

that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed 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 proposed 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, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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):

**Boeing:** Docket No. FAA-2006-24271; Directorate Identifier 2006-NM-006-AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by May 22, 2006.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Boeing Model 727, 727C, 727-100, 727-100C, 727-200, and 727-200F series airplanes, certificated in any category; as identified in Boeing Special

Attention Service Bulletin 727-27-0234, dated November 10, 2005.

### Unsafe Condition

(d) This AD results from reports of freeplay-induced vibration of the outboard aileron balance tab and rudder tab. We are issuing this AD to prevent excessive vibration of the airframe during flight, which could result in divergent flutter and loss of control 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.

### Compliance Times

(f) Except as provided by paragraph (h) of this AD, at the applicable times specified in paragraph 1.E., "Compliance," of Boeing Special Attention Service Bulletin 727-27-0234, dated November 10, 2005, do the actions specified in paragraph (g) of this AD. Where the service bulletin specifies a compliance time "from the initial release of this service bulletin," this AD requires compliance within the applicable compliance time after the effective date of this AD.

### Freeplay Measurement, Related Investigative and Corrective Actions, and Lubrication

(g) At the applicable times specified in paragraph (f) of this AD, do the actions specified in paragraphs (g)(1) and (g)(2) of this AD in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 727-27-0234, dated November 10, 2005.

(1) Measure the freeplay of the left and right outboard aileron balance tabs and of the upper and lower rudder tabs, and do applicable related investigative and corrective actions if necessary.

(2) Lubricate the hinge bearings and rod end bearings of the aileron balance tabs.

### Concurrent Repetitive Cycles

(h) If a freeplay measurement required by paragraph (g)(1) of this AD and a lubrication cycle required by paragraph (g)(2) of this AD are due at the same time or will be done during the same maintenance visit, the freeplay measurement and applicable related investigative and corrective actions must be done before the lubrication.

### Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing

Commercial Airplanes Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

Issued in Renton, Washington, on March 29, 2006.

**Ali Bahrami,**

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

[FR Doc. E6-4924 Filed 4-4-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-ANE-09]

RIN 2120-AA64

### Airworthiness Directives; Rolls-Royce plc Model RB211 Trent 892, 884, 877, 875, and 892B Series Turbofan Engines

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

**ACTION:** Notice of proposed rulemaking (NPRM); rescission.

**SUMMARY:** The FAA proposes to rescind an existing airworthiness directive (AD) for Rolls-Royce plc (RR) Model RB211 Trent 892, 884, 877, 875, and 892B series turbofan engines. That AD currently requires inspecting and replacing certain angle gearbox and intermediate gearbox hardware, and on-going repetitive inspections of the magnetic chip detectors. This action would rescind all the requirements of AD 97-06-13, Amendment 39-9970, Docket No. 97-ANE-09. This proposed rescission results from the FAA determining that the inspections and replacements required by that AD are no longer required to correct an unsafe condition. Operators should, however, incorporate those inspections and replacements into their normal maintenance practices.

**DATES:** We must receive any comments on this proposed AD rescission by June 5, 2006.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD rescission:

- By mail: Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-ANE-09-AD, 12 New England Executive Park, Burlington, MA 01803.

- By fax: (781) 238-7055.

• By e-mail: [9-ane-adcomment@faa.gov](mailto:9-ane-adcomment@faa.gov).

You may examine the AD docket, by appointment, at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:**

Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238-7175; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. 97-ANE-09" in the subject line of your comments. If you want us to acknowledge receipt of your mailed comments, send us a self-addressed, stamped postcard with the docket number written on it; we will date-stamp your postcard and mail it back to you. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. If a person contacts us verbally, and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend the proposed AD rescission in light of those comments.

**Examining the AD Docket**

You may examine the AD Docket (including any comments and service information), by appointment, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. See **ADDRESSES** for the location.

**Discussion**

On April 14, 1997, we issued AD 97-06-13, Amendment 39-9970, Docket No. 97-ANE-09 (62 FR 23339, April 30, 1997), for RR Model RB211 Trent 892, 884, 877, 875, and 892B series turbofan engines. That AD requires inspecting and replacing certain angle gearbox and intermediate gearbox hardware, and on-going repetitive inspections of the magnetic chip detectors on Trent 800 series engines.

**Actions Since Issuing AD 97-06-13**

Since issuing AD 97-06-13, we issued a notice of proposed rulemaking (NPRM) on October 25, 1999, to revise the AD to include additional optional terminating action to the gearbox

hardware inspections, and to extend the intervals for the magnetic chip detector inspections. The Trent 800 fleet has grown in size and matured in fleet experience. Based on the current Trent 800 fleet and the service experience demonstrated since we published the AD and NPRM, the underlying unsafe conditions no longer justify that AD.

**FAA's Conclusions**

After reviewing the available data, we determined it is appropriate to rescind AD 97-06-13 to eliminate the mandate to perform inspections and hardware replacements. The inspections and hardware replacements are no longer required to correct an unsafe condition. Operators should however, incorporate those inspections and replacements into their normal maintenance schedules. Our determination is based on the following:

We based AD 97-06-13 on a determination of unsafe conditions on a fleet of engines that had a total operating experience of 29,000 hours. Today's fleet of engines has over 1.6 million operating hours, with a basic in-flight shutdown rate of well below acceptable levels. Fleet experience does not support the original unsafe condition determination.

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, determined that their AD on the subject is no longer needed. They withdrew their AD, and they recommend we do likewise. Rolls-Royce plc, with CAA approval, withdrew the inspection service bulletins referenced in the AD. The fleet has completely incorporated the modifications required by AD 97-06-13, intended to prevent oil leaks.

This proposed action would rescind AD 97-06-13. Rescission of AD 97-06-13 would constitute only such action and if followed by a final action would not preclude the agency from issuing another action in the future nor would it commit the agency to any course of action in the future.

**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 proposed rescission would not have federalism implications under Executive Order 13132. This proposed rescission would 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 proposed rescission:

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. Would 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, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 the following airworthiness directive (AD):

**Roll-Royce plc:** Docket No. 97-ANE-09; AD 97-06-13; Amendment 39-9970.

**Comments Due Date**

(a) The Federal Aviation Administration (FAA) must receive comments on this AD rescission by June 5, 2006.

**Affected ADs**

(b) This document rescinds AD 97-06-13.

**Applicability**

(c) This AD rescission applies to Rolls-Royce plc Model RB211 Trent 892, 884, 877, 875, and 892B series turbofan engines.

Issued in Burlington, Massachusetts, on March 30, 2006.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
[FR Doc. E6-4922 Filed 4-4-06; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-22974; Directorate Identifier 2005-NM-180-AD]

RIN 2120-AA64

#### Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 Airplanes

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

**SUMMARY:** The FAA is revising an earlier NPRM for an airworthiness directive (AD) that applies to certain BAE Systems (Operations) Limited Model BAe 146 airplanes. The original NPRM would have required repetitive inspections to measure the depth of chafing or scoring in the skin along the full length of the wing-to-fuselage fairing from forward to aft ends at the contact between the seal and fuselage, and related investigative/corrective actions if necessary. The original NPRM resulted from a report of chafing in this area. This action revises the original NPRM by removing certain credit for prior accomplishment of proposed requirements. We are proposing this supplemental NPRM to detect and correct such chafing or scoring, which could result in reduced structural integrity of the fuselage.

**DATES:** We must receive comments on this supplemental NPRM by May 1, 2006.

**ADDRESSES:** Use one of the following addresses to submit comments on this supplemental NPRM.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171, for service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this supplemental NPRM. Send your comments to an address listed in the **ADDRESSES** section. Include the docket number "Docket No. FAA-2005-22974; Directorate Identifier 2005-NM-180-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this supplemental NPRM. We will consider all comments received by the closing date and may amend this supplemental NPRM in light of those comments.

We will post all comments submitted, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this supplemental NPRM. Using the search function of that web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

##### Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level in the Nassif Building at the DOT street address stated in **ADDRESSES**. Comments will be available in the AD

docket shortly after the Docket Management System receives them.

#### Discussion

We proposed to amend 14 CFR part 39 with a notice of proposed rulemaking (NPRM) for an airworthiness directive (AD) (the "original NPRM"). The original NPRM applies to certain BAE Systems (Operations) Limited Model BAe 146 airplanes. The original NPRM was published in the **Federal Register** on November 15, 2005 (70 FR 69286). The original NPRM proposed to require repetitive inspections to measure the depth of chafing or scoring in the skin along the full length of the wing-to-fuselage fairing from forward to aft ends at the contact between the seal and fuselage, and related investigative/corrective actions if necessary.

The original NPRM provided credit for accomplishment of certain service bulletins before the effective date of the AD. Since the original NPRM was issued, we have learned that two of the documents (BAE Systems (Operations) Limited Inspection Service Bulletins ISB.53-005, dated August 15, 1984, and ISB.53-067, dated December 23, 1987) are unavailable. We are therefore unable to determine the appropriateness of all of the procedures described in the service bulletin and must remove those references from this supplemental NPRM.

#### Comments

We have considered the following comments on the original NPRM.

##### Request To Correct Typographical Errors

The commenter, on behalf of Air Wisconsin Airlines Corporation, notes that the proposed AD misidentified two reference documents. In paragraph (c), the last Modification number should be HCM01698A. In paragraph (i), Table 1, the date listed for ISB.53-005, Revision 1, should be April 19, 1985.

We have corrected these references in this supplemental NPRM.

##### Additional Change to Original NPRM

We have revised the statement of the unsafe condition to clarify the effect of chafing or scoring in the skin along the full length of the wing-to-fuselage fairing from the forward to aft ends at the contact between the seal and fuselage.

##### FAA's Determination and Proposed Requirements of the Supplemental NPRM

Certain changes discussed above expand the scope of the original NPRM; therefore, we have determined that it is