

The extensive use of composite materials in the design of the 787 wing and fuel tank structure is considered a major change from conventional and traditional methods of construction. This will be the first large transport category airplane to be certificated with this level of composite material for these purposes. The applicable airworthiness regulations do not contain specific standards for post-crash fire safety performance of wing and fuel tank skin or structure.

### Discussion of Proposed Special Conditions

In order to provide the same level of safety as exists with conventional airplane construction, Boeing must demonstrate that the 787 has sufficient post-crash survivability, in the event that the wings are exposed to a large fuel-fed fire, to enable occupants to safely evacuate. Factors in fuel tank survivability are the structural integrity of the wing and tank, flammability of the tank, burnthrough resistance of the wing skin, and the presence of auto-ignition threats during exposure to a fire. The FAA assessed post crash survival time during the adoption of amendment 25-111 for fuselage burnthrough protection. Studies conducted by and on behalf of the FAA indicated that, following a survivable accident, prevention of fuselage burnthrough for approximately 5 minutes can significantly enhance survivability. ( See report numbers DOT/FAA/AR-99/57 and DOT/FAA/AR-02/49.) Beyond five minutes, there is little benefit, due to the effects of the fuel fire itself. That assessment was carried out based on accidents involving airplanes with conventional fuel tanks, and considering the ability of ground personnel to rescue occupants. In addition, AC20-135 indicates that, when aluminum is used for fuel tanks, the tank should withstand the effects of fire for 5 minutes without failure. Therefore, to be consistent with existing capability and related requirements, the 787 fuel tanks must be capable of resisting a post crash fire for at least 5 minutes. In demonstrating compliance, Boeing must address a range of fuel loads from minimum to maximum, as well as any other critical fuel load.

### Applicability

As discussed above, these proposed special conditions are applicable to the 787. Should Boeing apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design features, these proposed special conditions

would apply to that model as well under the provisions of § 21.101.

### Conclusion

This action affects only certain novel or unusual design features of the 787. It is not a rule of general applicability, and it affects only the applicant that applied to the FAA for approval of these features on the airplane.

### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these Special Conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

### The Proposed Special Conditions

Accordingly, the Administrator of the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Boeing Model 787-8 airplane.

In addition to complying with part 25 regulations governing the fire-safety performance of the fuel tanks, wings, and nacelle, the Boeing Model 787-8 must demonstrate acceptable post-crash survivability in the event the wings are exposed to a large fuel-fed ground fire. Boeing must demonstrate that the wing and fuel tank design can endure an external fuel-fed pool fire for at least 5 minutes. This shall be demonstrated for minimum fuel loads (not less than reserve fuel levels) and maximum fuel loads (maximum range fuel quantities), and other identified critical fuel loads. Considerations shall include fuel tank flammability, burn-through resistance, wing structural strength retention properties, and auto-ignition threats during a ground fire event for the required time duration.

Issued in Renton, Washington, on March 30, 2007.

**Ali Bahrami,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2007-27806; Directorate Identifier 2006-NM-287-AD]**

**RIN 2120-AA64**

#### Airworthiness Directives; Dassault Model Mystere-Falcon 50 Airplanes

**AGENCY:** Federal Aviation Administration (FAA), 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) originated 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:

\* \* \* discovery of interferences between the power wire supplying the galley's coffee-maker and the surrounding structure. These interferences might, by chafing and degrading the wire insulation, generate short circuits between the wire and the aircraft ground through the composite cabinet structure, without activation of the Circuit Breaker (C/B). Several hot spots may then be created and generate a large amount of thick smoke just behind the cockpit.

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 May 9, 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:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington

98057-3356; telephone (425) 227-1137; 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-2007-27806; Directorate Identifier 2006-NM-287-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 based on 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 Technical Agent for the Member States of the European Community, has issued EASA Emergency Airworthiness Directive 2006-0329-E, dated October 25, 2006 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

This Airworthiness Directive (AD) is issued following discovery of interferences between the power wire supplying the galley's coffee-maker and the surrounding structure. These interferences might, by chafing and degrading the wire insulation, generate short circuits between the wire and

the aircraft ground through the composite cabinet structure, without activation of the Circuit Breaker (C/B). Several hot spots may then be created and generate a large amount of thick smokes just behind the cockpit.

This AD aims to prevent this kind of incident, mandating a wire inspection [for damaged wire sleeves], a check for a proper clearance and if necessary a wire re-routing.

The MCAI also requires disabling the galley's coffee-maker, and, in addition to wire re-routing, any required corrective actions. (Corrective actions include replacing worn or defective wire sleeves and shortening wires.) You may obtain further information by examining the MCAI in the AD docket.

##### Relevant Service Information

Dassault has issued Service Bulletins F50-471 and F50-456, both dated October 25, 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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an 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 highlighted in a NOTE within the proposed AD.

##### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 44 products of U.S. registry. We also estimate that it would take about 46 work-hours per product to comply with the basic requirements of

this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$161,920, or \$3,680 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:

**Dassault Aviation:** Docket No. FAA-2007-27806; Directorate Identifier 2006-NM-287-AD.

#### Comments Due Date

(a) We must receive comments by May 9, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Dassault Model Mystere-Falcon 50 airplanes; certificated in any category; with serial number 275 through 293 and 295 through 303 and 305 through 330 inclusive, with the exception of airplanes which have already embodied the Dassault Service Bulletin F50-456.

#### Subject

(d) Electrical Power; Equipment/Furnishings.

#### Reason

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

This Airworthiness Directive (AD) is issued following discovery of interferences between the power wire supplying the galley's coffee-maker and the surrounding structure. These interferences might, by chafing and degrading the wire insulation, generate short circuits between the wire and the aircraft ground through the composite cabinet structure, without activation of the Circuit Breaker (C/B). Several hot spots may then be created and generate a large amount of thick smoke just behind the cockpit.

This AD aims to prevent this kind of incident, mandating a wire inspection [for damaged wire sleeves], a check for a proper clearance and if necessary a wire re-routing. The MCAI also requires disabling the galley's coffee-maker, and, in addition to wire re-routing, any required corrective actions. (Corrective actions include replacing worn or defective wire sleeves and shortening wires.)

#### Actions and Compliance

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

(1) Within 50 flight hours or 1 month after the effective date of this AD, whichever occurs first, disable the galley's coffee-maker by pulling and locking out the circuit breaker 710HG, as instructed in Dassault Service Bulletin F50-471, dated October 25, 2006.

(2) Within 1,530 flight hours or 24 months after the effective date of this AD, whichever occurs first, inspect for damaged wire sleeves, check their proper clearance, and if a discrepancy is found, prior to next flight, proceed to all applicable corrective actions as indicated in the Accomplishment

Instructions of Dassault Service Bulletin F50-456, dated October 25, 2006. Doing the actions specified in this paragraph terminates the requirements of paragraph (f)(1) of this AD, and after the actions have been done, the circuit breaker collar required by paragraph (f)(1) of this AD may be removed.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: The MCAI does not indicate that doing the actions specified in Dassault Service Bulletin F50-456, dated October 25, 2006, terminates the requirement to disable the coffee-maker. This AD indicates that doing the actions specified in Dassault Service Bulletin F50-456, terminates the requirements to disable the coffee-maker, and after the actions have been done, the circuit breaker collar may be removed.

#### Other FAA AD Provisions

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, 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: Tom Rodriguez, Aerospace Engineer, 1601 Lind Avenue, SW, Renton, Washington 98057-3356, telephone (425) 227-1137; fax (425) 227-1149. 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

(h) Refer to MCAI European Aviation Safety Agency Emergency Airworthiness Directive 2006-0329-E, dated October 25, 2006; Dassault Service Bulletin F50-471, dated October 25, 2006; and Dassault Service Bulletin F50-456, dated October 25, 2006; for related information.

Issued in Renton, Washington, on March 30, 2007.

**Ali Bahrami,**

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

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2007-27439; Airspace Docket No. 07-AAL-04]

### Proposed Revision of Class E Airspace; Red Dog, AK

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to revise Class E airspace at Red Dog, AK. A review of controlled airspace for two new Area Navigation (RNAV) Required Navigation Performance (RNP) Special Instrument Approach Procedures (SIAPs) and an RNAV RNP Special Departure Procedure (DP), after a recent action (06-AAL-40) revealed that a small area of controlled airspace is required for the Red Dog Airport. Adoption of this proposal would result in revision of existing Class E airspace upward from 1,200 feet (ft.) above the surface at Red Dog Airport, AK.

**DATES:** Comments must be received on or before May 24, 2007.

**ADDRESSES:** Send comments on the proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2007-27439/Airspace Docket No. 07-AAL-04, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation Nassif Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Manager, Safety, Alaska Flight Service Operations, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: <http://www.alaska.faa.gov/at>.

**SUPPLEMENTARY INFORMATION:**