

# Rules and Regulations

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0409; Directorate Identifier 2011-CE-011-AD; Amendment 39-16678; AD 2011-09-16]

RIN 2120-AA64

#### Airworthiness Directives; DG Flugzeugbau GmbH Glaser-Dirks Model DG-808C Gliders

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

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

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

It has been reported by DG-808 C owners that the bolt at the landing gear control bellcrank was found mounted in the wrong direction. Further investigations have shown that in such situation, the bolt could interfere and damage:

- The air brake control pushrod, and
- The wing flap control pushrod if the landing gear is operated with negative flap settings.

This condition, if not detected and corrected, may lead to reduce the controllability of the powered sailplane.

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** This AD becomes effective May 2, 2011.

On May 2, 2011, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

We must receive comments on this AD by June 10, 2011.

**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 DG-Flugzeugbau GmbH, Otto-Lilienthal-Weg 2, D 76 646 Bruchsal, Germany; *telephone:* +49 7251 3020 140; *fax:* +49 7251 3020 149; *Internet:* <http://www.dg-flugzeugbau.de/index-e.html>; e-mail: dg@dg-flugzeugbau.de. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

#### 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:** Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4165; *fax:* (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD No.:

2011-0053-E, dated March 24, 2011 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

It has been reported by DG-808 C owners that the bolt at the landing gear control bellcrank was found mounted in the wrong direction. Further investigations have shown that in such situation, the bolt could interfere and damage:

- The air brake control pushrod, and
- The wing flap control pushrod if the landing gear is operated with negative flap settings.

This condition, if not detected and corrected, may lead to reduce the controllability of the powered sailplane.

For the reasons described above, this AD requires to inspect the landing gear control bellcrank bolt for proper installation and the accomplishment of the associated corrective actions, as applicable.

EASA issued AD No.: 2011-0053-E based on their determination that this was a production error and a quality control problem. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

DG Flugzeugbau GmbH has issued Technical note No. 800/40, dated February 14, 2011; and Section A-A of Undercarriage control circuit Diagram 15, dated November 2004, of DG Flugzeugbau GmbH Maintenance Manual for the Motorglider DG-808C, dated June 2005. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of the AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

### 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 have also required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements take precedence over those copied from the MCAI.

### FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because it has been reported that bolts at the landing gear control bellcrank were mounted in the wrong direction. The incorrectly mounted bolt could interfere and damage the air brake control pushrod and the wing flap control pushrod if the landing gear is operated with negative flap settings. This condition, if not detected and corrected, may lead to reducing the controllability of the powered sailplane. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

### Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2011-0409; Directorate Identifier 2011-CE-011-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.

### Costs of Compliance

We estimate that this AD will affect 5 products of U.S. registry. We also estimate that it would take about 0.5 work-hour per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$0 per product.

Based on these figures, we estimate the cost of the AD on U.S. operators to be \$213, or \$43 per product.

In addition, we estimate that any necessary follow-on actions would take about 0.5 work-hour and require parts costing \$250, for a cost of \$293 per product. We have no way of determining the number of products that may need these actions.

### 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 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.

### 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:

**2011-09-16 DG Flugzeugbau GmbH:**  
Amendment 39-16678; Docket No. FAA-2011-0409; Directorate Identifier 2011-CE-011-AD.

#### Effective Date

- (a) This airworthiness directive (AD) becomes effective May 2, 2011.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to DG Flugzeugbau GmbH Glaser-Dirks Models DG-808C gliders, serial numbers 8-316 B 216 X 1 through 8-417 B 316 X 76, certificated in any category.

#### Subject

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

#### Reason

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

It has been reported by DG-808 C owners that the bolt at the landing gear control bellcrank was found mounted in the wrong direction. Further investigations have shown that in such situation, the bolt could interfere and damage:

- The air brake control pushrod, and
- The wing flap control pushrod if the landing gear is operated with negative flap settings.

This condition, if not detected and corrected, may lead to reduce the controllability of the powered sailplane.

For the reasons described above, this AD requires to inspect the landing gear control bellcrank bolt for proper installation and the accomplishment of the associated corrective actions, as applicable.

**Actions and Compliance**

(f) Unless already done, do the following actions.

(1) Before further flight after May 2, 2011 (the effective date of this AD), inspect the landing gear control bellcrank bolt M6x26 LN9037 for proper installation following DG–Flugzeugbau GmbH Technical note No. 800/40, dated February 14, 2011.

(2) If, during the inspection required by paragraph (f)(1) of this AD, the bolt is found mounted in the wrong direction, before further flight, do the following actions:

(i) Install the landing gear control bellcrank bolt M6x26 LN9037 and its washers and nut correctly following DG–Flugzeugbau GmbH Technical note No. 800/40, dated February 14, 2011; and Section A–A of Undercarriage control circuit Diagram 15, dated November 2004, of DG Flugzeugbau GmbH Maintenance Manual for the Motorglider DG–808C, dated June 2005.

(ii) Inspect the air brake control pushrod (part number (P/N) 6St13) and the wing flap control pushrod (P/N 8St7) for damage. If any pushrod is damaged, before further flight, replace it with a serviceable part following DG–Flugzeugbau GmbH Technical note No. 800/40, dated February 14, 2011.

**FAA AD Differences**

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

**Other FAA AD Provisions**

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, 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:* Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; 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, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response,

including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave., SW., Washington, DC 20591, *Attn:* Information Collection Clearance Officer, AES–200.

**Related Information**

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2011–0053–E, dated March 24, 2011, DG–Flugzeugbau GmbH Technical note No. 800/40, dated February 14, 2011; and Section A–A of Undercarriage control circuit Diagram 15, dated November 2004, of DG Flugzeugbau GmbH Maintenance Manual for the Motorglider DG–808C, dated June 2005, for related information.

**Material Incorporated by Reference**

(i) You must use DG–Flugzeugbau GmbH Technical note No. 800/40, dated February 14, 2011; and Section A–A of Undercarriage control circuit Diagram 15, dated November 2004, of DG Flugzeugbau GmbH Maintenance Manual for the Motorglider DG–808C, dated June 2005, 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, Otto-Lilienthal-Weg 2, D 76 646 Bruchsal, Germany; *telephone:* +49 7251 3020 140; *fax:* +49 7251 3020 149; *Internet:* <http://www.dg-flugzeugbau.de/index-e.html>; *e-mail:* [dg@dg-flugzeugbau.de](mailto:dg@dg-flugzeugbau.de).

(3) You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

(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 April 19, 2011.

**Earl Lawrence,**

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

[FR Doc. 2011–10006 Filed 4–25–11; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****18 CFR Part 40**

[Docket No. RM10–8–000; Order No. 750]

**Electric Reliability Organization Interpretations of Interconnection Reliability Operations and Coordination and Transmission Operations Reliability Standards**

**AGENCY:** Federal Energy Regulatory Commission, Energy.

**ACTION:** Final rule.

**SUMMARY:** Pursuant to section 215 of the Federal Power Act, the Federal Energy Regulatory Commission hereby approves the North American Electric Reliability Corporation's (NERC) interpretation of the Commission-approved Reliability Standards, IRO–005–1, Reliability Coordination—Current-Day Operations, Requirement R12, and TOP–005–1, Operational Reliability Information, Requirement R3. Specifically, the interpretation finds that a transmission owner must report a Special Protection System that is operating with only one communication channel in service to the reliability coordinator and neighboring systems upon request, or when the loss of the communication channel will result in the failure of the Special Protection System to operate as designed.

**DATES:** *Effective Date:* This rule will become effective May 26, 2011.

**FOR FURTHER INFORMATION CONTACT:** Danny Johnson (Technical Information), Office of Electric Reliability, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. *Telephone:* (202) 502–8892. *danny.johnson@ferc.gov.*

Richard M. Wartchow (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. *Telephone:* (202) 502–8744.

**SUPPLEMENTARY INFORMATION:****135 FERC ¶ 61,041**

*Before Commissioners:* Jon Wellinoff, Chairman; Marc Spitzer, Philip D. Moeller, John R. Norris, and Cheryl A. LaFleur.

**Issued April 21, 2011**

1. Pursuant to section 215 of the Federal Power Act, the Federal Energy Regulatory Commission hereby approves the North American Electric Reliability Corporation's (NERC) interpretation of the Commission-