

**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.

**Restatement of Requirements of AD 2005–12–17***Inspection and Corrective Action*

(f) For airplanes having S/Ns 4001 through 4105 inclusive: Within 14 days after July 5, 2005 (the effective date of AD 2005–12–17), inspect the electrical connectors of the fire bottles for the forward and aft baggage compartments and for the APU and engine nacelles to determine if they are connected correctly; and, before further flight, do the related investigative and corrective actions, as applicable; by doing all of the applicable actions specified in the Accomplishment Instructions of Bombardier Alert Service Bulletin A84–26–06, dated May 12, 2005; or Revision ‘A,’ dated June 6, 2005. Although the service bulletins specify to submit certain information to the manufacturer, this AD does not include that requirement.

**New Requirements of This AD***Installation/Modification*

(g) For all airplanes: Within 5,000 flight hours after the effective date of this AD, install/modify lanyards, mounts, and clamps to the forward and aft baggage compartment, APU, and engine nacelle fire extinguishing systems by doing all the actions specified in the Accomplishment Instructions of Bombardier Service Bulletin 84–26–07, Revision ‘B,’ dated November 1, 2006.

*Installation and Removal of Bottles and Cartridges*

(h) For airplanes having S/Ns 4001 through 4105 inclusive: As of the effective date of this AD, whenever any of the actions specified in paragraphs (h)(1), (h)(2), (h)(3), (h)(4), (h)(5), (h)(6), and (h)(7) of this AD are done, those actions must be done in accordance with a method approved by either the Manager, New York Aircraft Certification Office (ACO), FAA; or Transport Canada Civil Aviation (or its delegated agent). Bombardier Dash 8 Series 400 Aircraft Maintenance Manual, Product Support Manual (PSM) 1–84–2, Revision 22, dated June 5, 2006, is one approved method.

- (1) Installation and removal of nacelle fire bottles.
- (2) Installation of aft high-rate fire bottles.
- (3) Installation of forward high-rate fire bottles.
- (4) Installation and removal of low-rate fire bottles.
- (5) Installation of APU fire bottles.
- (6) Installation and removal of low-rate fire extinguisher cartridges.
- (7) Installation and removal of nacelle fire extinguisher cartridges.

*Actions Accomplished According to Previous Issue of Service Bulletin*

(i) Actions accomplished before the effective date of this AD in accordance with Bombardier Service Bulletin 84–26–07, dated June 15, 2005; and Revision ‘A,’ dated February 21, 2006; are considered acceptable

for compliance with the corresponding action specified in paragraph (g) of this AD, provided the intended restriction of the connectors was done as specified in Bombardier Service Bulletin 84–26–07, Revision ‘B,’ dated November 1, 2006.

*Alternative Methods of Compliance (AMOCs)*

(j)(1) The Manager, New York 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.

*Related Information*

(k) Canadian airworthiness directive CF–2005–14R1, dated May 8, 2006, also addresses the subject of this AD.

Issued in Renton, Washington, on January 17, 2007.

**Ali Bahrami,**

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E7–1201 Filed 1–25–07; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2007–27014; Directorate Identifier 2006–NM–253–AD]

RIN 2120–AA64

**Airworthiness Directives; Airbus Model A330 Airplanes and Model A340–200 and –300 Series Airplanes**

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed 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 un-damped extension of the main landing gear (MLG), potentially leading to loss of side stay integrity and then MLG collapse. The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by February 26, 2007.

**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 proposed 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:** Tim Backman, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2797; fax (425) 227–1149.

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

## Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2007-27014; Directorate Identifier 2006-NM-253-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed 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 proposed AD.

## Discussion

The European Aviation Safety Agency (EASA), which is the aviation authority for the European Union, has issued Emergency Airworthiness Directive 2006-0324-E, dated October 20, 2006 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states that during full-scale fatigue tests, the retraction link failed on the latest growth production standard MLG (main landing gear) prior to its expected life limit. Investigations confirm that the root cause of this premature fracture is due to high lug stress. The retraction link is included in the ALS (Airworthiness Limitation section) Part 1—Safe Life Airworthiness Limitation Item—and is currently limited to 35,200 flight cycles (FC). Its fracture causes undamped extension of the MLG, potentially leading to loss of side stay integrity and then MLG collapse, which constitutes an unsafe condition. The aim of the MCAI is to mandate the reduced retraction link life limit and replacement of any retraction link that has exceeded this new limit. You may obtain further information by examining the MCAI in the AD docket.

## Relevant Service Information

Airbus has issued All Operators Telexes A330-32A3208, dated October 18, 2006; and A340-32A4252, dated October 18, 2006. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

## FAA's Determination and Requirements of This Proposed 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 proposing 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 also have proposed 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 proposed AD. These requirements, if ultimately adopted, will take precedence over the actions copied from the MCAI.

## Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 28 products of U.S. registry. We also estimate that it would take about 10 work-hours per product to comply with this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$0 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$22,400, or \$800 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 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 this 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.

## 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 FAA amends § 39.13 by adding the following new AD:

**Airbus:** Docket No. FAA-2007-27014; Directorate Identifier 2006-NM-253-AD.

## Comments Due Date

- (a) We must receive comments by February 26, 2007.

## Affected ADs

- (b) None.

**Applicability**

(c) This AD applies to Airbus Model A330 airplanes, and Model A340-200 and -300 series airplanes, certificated in any category; all serial numbers fitted with MLG (main landing gear) retraction link Part Number (PN) 201489311 (LH (left-hand) side) or PN 201489312 (RH (right-hand) side).

**Reason**

(d) The MCAI states that during full-scale fatigue tests, the retraction link failed on the latest growth production standard MLG (main landing gear) prior to its expected life limit. Investigations confirm that the root cause of this premature fracture is due to high lug stress. The retraction link is included in the ALS (Airworthiness Limitation section) Part 1—Safe Life Airworthiness Limitation Item—and currently limited to 35,200 flight cycles (FC). Its fracture causes un-damped extension of the MLG, potentially leading to loss of side stay integrity and then MLG collapse, which constitutes an unsafe condition. The aim of the MCAI is to mandate the reduced retraction link life limit and replacement of any retraction link that has exceeded this new limit.

**Actions and Compliance**

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

(1) Prior to the accumulation of 8,300 total landings on the retraction link assembly or within 39 days after the effective date of this AD, whichever occurs later, replace the retraction link assembly in accordance with the instructions defined in Airbus All Operators Telex A330-32A3208, dated October 18, 2006; or Airbus All Operators Telex A340-32A4252, dated October 18, 2006; as applicable.

(2) Within 39 days after the effective date of this AD, report to Airbus the life accumulation information of each retraction link assembly affected by this AD in accordance with Airbus All Operators Telex A330-32A3208, dated October 18, 2006; or Airbus All Operators Telex A340-32A4252, dated October 18, 2006; as applicable.

**Note 1:** This reduced life limit will be incorporated within the next revision of the Airbus A330/A340 ALS Part 1.

**Other FAA AD Provisions**

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, ATTN: Tim Backman, Aerospace Engineer, 1601 Lind Avenue, SW., Renton, Washington 98057-3356, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. 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.

(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.

**Related Information**

(g) Refer to MCAI European Aviation Safety Agency Emergency Airworthiness Directive 2006-0324-E, dated October 20, 2006; and Airbus All Operators Telex A330-32A3208, dated October 18, 2006; and Airbus All Operators Telex A340-32A4252, dated October 18, 2006, for related information.

Issued in Renton, Washington, on January 12, 2007.

**Ali Bahrami,**

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

[FR Doc. E7-1202 Filed 1-25-07; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA-2006-25419; Directorate Identifier 2006-NM-055-AD]**

**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:** 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 EMBRAER Model ERJ 170 airplanes. The original NPRM would have required replacing the mini-latches on certain lavatory waste compartment doors with new, stronger latches, and other specified actions. The original NPRM resulted from reports of certain lavatory waste compartment doors opening during flight due to movement of the waste compartment during takeoff, because the mini-latches installed on the doors of those compartments lose their strength over time. This action revises the original NPRM by adding airplanes to the applicability. We are proposing this supplemental NPRM to prevent the inability of the waste compartment

doors to adequately contain a fire inside the lavatory waste compartment, and consequent uncontained fire and smoke within a lavatory during flight.

**DATES:** We must receive comments on this supplemental NPRM by February 20, 2007.

**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 Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil, for service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:**

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; 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-2006-25419; Directorate Identifier 2006-NM-055-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