

STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008, or STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 2009.

(4) *For sailplanes that had P/Ns M476 replaced with P/Ns 10M-181 in compliance with AD 2008-11-20:* Before further flight after July 6, 2010 (the effective date of this AD), do a leak test as specified in STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008, or STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 2009.

(5) *For sailplanes that had P/Ns M476 replaced with P/Ns 10M-181 in compliance with AD 2008-11-20:* If a leak is found during the leak test required in paragraph (f)(4) of this AD, before further flight, repair the leak following an FAA-approved procedure. Contact the manufacturer at the address specified in paragraph (i)(4) of this AD to obtain an FAA-approved repair procedure.

(6) *For all sailplanes affected by this AD:* If no leak is found during the inspection required in paragraph (f)(2) of this AD, within the next 12 months after July 6, 2010 (the effective date of this AD), replace all P/Ns M476 in the fuel system with P/Ns 10M-181. Do the replacements following STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008, or STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 2009.

(7) *For all sailplanes affected by this AD:* Before further flight after doing the replacement required in paragraph (f)(6) of this AD, do a leak test as specified in STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008, or STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 2009.

(8) *For all sailplanes affected by this AD:* If a leak is found during the leak test required in paragraph (f)(7) of this AD, before further flight, repair the leak following an FAA-approved procedure. Contact the manufacturer at the address specified in paragraph (i)(4) of this AD to obtain an FAA-approved repair procedure.

(9) *For all sailplanes affected by this AD:* After June 23, 2008 (the compliance date retained from AD 2008-11-20), do not install plastic "T" and "Y" shape connectors and P/N M476 single-ear clamps in the fuel system.

#### FAA AD Differences

**Note 2:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards 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: Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; fax: (816) 329-4090. Before using any approved AMOC on

any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et. seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) Emergency AD No. 2008-0053-E, dated March 5, 2008; STEMME F & D Service Bulletin A31-10-082, AM-Index: 01.a, dated November 30, 2007; STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008; and STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 2009, for related information.

#### Material Incorporated by Reference

(i) You must use STEMME F & D Service Bulletin A31-10-082, AM-Index: 01.a, dated November 30, 2007; STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008; and STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 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 STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.b, dated May 6, 2009, under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) On June 23, 2008 (73 FR 31355, June 2, 2008), the Director of the Federal Register previously approved the incorporation by reference of STEMME F & D Service Bulletin A31-10-083, Am-Index: 01.a, dated February 26, 2008, listed in this AD.

(3) On February 20, 2008 (73 FR 5733, January 31, 2008), the Director of the Federal Register previously approved the incorporation by reference of STEMME F & D Service Bulletin A31-10-082, AM-Index: 01.a, dated November 30, 2007, listed in this AD.

(4) For service information identified in this AD, contact STEMME GmbH & Co. KG, Flugplatzstraße F 2, Nr. 7, 15344 Strausberg, Federal Republic of Germany; Internet: <http://www.stemme.de/man/>.

(5) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329-3768.

(6) You may also review copies of the service information incorporated by reference

for this AD at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Kansas City, Missouri, on May 18, 2010.

**John Colomy,**

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

[FR Doc. 2010-12443 Filed 5-28-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0261; Directorate Identifier 2010-CE-008-AD; Amendment 39-16312; AD 2010-11-07]

**RIN 2120-AA64**

#### Airworthiness Directives; Quartz Mountain Aerospace, Inc. Model 11E Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Quartz Mountain Aerospace, Inc. Model 11E airplanes. This AD requires you to clean and lubricate the aileron pushrod bearings. This AD results from reports of the aileron control stick force increasing and of the controls being very noisy. We are issuing this AD to detect and correct insufficient lubrication and residual metallic paint particles in the pushrod end ball joints, which could result in difficulty actuating aileron controls sometime during flight after takeoff. This condition could lead to difficulty controlling the airplane in flight.

**DATES:** This AD becomes effective on July 6, 2010.

On July 6, 2010, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

**ADDRESSES:** Quartz Mountain Aerospace, Inc. is in liquidation. For service/ or continued airworthiness information identified in this AD, contact Manager, Fort Worth Aircraft Certification Office, FAA, ATTN: Garry D. Sills, Aerospace Engineer, Rotorcraft Directorate—Airplane Certification Office, ASW-150, 2601 Meacham Blvd, Fort Worth, Texas 76193; telephone: (817) 222-5154; facsimile: (817) 222-5960.

To view the AD docket, go to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at <http://www.regulations.gov>. The docket number is FAA-2010-0261; Directorate Identifier 2010-CE-008-AD.

**FOR FURTHER INFORMATION CONTACT:**

Garry D. Sills, Aerospace Engineer, Rotorcraft Directorate—Airplane Certification Office, ASW-150, 2601 Meacham Blvd, Fort Worth, Texas 76193; telephone: (817) 222-5154; facsimile: (817) 222-5960.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

On March 9, 2010, we issued a proposal to amend part 39 of the Federal

Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Quartz Mountain Aerospace, Inc. Model 11E airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on March 16, 2010 (75 FR 12468). The NPRM proposed to require you to clean and lubricate the aileron pushrod bearings.

**Comments**

We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

**Conclusion**

We have carefully reviewed the available data and determined that air

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

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

**Costs of Compliance**

We estimate that this proposed AD would affect 12 airplanes in the U.S. registry.

We estimate the following costs to do the proposed cleaning and lubrication:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1 work-hour × \$85 per hour = \$85 .....	\$10	\$95	\$1,140

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this AD.

**Regulatory Findings**

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a summary of the costs to comply with this AD (and other information as included in the Regulatory Evaluation) and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include "Docket No. FAA-2010-0261; Directorate Identifier 2010-CE-008-AD" in your request.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

- Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

- 2. FAA amends § 39.13 by adding the following new AD:

**2010-11-07 Quartz Mountain Aerospace, Inc.:** Amendment 39-16312; Docket No. FAA-2010-0261; Directorate Identifier 2010-CE-008-AD.

**Effective Date**

- (a) This AD becomes effective on July 6, 2010.

**Affected ADs**

- (b) None.

**Applicability**

- (c) This AD applies to Model 11E airplanes, all serial numbers, that are certificated in any category.

**Subject**

- (d) Air Transport Association of America (ATA) Code 27: Flight Controls.

**Unsafe Condition**

- (e) This AD results from reports of the aileron control stick force increasing and of the controls being very noisy. We are issuing this AD to detect and correct insufficient lubrication and residual metallic paint particles in the rod end ball joints, which could result in difficulty actuating aileron controls sometime during flight after takeoff. This failure could lead to difficulty controlling the airplane in flight.

**Compliance**

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

Actions	Compliance	Procedures
(1) Clean and lubricate the aileron pushrod bearings.	Within the next 10 hours time-in-service (TIS) after July 6, 2010 (the effective date of this AD).	Follow Quartz Mountain Aerospace Mandatory Service Bulletin No. SB 09-02, dated May 5, 2009.
(2) Lubricate the aileron pushrod bearings .....	Within 50 hours TIS after the cleaning and lubrication required by paragraph (f)(1) of this AD. Repetitively thereafter at intervals not to exceed 50 hours TIS.	Follow Quartz Mountain Aerospace Mandatory Service Bulletin No. SB 09-02, dated May 5, 2009.

### Special Flight Permit

(g) Under 14 CFR part 39.23, a special flight is not permitted for this AD.

### Alternative Methods of Compliance (AMOCs)

(h) The Manager, Fort Worth 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: Garry D. Sills, Aerospace Engineer, Rotorcraft Directorate—Airplane Certification Office, ASW-150, 2601 Meacham Blvd, Fort Worth, Texas 76193; telephone: (817) 222-5154; facsimile: (817) 222-5960. 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

(i) You must use Quartz Mountain Aerospace Mandatory Service Bulletin No. SB 09-02, dated May 5, 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 this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) Quartz Mountain Aerospace, Inc. is in liquidation. For service information identified in this AD, contact Manager, Fort Worth Aircraft Certification Office, FAA, ATTN: Garry D. Sills, Aerospace Engineer, Rotorcraft Directorate—Airplane Certification Office, ASW-150, 2601 Meacham Blvd, Fort Worth, Texas 76193; telephone: (817) 222-5154; fax: (817) 222-5960.

(3) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329-3768.

(4) You may also review copies of the service information incorporated by reference for this AD at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Kansas City, Missouri, on May 14, 2010.

**Kim Smith,**

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

[FR Doc. 2010-12302 Filed 5-28-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2010-0176; Directorate Identifier 2009-NM-201-AD; Amendment 39-16318; AD 2010-11-13]**

**RIN 2120-AA64**

### Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During ERJ 170 airplane full scale fatigue test, cracks were found in some structural components of the airplane. Analysis of these cracks resulted in modifications on the airplane Airworthiness Limitation Items (ALI), to include new inspections tasks or modification of existing ones and its respective thresholds and intervals.

Failure to inspect these components according to the new tasks, thresholds and intervals, could prevent a timely detection of fatigue cracks. Undetected fatigue cracks in these areas could adversely affect the structural integrity of these airplanes.

\* \* \* \* \*

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

**DATES:** This AD becomes effective July 6, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of July 6, 2010.

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

**FOR FURTHER INFORMATION CONTACT:** Kenny Kaulia, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2848; fax (425) 227-1149.

### SUPPLEMENTARY INFORMATION:

#### Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on March 4, 2010 (75 FR 9811). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

During ERJ 170 airplane full scale fatigue test, cracks were found in some structural components of the airplane. Analysis of these cracks resulted in modifications on the airplane Airworthiness Limitation Items (ALI), to include new inspections tasks or modification of existing ones and its respective thresholds and intervals.

Failure to inspect these components according to the new tasks, thresholds and intervals, could prevent a timely detection of fatigue cracks. Undetected fatigue cracks in these areas could adversely affect the structural integrity of these airplanes.

\* \* \* \* \*

The corrective action is revising the Airworthiness Limitations section of the Instructions for Continued Airworthiness to incorporate new structural inspection requirements. You may obtain further information by examining the MCAI in the AD docket.

### Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or