasks may be made without approval by the Manager, Seattle ACO, through an appropriate FAA principal maintenance inspector (PMI) or principal avionics inspector (PAI), by the governing regulatory authority, or by using the operator's standard process for revising maintenance manuals." If changes need to be made to tasks associated with an AWL, they may be made using an operator's normal process without approval of the Seattle ACO, as long as the change maintains the information specified in the AWL. For some CDCCLs, it was beneficial to not put all the critical information into the MPD. This avoids duplication of a large amount of information. In these cases, the CDCCL refers to a specific revision of the CMM. U.S. operators are required to use those CMMs. Any changes to the CMMs must be approved by the Seattle ACO.

Request To Revise AMM Task 28-11-00

The ATA, on behalf of CAL, submitted a comment regarding AWL No. 28-AWL-01, which specifies doing repetitive detailed inspections of the wire bundles routed over the center fuel tank and under the main deck floor boards to detect damaged clamps, wire chafing, and any wire bundle that is in contact with the surface of the center fuel tank. The AWL specifies doing the inspection in accordance with Task 28-11-00 of the Boeing 777 AMM. CAL states that, according to the definition for a detailed inspection in the Enhanced Airworthiness Program for Airplane Systems (EAPAS) Participant Guide, dated August 2007, a detailed inspection may include a tactile assessment in which a component or assembly is checked for tightness and security (to ensure continued integrity of installations such as bonding jumpers and terminal connectors). CAL states that the inspection for tightness and security might require the disassembly of the wire installation, but that there are no re-installation procedures in the current routine manuals. CAL also states that maintenance personnel have to disassemble the entire wire bundle installation to accomplish the detailed inspection in Task 28-11-00-210-801 of the Boeing 777 AMM. According to CAL, this action, in the past, has created more discrepancies with wire bundle installations.

We infer the commenters request that Boeing revise Task 28-11-00 of the Boeing 777 AMM to include procedures for re-installation of the wire bundles. We do not agree that the Boeing 777 AMM needs to be revised. This inspection does not require any disassembly of wire bundle installations because, as CAL points out, disassembly might create an unsafe condition. The guidance for a detailed inspection provided by the Maintenance Steering Group 3 (MSG-3) and EAPAS includes a tactile assessment of bundle security, which uses the mechanic's hands to pull on the bundle. A visual inspection is not sufficient. The tactile assessment is intended to be a non-intrusive inspection. No change to this AD is necessary in this regard.

Request To Revise AMM Task 28-11-00-210-801

The ATA, on behalf of CAL, submitted a comment regarding Task 28-11-00-210-801 of the Boeing 777 AMM for accomplishing a detailed inspection of the wire bundles between the main deck and the top surface of the center fuel tank. (Task 28-11-00 is referenced in AWL No. 28-AWL-01 of Revision February 2008 of the MPD.) CAL states that the task procedures do not provide specific details or information for the wire bundle installation to ensure that maintenance personnel can comply with the design requirements. CAL also states that the wire bundle installation has been modified according to Boeing Alert Service Bulletin 777-57A0050, dated January 26, 2006; and Boeing Alert Service Bulletin 777-57A0051, dated May 15, 2006. CAL states that it provided comments to the NPRM that propose to mandate the accomplishment of those service bulletins. (That NPRM (Docket No. FAA-2007-27042) was published in the Federal Register on January 29, 2007 (72 FR 3956).)

We infer the commenters request that Boeing revise Task 28-11-00-210-801 of the Boeing 777 AMM to provide specific details for the wire bundle installation. We do not agree that the Boeing 777 AMM needs to be revised because specific design information is not needed for accomplishing

this inspection. The type and location of the wiring over the center fuel tank can vary among airplanes, and these details are not necessary to complete the inspection. AWL No. 28-AWL-01 is concerned with wire installation failures that will eventually lead to arcing through the top surface of the tank. That AWL and the referenced AMM provide for the type of failures that might progress to arcing, and any wire bundle in that area needs to be inspected. No change to this AD is necessary in this regard.

Request To Revise AMM by Including Warning Statements

The ATA, on behalf of CAL, submitted a comment regarding Tasks 28-11-00-210-801 and 05-55-54-200-801 of the Boeing 777 AMM. CAL states that these tasks do not contain CDCCL warning statements to alert maintenance personnel of their importance to regulatory compliance requirements.

We infer the commenters request that Boeing revise the Boeing 777 AMM to include warning statements as stated by CAL. We do not agree that the Boeing 777 AMM needs to be revised because Step A.(1) of the relevant AMM sections contains notes about the CDCCLs. The FAA and Boeing chose to use notes, not warning statements, because we did not want to undermine other sections of the AMM, which are not tied to AWLs but are still necessary for maintaining the airplane. If CAL determines that a different approach would work better for its maintenance program, it can develop a different system with the help of its PMI or PAI. No change to this AD is necessary in this regard.

Request To Publish Manuals for Maintenance Personnel

The ATA, on behalf of CAL, submitted a comment stating that CAL is concerned that not enough attention has been given to ensure that specific detailed inspections are preserved for the long-term operation of its Model 777 fleet. CAL states that, other than some generic information found in Revision October 2007 of the MPD, there are no published maintenance documents for continuous airworthiness available to show each specific requirement as detailed in the airplane production drawings, such as Task 05-55-54-200-801 of the Boeing 777 AMM. CAL further states that information detailed by the airplane production drawing must be available in manuals that are routinely used by the maintenance personnel. CAL asserts that making this information available will prevent the inadvertent reversal of the designated configuration, which could lead to violation of the supplemental NPRM, in addition to compromising the higher level of safety intended for the Model 777 fleet.

CAL believes the current program, as provided by AWLs No. 28-AWL-01 and No. 28-AWL-03 of Revision October 2007 of the MPD, is not ready to be implemented. CAL states that, if those AWLs are mandated as proposed, CAL would not be able to incorporate those AWLs in its Model 777 fleet, and a high risk of future de-modification of the wire bundles would exist for airplanes on which those AWLs could be implemented. CAL recommends that we coordinate with Boeing regarding the changes it requests in the previous comments.

We infer the commenters request that we delay issuance of the final rule until Boeing publishes manual(s) containing detailed information for maintenance personnel to accomplish the required AWL inspections. We disagree. To delay this action would be inappropriate, since we have determined that an unsafe condition exists and that the actions required by this AD must be mandated to ensure continued safety.

The amount of detail within the Boeing 777 AMM needs to be balanced, and it might not be the same for every operator. The FAA and Boeing have worked together to define what design requirements need to be included in the AMMs for fuel tank ignition prevention features. If the AMMs are overly specific, they might be too voluminous to be used effectively and would be prone to errors, since wiring installations vary among airplanes. The amount of information needed to be included in the AMMs will also vary among operators, depending on the processes and training for a given operator. If CAL determines more detailed design information needs to be included in its

AMMs, CAL can work with its PMI or PAI and Boeing to add that information. No change to this AD is necessary in this regard.

Request To Delete Reference to Parts Manufacturer Approval (PMA) Parts

ANA requests that we delete the words "Any use of parts (including the use of parts manufacturer approval (PMA) approved parts)," unless a continuous supply of CMM-specified parts is warranted or the FAA is open 24 hours to approve alternative parts for in-house repair by the operator. Those words are located in the following sentence in the "Changes to CMMs Cited in Fuel Tank System AWLs" section of the original NPRM: "Any use of parts (including the use of parts manufacturer approval (PMA) approved parts), methods, techniques, and practices not contained in the CMMs needs to be approved by the Manager, Seattle ACO, or governing regulatory authority."

ANA states that in some cases the parts specified in the CMMs cannot be obtained from the parts market or directly from the component vendor, so an operator is forced into using alternative parts to keep its schedule. ANA requests that we direct the component vendor to ensure a continuous supply of CMM parts and to direct the component vendor to remedy a lack of parts if parts are not promptly supplied. ANA further requests that we direct the component vendor to promptly review the standard parts and allow use of alternative fasteners and washers listed in Boeing D590. ANA asserts that, in some cases, a component vendor specifies the uncommon part to preserve its monopoly.

We disagree with revising the "Changes to CMMs Cited in Fuel Tank System AWLs" section of the original NPRM. We make every effort to identify potential problems with the parts supply, and we are not aware of any problems at this time. The impetus to declare overhaul and repair of certain fuel tank system components as CDCCLs arose from in-service pump failures that resulted from repairs not done according to OEM procedures. We have approved the use of the CMMs—including parts, methods, techniques, and practices—at the revision levels specified in Revision February 2008 of the MPD. Third-party spare parts, such as parts approved by PMA, have not been reviewed. We expect that such parts might be found to be acceptable alternatives.

An operator may submit a request to the Seattle ACO, or governing regulatory authority, for approval of an AMOC if sufficient data are submitted to substantiate that use of an alternative part would provide an acceptable level of safety. The CDCCLs do not restrict where repairs can be performed, so an operator may do the work in-house as long as the approved CMMs are followed. If operators would like to change those procedures, they can request approval of the changes. The FAA makes every effort to respond to operators' requests in a timely manner. If there is a potential for disrupting the flight schedule, the operator should include that information in its request. Operators should request approval for the use of PMA parts and alternative procedures from the FAA or the governing regulatory authority in advance in order to limit schedule disruptions. We have not changed this AD in this regard.

Request To Identify Other Test Equipment

JAL states that certain test equipment is designated in the MPD and that additional equipment should also be designated. For example, AWL No. 28-AWL-03 would require using loop resistance tester, part number (P/N) 906-10246-2 or -3. Therefore, JAL requests that we also identify alternative test equipment, so that operators do not need to seek an AMOC to use other equipment.

We disagree with identifying other test equipment. We cannot identify every possible piece of test equipment. We ensure that some are listed as recommended by the manufacturer. With substantiating data, operators can request approval of an alternative tester from the Seattle ACO, or the governing regulatory agency. We have not changed this AD in this regard.

Request To Clarify AWL No. 28-AWL-02

JAL requests that we clarify the intent of AWL No. 28-AWL-02. JAL states that Chapters 53-01 and 53-21 of the Boeing 777 AMM specify doing an inspection of the external wires over the center fuel tank according to AMM 28-11-00 before installing the floor panel over the center wing tank based on AWL No. 28-AWL-02. JAL also states that, according to Revision March 2006 of the MPD, AWL No. 28-AWL-02 contains two limitations: Maintaining the existing wire bundle routing and clamping, and installing any new wire bundle per the Boeing standard wiring practices manual (SWPM). Therefore, JAL believes it is not necessary to inspect the external wires over the center fuel tank according to AMM 28-11-00 before installing the floor panel over the center wing tank, unless that wire bundle routing and clamping are changed.

We point out that AWL No. 28-AWL-02 also contains a third limitation: Verifying that all wire bundles over the center fuel tank are inspected according to AWL No. 28-AWL-01, which refers to AMM 28-11-00 for accomplishing the inspection. We do not agree that the inspection should be required only if the wire bundle routing and clamping are changed while maintenance is accomplished in the area. If any of the other bundles have a clamp or routing failure, it must be detected and corrected. After accomplishing the inspection required by AWL No. 28-AWL-01, an operator would not need to repeat the inspection for another 16,000 flight cycles or 3,000 days, whichever is first. No change to this AD is necessary in this regard.

Request for Clarification for Recording Compliance With CDCCLs

JAL requests that we clarify the following sentence: "An entry into an operator's existing maintenance record system for corrective action is sufficient for recording compliance with CDCCLs, as long as the applicable maintenance manual and task cards identify actions that are CDCCLs." That sentence is located in the "Recording Compliance with Fuel Tank System AWLs" section of the original NPRM. Specifically, JAL asks whether an operator must indicate the CDCCL in their recording documents or whether it is sufficient for the recording document to call out the applicable AMMs that are tied to the CDCCLs.

We have coordinated with the FAA Flight Standards Service and it agrees that, for U.S.-registered airplanes, if the applicable AMMs and task cards identify the CDCCL, then the entry into the recording documents does not need to identify the CDCCL. However, if the applicable AMMs and tasks cards do not identify the CDCCL, then they must be identified. Other methods may be accepted by the appropriate FAA PMI or PAI, or governing regulatory authority. No change to this AD is necessary in this regard.

Request To Clarify Approval of CMM Changes

JAL requests that we clarify whether FAA approval is required for changes to the CMM. JAL states that, when it finds incorrect instructions, typographical errors, or vague instructions in the CMM, it usually contacts the component manufacturer about those issues and revises the instructions in its own manuals. JAL states that those changes are not reflected in the CMM until the component manufacturer revises the CMM. JAL requests that we provide guidelines for CMM errors that do not require FAA approval.

Changes to the CMMs must be approved by the FAA, or governing regulatory authority, before the revised CMMs can be used. No change to this AD is necessary in this regard.

Conclusion

We have carefully reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously.

We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Costs of Compliance

We estimate that this AD affects 127 airplanes of U.S. registry. The following table provides the estimated costs, at an average labor rate of \$80 per work hour, for U.S. operators to comply with this AD.

Estimated Costs					
Action	Work hours	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
AWLs revision	8	None	\$640	127	\$81,280
Inspection	8	None	\$640	127	\$81,280

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 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. See the ADDRESSES section for a location to examine the regulatory evaluation.

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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):



2008-11-13 Boeing: Amendment 39-15536. Docket No. FAA-2007-28389; Directorate Identifier 2006-NM-171-AD.

Effective Date

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

Affected ADs

- (b) None.

Applicability

(c) This AD applies to Boeing Model 777-200, -200LR, -300, and -300ER series airplanes; certificated in any category; with an original standard airworthiness certificate or original export certificate of airworthiness issued before December 5, 2007.

Note 1: Airplanes with an original standard airworthiness certificate or original export certificate of airworthiness issued on or after December 5, 2007, must be already in compliance with the airworthiness limitations (AWLs) specified in this AD because those limitations were applicable as part of the airworthiness certification of those airplanes.

Note 2: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (k) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Unsafe Condition

(d) This AD results from a design review of the fuel tank systems. We are issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

Compliance

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

Service Information

(f) The term "Revision February 2008 of the MPD," as used in this AD, means Boeing Temporary Revision (TR) 09-014, dated December 2007. Boeing TR 09-014 is published as Section

Revision of Airworthiness Limitations (AWLs) Section

(g) Before December 16, 2008, revise the AWLs section of the Instructions for Continued Airworthiness (ICA) by incorporating the information in the subsections specified in paragraphs (g)(1) and (g)(2) of this AD; except that the initial inspections specified in paragraph (h) of this AD must be done at the compliance times specified in paragraph (h) of this AD.

(1) Subsection D, "AIRWORTHINESS LIMITATIONS—SYSTEMS," of Revision February 2008 of the MPD.

(2) Subsection E, "PAGE FORMAT: FUEL SYSTEMS AIRWORTHINESS LIMITATIONS," AWLs No. 28-AWL-01 through No. 28-AWL-20 inclusive, of Revision February 2008 of the MPD. As an optional action, AWLs No. 28-AWL-21 through No. 28-AWL-26 inclusive, as identified in Subsection E of Revision February 2008 of the MPD, also may be incorporated into the AWLs section of the ICA.

Initial Inspections and Repair

(h) Do the inspections required by paragraphs (h)(1) and (h)(2) of this AD at the compliance times specified in paragraphs (h)(1) and (h)(2), in accordance with the applicable AWLs described in Subsection E of Revision February 2008 of the MPD. If any discrepancy is found during these inspections, repair the discrepancy before further flight in accordance with Revision February 2008 of the MPD.

(1) At the later of the times specified in paragraphs (h)(1)(i) and (h)(1)(ii) of this AD, do a detailed inspection of external wires over the center fuel tank for damaged clamps, wire chafing, and wire bundles in contact with the surface of the center fuel tank, and repair any discrepancy, in accordance with AWL No. 28-AWL-01. Accomplishing AWL No. 28-AWL-01 as part of an FAA-approved maintenance program before the applicable compliance time specified in paragraph (h)(1)(i) or (h)(1)(ii) of this AD constitutes compliance with the requirements of this paragraph.

(i) Before the accumulation of 16,000 total flight cycles, or within 3,000 days since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness, whichever occurs first.

(ii) Within 72 months after the effective date of this AD.

Note 3: 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 procedures may be required."

(2) At the later of the times specified in paragraphs (h)(2)(i) and (h)(2)(ii) of this AD, do a special detailed inspection (resistance test) of the lightning shield-to-ground termination of the out tank wiring of the fuel quantity indicating system (FQIS) and, as applicable, repair (restore) the bond to ensure the shield-to-ground termination meets specified resistance values, in accordance with AWL No. 28-AWL-03. Accomplishing AWL No. 28-AWL-03 as part of an FAA-approved maintenance program before the applicable compliance time specified in paragraph (h)(2)(i) or (h)(2)(ii) of this AD constitutes compliance with the requirements of this paragraph.

(i) Before the accumulation of 16,000 total flight cycles, or within 3,000 days since the date of issuance of the original standard airworthiness certificate or the date of issuance of the original export certificate of airworthiness, whichever occurs first.

- (ii) Within 24 months after the effective date of this AD.

Note 4: For the purposes of this AD, a special detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. The examination is likely to make extensive use of specialized inspection techniques and/or equipment. Intricate cleaning and substantial access or disassembly procedure may be required."

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

(i) After accomplishing the actions specified in paragraphs (g) and (h) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are part of a later revision of Revision February 2008 of the MPD that is approved by the Manager, Seattle Aircraft Certification Office (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.

Credit for Actions Done According to Previous Revisions of the MPD

(j) Actions done before the effective date of this AD in accordance with Section 9 of the Boeing 777 MPD Document, D622W001-9, Revision October 2007; or Revision December 2007; are acceptable for compliance with the corresponding requirements of paragraphs (g) and (h) of this AD.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Seattle ACO, FAA, ATTN: Margaret Langsted, Aerospace Engineer, Propulsion Branch, ANM-140S, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6500; 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

(l) You must use Boeing Temporary Revision (TR) 09-014, dated December 2007, to the Boeing 777 Maintenance Planning Document (MPD) Document, D622W001-9, to do the actions required by this AD, unless the AD specifies otherwise. Boeing TR 09-014 is published as Section 9 of the Boeing 777 Maintenance Planning Document (MPD) Document, D622W001-9, Revision February 2008. (The List of Effective Pages for Section 9 of Boeing 777 Maintenance Planning Document (MPD) Document, D622W001-9, Revision February 2008, contains numerous errors. However, the revision/date identified on the individual pages of the document are correct.)

(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 May 14, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-11467 Filed 5-28-08; 8:45 am]

Attachment 2

FAA – PARTS MANUFACTURER APPROVAL (PMA) SUPPLEMENT

Turbine Kinetics, Inc.
A HEICO Aerospace Company
60 Sequin Drive
Glastonbury, CT 06033

PMA NO.:	PQ0816NE
SUPPLEMENT No.:	ODA-TK-267
DATE:	October 28, 2021
REVISION No.:	1
REVISION DATE:	December 22, 2021

Article Name	Article Number	Approved Replacement for Article Number	Approval Basis and Approved Design Data	Make/TCH Eligibility	Model/Series Eligibility
Gasket	65C33095-5KT	Boeing P/N: 65C33095-5	Tests and Computations per 14 CFR § 21.303, Dwg No.: 65C33095-5KT, Rev.: A, Dated: 2021/10/22, or later FAA approved revisions.	The Boeing Company	737-100 Series 737-200 Series 737-200C Series 737-300 Series 737-400 Series 737-500 Series 737-700 Series 737-800 Series 737-600 Series 737-700C Series 737-900 Series 737-900ER Series 737-8 737-9 747-100 Series 747-200B Series 747-200F Series 747-200C Series 747SR Series 747SP Series 747-100B Series 747-300 Series 747-100B SUD Series 747-400 Series 747-400D Series 747-400F Series 757-200 Series 757-200PF Series 757-200CB Series 757-300 Series 767-200 Series 767-300 Series 767-300F Series 767-400ER Series

FAA – PARTS MANUFACTURER APPROVAL (PMA) SUPPLEMENT

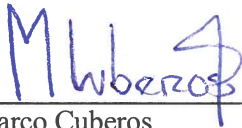
Turbine Kinetics, Inc.
A HEICO Aerospace Company
60 Sequin Drive
Glastonbury, CT 06033

PMA NO.:	<u>PQ0816NE</u>
SUPPLEMENT No.:	<u>ODA-TK-267</u>
DATE:	<u>October 28, 2021</u>
REVISION No.:	<u>1</u>
REVISION DATE:	<u>December 22, 2021</u>

Article Name	Article Number	Approved Replacement for Article Number	Approval Basis and Approved Design Data	Make/TCH Eligibility	Model/Series Eligibility
Gasket	65C33095-5KT	Boeing P/N: 65C33095-5	Tests and Computations per 14 CFR § 21.303, Dwg No.: 65C33095-5KT, Rev.: A, Dated: 2021/10/22, or later FAA approved revisions.	The Boeing Company	777-200 Series 777-300 Series 777-300ER Series 777-200LR Series 777F Series

----- End of Listing -----

NOTE: Minor design changes (reference 14 CFR part 21 §§ 21.319 and 21.619) and major design changes (reference 14 CFR part 21 §§ 21.319 and 21.619) to drawings and specifications must be accomplished in accordance with the FAA approved HEICO PMA ODA Procedures Manual.



Marco Cuberos
PMA ODA administrator
HEICO Aerospace Corporation

DECEMBER 22, 2021

Date

This Supplement is an attachment to FAA-PMA approval letter dated March 28, 2001

Attachment 3

From: [Nichols, Rebel \(FAA\)](#)
To: [Keating, Kevin](#)
Subject: RE: AMOC Request --- AD 2008-10-09 R1, AD 2008-10-10 R1, AD 2008-10-07 R1, AD 2008-10-06 R1, AD 2012-12-15, AD 2008-11-01 R1 and AD 2008-11-13
Date: Thursday, December 9, 2021 1:15:28 PM
Attachments: [AMOC_Request_\(65C33095-5KT\)_2021-12-02_09-04-29.pdf](#)

CAUTION: This is an external email.

Hi Kevin,

Since your PMA gasket is the same as the OEM and installation procedures are the same, no AMOC's are needed for the subject AD's. The PMA Supplement provides the authority to install the part in lieu of the OEM part. All of the Airworthiness Limitations required by the AD's listed and any future AD's that address the OEM part or its installation would also apply to your PMA part.

Rebel

Propulsion Section, AIR-784
Seattle ACO Branch
Aviation Safety
rebel.nichols@faa.gov
(206) 231-3556