

[Federal Register: September 21, 2007 (Volume 72, Number 183)]
[Rules and Regulations]
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[DOCID:fr21se07-6]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2007-27787 Directorate Identifier 2007-CE-032-AD; Amendment 39-15209; AD 2007-19-18]

RIN 2120-AA64

Airworthiness Directives; DG Flugzeugbau GmbH Model DG-1000T Gliders

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) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

The digital engine indicating system (DEI-NT) and associated control unit must get their latest software update. It has been found out in operation, that some combinations of system states while pressing switches can cause electrical damages to the system. A new software update is mandated to correct this deficiency and to incorporate additional safety functions to the system.

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

DATES: This AD becomes effective October 26, 2007.

On October 26, 2007, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at 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: Greg Davison, Glider Program Manager, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; fax: (816) 329-4090.

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 June 28, 2007 (72 FR 35371). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

The digital engine indicating system (DEI-NT) and associated control unit must get their latest software update. It has been found out in operation, that some combinations of system states while pressing switches can cause electrical damages to the system. A new software update is mandated to correct this deficiency and to incorporate additional safety functions to the system.

As a result, the Flight and Maintenance Manuals need to be revised, specifically regarding the stall warning.

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

Comments

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

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect 1 product of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with basic requirements of 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 \$80 or \$80 per product.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify this AD:

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

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD Docket.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://dms.dot.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 the NPRM, 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.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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



2007-19-18 DG Flugzeugbau GmbH: Amendment 39-15209; Docket No. FAA-2007-27787; Directorate Identifier 2007-CE-032-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective October 26, 2007.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to DG-1000T gliders, all serial numbers, certificated in any category.

Subject

- (d) Air Transport Association of America (ATA) Code 77: Engine Indicating.

Reason

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

The digital engine indicating system (DEI-NT) and associated control unit must get their latest software update. It has been found out in operation, that some combinations of system states while pressing switches can cause electrical damages to the system. A new software update is mandated to correct this deficiency and to incorporate additional safety functions to the system.

As a result, the Flight and Maintenance Manuals need to be revised, specifically regarding the stall warning.

Actions and Compliance

- (f) Within the next 60 days after October 26, 2007 (the effective day of this AD), unless already done, do the following actions:

- (1) Replace the Digital Indicating System (DEI-NT) unit with an updated unit that incorporates software version V1.5, and replace the control unit with an updated unit that incorporates software version V1.9 following DG-Flugzeugbau GmbH Technical Note No. 1000/09, EASA approved December 12, 2006.

- (2) Insert the new Flight Manual pages 0.1, 0.5, 7.14, and 7.15 and the new Maintenance Manual pages 0.1, 0.3, 0.6, 0.10, 1.22, and 1.23, issued October 2006 marked with TN1000/09, and add Diagram 15a into your maintenance program (maintenance manual) following DG-Flugzeugbau GmbH Technical Note No. 1000/09, EASA approved December 12, 2006.

(3) Prior to further flight after the action required by paragraph (f)(1) of this AD, do not install a DEI-NT or control unit in any DG-1000T airplane, unless it incorporates the software versions required in this AD.

Note 1: The referenced DG-Flugzeugbau GmbH Technical Note No. 1000/09, EASA approved December 12, 2006, also includes instructions for replacement of the fuel cock, which is not required by this AD.

Note 2: As specified in the flight manual, the glider can only be operated in the non-powered configuration without the DEI-NT installed. Engine operation is not possible.

FAA AD Differences

Note 3: This AD differs from the MCAI 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 Staff, FAA, ATTN: Greg Davison, Glider Program Manager, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found 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.

(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) AD No. 2007-0040, dated February 23, 2007; and DG-Flugzeugbau GmbH Technical Note No. 1000/09, EASA approved December 12, 2006, for related information.

Material Incorporated by Reference

(i) You must use DG-Flugzeugbau GmbH Technical Note No. 1000/09, EASA approved December 12, 2006, to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact DG-Flugzeugbau GmbH, Wilhelm Dirks, Chief of Design; Otto-Lilienthal-Weg 2, 76646 Bruchsal, Germany; telephone: +49 7251 3020 140; fax: +49 7251 3020 149; e-mail: design@dg-flugzeugbau.de.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the National Archives and Records

Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on September 13, 2007.

Kim Smith,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-18474 Filed 9-20-07; 8:45 am]