| Actions | Compliance | Procedures |
|---|---|---|
| (1) Inspect the horizontal stabilizer attachment bolts and anchor nuts for damage and wear. | Within the next 50 hours time-in-service (TIS) or 2 months, whichever occurs first, after December 14, 2006 (the effective date of this AD). | Follow B–N Britten-Norman Aircraft Limited Service Bulletin number SB 302, Issue 2, dated April 12, 2005. |
| (2) If you find any damaged or worn horizontal stabilizer attachment bolts and/or anchor nuts during the inspection required in paragraph (e)(1) of this AD, replace with new, modified horizontal stabilizer attachment bolts as specified in the service information (or FAA-approved equivalent part). | Before further flight after the inspection required in paragraph (e)(1) of this AD. | Follow B–N Britten-Norman Aircraft Limited Service Bulletin number SB 302, Issue 2, dated April 12, 2005. Do any necessary replacements following B–N Group Ltd. Modification Leaflet for Mod NB–M–1787, Issue 1, dated August 1, 2005. |
| (3) If you do not find damaged or worn horizontal stabilizer attachment bolts and/or anchor nuts during the inspection required in paragraph (e)(1) of this AD, replace the horizontal stabilizer attachment bolts and anchor nuts with new, modified horizontal stabilizer attachment bolts as specified in the service information (or FAA-approved equivalent part). | Upon accumulating 1,000 hours TIS after the inspection required in paragraph (e)(1) of this AD. | Follow B–N Group Ltd. Modification Leaflet for Mod NB–M–1787, Issue 1, dated August 1, 2005. |
| (4) You may replace the horizontal stabilizer attachment bolts and anchor nuts with the new, modified horizontal stabilizer attachment bolts as specified in the service information (or FAA-approved equivalent part) at any time, but no later than the applicable times specified in paragraphs (e)(2) and (e)(3) of this AD. After installing the new, modified horizontal stabilizer attachment bolts, no further action is required. | As of December 14, 2006 (the effective date of this AD). | Follow B–N Group Ltd. Modification Leaflet for Mod NB–M–1787, Issue 1, dated August 1, 2005. |

**Alternative Methods of Compliance (AMOCs)**

(f) The Manager, Standards Staff, FAA, Small Airplane Directorate, ATTN: Albert J. Mercado, Aerospace Engineer, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4119; fax: (816) 329–4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

**Related Information**

(g) MCAI United Kingdom Civil Aviation Authority AD No. G–2004–0014 R1, Effective Date: July 29, 2005, also addresses the subject of this AD.

**Material Incorporated by Reference**

(h) You must use B–N Britten-Norman Aircraft Limited Service Bulletin number SB 302, Issue 2, dated April 12, 2005, and B–N Group Ltd. Modification Leaflet for Mod NB–M–1787, Issue 1, dated August 1, 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 B–N Group Ltd., Bembridge Airport, Isle of Wight, PO35 5PR, United Kingdom; telephone: +44 (0) 1983 872511; fax: +44 (0) 1983 873246.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, 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/code_of_federal_regulations/ibr_locations.html*.

Issued in Kansas City, Missouri, on October 30, 2006.

**Kim Smith,**

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

[FR Doc. E6–18723 Filed 11–8–06; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 39

**[Docket No. FAA–2006–26220; Directorate Identifier 2006–NE–40–AD; Amendment 39–14822; AD 2006–23–10]**

**RIN 2120–AA64**

## Airworthiness Directives; Dowty Propellers R321/4–82–F/8; R324/4–82–F/9; R333/4–82–F/12; and R334/4–82–F/13 Propellers

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (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 an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

One propeller blade has recently been identified after delivery from Dowty Propellers where the blade counterweight capscrew holes have not been correctly drilled. If the capscrew holes are not machined to their required depth, it may appear that the capscrew has been correctly assembled, but the counterweight will not be properly retained. This condition, if not corrected, could result in failure (due to fatigue) of one or more capscrews, release of the counterweight during propeller operation and consequent risk of injury to aircraft occupants and persons on the ground. Dowty has concluded that the problem is associated only with blades manufactured between April and July 2006, identified by serial number in the applicability section of this directive.

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

**DATES:** This AD becomes effective November 24, 2006.

The Director of the Federal Register approved the incorporation by reference of Dowty Propellers Alert Service Bulletin (ASB) No. 61–A1133, dated October 17, 2006, and ASB No. 61–A1134, dated October 17, 2006, listed in the AD, as of November 24, 2006.

We must receive comments on this AD by December 11, 2006.

**ADDRESSES:** You may send comments by any of the following methods:

- *DOT Docket Web Site:* Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.
- *Fax:* (202) 493–2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.
- *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.
- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.

**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 this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5227) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Frank Walsh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238–7158; fax (781) 238–7170.

**SUPPLEMENTARY INFORMATION:**

**Streamlined Issuance of AD**

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

**Discussion**

The European Aviation Safety Agency (EASA), which is the aviation authority for the European community, has issued Emergency Airworthiness Directive No. 2006–0326–E, dated October 23, 2006 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states that:

> One propeller blade has recently been identified after delivery from Dowty Propellers where the blade counterweight capscrew holes have not been correctly drilled. If the capscrew holes are not machined to their required depth, it may appear that the capscrew has been correctly assembled, but the counterweight will not be properly retained. This condition, if not corrected, could result in failure (due to fatigue) of one or more capscrews, release of the counterweight during propeller operation and consequent risk of injury to aircraft occupants and persons on the ground. Dowty has concluded that the problem is associated only with blades manufactured between April and July 2006, identified by serial number in the applicability section of this directive.

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

**Relevant Service Information**

Dowty Propellers has issued ASB No. 61–A1133, dated October 17, 2006, and ASB No. 61–A1134, dated October 17, 2006. The actions described in those ASBs are intended to correct the unsafe condition identified in the MCAI.

**FAA's Determination and Requirements of This 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 the 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 the 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 described in a separate paragraph of the AD. These requirements take precedence over the actions 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 propeller blades have not been adequately machined to properly retain counterweights. This condition, if not corrected, could result in failure (due to fatigue) of one or more capscrews, release of the counterweight during propeller operation, consequent risk of injury to aircraft occupants and persons on the ground, and loss of control of aircraft in flight.

We have concluded that due to the serious nature of this problem of the limited number of blades listed in the ASBs and in the applicability section of EASA Emergency AD No. 2006–0326–E, this AD must be a final rule; request for comments to require identification, inspection, and where necessary rework of the affected propeller blades. 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–2006–26220; Directorate Identifier 2006–NE–40–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://dms.dot.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 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 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.

### 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:

**2006–23–10 Dowty Propellers (formerly Dowty Rotol Ltd):** Amendment 39–14822. Docket No. FAA–2006–26220; Directorate Identifier 2006–NE–40–AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective November 24, 2006.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Dowty Propellers R321/4–82–F/8; R324/4–82–F/9; R333/4–82–F/12; and R334/4–82–F/13 propellers, if blades are installed with serial numbers (SNs) A156121 through A156132; A156137 through A156160; A156165 through A156168; A156177 through A156184; A156194; and A156196 through A156200. These propellers are known to be installed on, but not limited to CASA 212; M7 Aerospace (formerly Fairchild; Swearingen) SA227TT, SA227AT, and SA227AC; and BAE Systems (formerly British Aerospace) Jetstream 3100 and 3200 series airplanes.

#### Reason

(d) One propeller blade has recently been identified after delivery from Dowty Propellers where the blade counterweight capscrew holes have not been correctly drilled. If the capscrew holes are not machined to their required depth, it may appear that the capscrew has been correctly assembled, but the counterweight will not be properly retained. This condition, if not corrected, could result in failure (due to fatigue) of one or more capscrews, release of the counterweight during propeller operation, and consequent risk of injury to aircraft occupants and persons on the ground. Dowty has concluded that the problem is associated only with blades manufactured between April and July 2006, identified by SN in the applicability section of this directive.

#### Actions and Compliance

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

(1) Before next flight after the effective date of this directive, identify the propeller blades that have a SN listed in the applicability section of this directive and inspect the affected blades in accordance with the instructions contained in Dowty Propellers Alert Service Bulletin (ASB) No. 61–A1133, dated October 17, 2006, and ASB No. 61–A1134, dated October 17, 2006, as applicable.

(2) When discrepancies are found, before further flight the counterweight attachment hole must be re-machined. Contact Dowty Propellers for advice on re-machining the holes.

(3) After the effective date of this directive, no person may install one of the listed SN propeller blades on an aircraft unless the blade has been inspected and, if necessary, reworked in accordance with the requirements of this directive.

#### FAA AD Differences

(f) None.

#### Other FAA AD Provisions

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Boston Aircraft Certification Office, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(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, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

(h) *Special Flight Permits:* We are prohibiting special flight permits.

#### Related Information

(i) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Emergency Airworthiness Directive 2006–0326–E, dated October 23, 2006.

#### Material Incorporated by Reference

(j) You must use the Dowty Propellers service information specified in Table 1 of this AD 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 Dowty Propellers, Anson Business Park, Cheltenham Road East, Gloucester GL 29QN, UK; telephone 44 (0) 1452 716000; fax 44 (0) 1452 716001.

(3) You may review copies at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; 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.*

TABLE 1.—MATERIAL INCORPORATED BY REFERENCE

| Dowty Propellers Alert Service Bulletin No. | Page | Revision | Date |
|---|---|---|---|
| 61–A1133 | All | Original | October 17, 2006. |
| 61–A1134 | All | Original | October 17, 2006. |

Issued in Burlington, Massachusetts, on November 1, 2006.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. E6–18840 Filed 11–8–06; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 39

**[Docket No. FAA–2004–20007; Directorate Identifier 2004–CE–50–AD; Amendment 39–14798; AD 2006–23–01]**

**RIN 2120–AA64**

## Airworthiness Directives; Air Tractor, Inc. Model AT–602 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA adopts a new airworthiness directive (AD) for all Air Tractor, Inc. (Air Tractor) Model AT–602 airplanes. This AD requires you to repetitively inspect (using the eddy current method) the wing center splice joint two outboard fastener holes on both of the wing main spar lower caps for fatigue cracking; repair or replace any wing main spar lower cap where fatigue cracking is found; and report any fatigue cracking found. This AD results from fatigue cracking at the wing center splice joint outboard fastener hole in one of the wing main spar lower caps. We are issuing this AD to detect and correct cracks in the wing main spar lower cap, which could result in failure of the spar cap and lead to wing separation and loss of control of the airplane.

**DATES:** This AD becomes effective on December 14, 2006.

As of December 14, 2006, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

**ADDRESSES:** To get the service information identified in this AD, contact Air Tractor, Inc. at P.O. Box 485, Olney, Texas 76374; telephone: (940) 564–5616; or fax: (940) 564–5612.

To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001 or on the Internet at *http://dms.dot.gov*. The docket number is FAA–2004–20007; Directorate Identifier 2004–CE–50–AD.

**FOR FURTHER INFORMATION CONTACT:** Andrew McAnaul, Aerospace Engineer, ASW–150 (c/o MIDO–43), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; telephone: (210) 308–3365; fax: (210) 308–3370.

**SUPPLEMENTARY INFORMATION:**

### Discussion

On August 3, 2006, 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 Air Tractor, Inc. (Air Tractor) Model AT–602 airplanes. This proposal was published in the **Federal Register** as a supplemental notice of proposed rulemaking (NPRM) on August 9, 2006 (71 FR 45467). The supplemental NPRM proposed to require you to repetitively inspect (using the eddy current method) the wing center splice joint two outboard fastener holes on both of the wing main spar lower caps for fatigue cracking; repair or replace any wing main spar lower cap where fatigue cracking is found; and report any fatigue cracking found.

The following table contains AD actions that address the wing spar safe life of the Air Tractor airplane fleet:

RELATED AD ACTIONS

| AD No. | Affected air tractor model airplanes | Status |
|---|---|---|
| 2000–14–51 | AT–501, AT–502, and AT–502A | Superseded by AD 2001–10–04. |
| 2001–10–04 | AT–400, AT–500, and AT–800 Series | Revised by AD 2001–10–04 R1. |
| 2001–10–04 R1 | AT–400, AT–500, and AT–800 Series | Superseded by AD 2002–11–05. |
| 2002–11–05 | AT–400, AT–401, AT–401B, AT–402, AT–402A, AT–402B, AT–501, AT–802, and AT–802A. | Revised by AD 2002–11–05 R1. |
| 2002–13–02 | AT–300, AT–301, AT–302, AT–400, and AT–400A Airplanes. | Superseded by AD 2003–06–01. |
| 2002–11–03 | AT–502, AT–502A, AT–502B, and AT–503A | Superseded by AD 2002–26–05. |
| 2002–26–05 | AT–502, AT–502A, AT–502B, and AT–503A | Current. |
| 2003–06–01 | AT–300, AT–301, AT–302, AT–400, and AT–400A | Current. |
| 2002–11–05 R1 | AT–501 | Current. |
| 2006–08–08 | AT–400, AT–401, AT–401B, AT–402, AT–402A, and AT–402B. | Current. |
| 2006–08–09 | AT–802 and AT–802A | Current. |

You may view these ADs at the following Internet Web site addresses: *http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgAD.nsf/MainFrame?OpenFrameSet* *www.gpoaccess.gov/fr/index.html*.

### Comments

We provided the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal and FAA's response to each comment:

### Comment Issue No. 1: Publish the Manufacturer Service Information

Jack Buster with the Modification and Replacement Parts Association (MARPA) provides comments on how the FAA addresses publishing