

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

[Docket No. FAA-2007-27509; Directorate Identifier 2006-NM-201-AD; Amendment 39-15067; AD 2007-11-10]

RIN 2120-AA64

Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Fokker Model F.28 Mark 0070 and 0100 airplanes. This AD requires a detailed inspection for wear of the attachment holes of the control levers of the braking system and applicable corrective actions. This AD results from a report that, after landing, the flightcrew of a Model F.28 Mark 0100 airplane noted that an extreme difference in pedal angle was required to achieve equal braking action. We are issuing this AD to prevent failure of one or more brake control levers, which could result in uncommanded braking and loss of control of the airplane during takeoff, landing, or taxiing.

DATES: This AD becomes effective June 29, 2007.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of June 29, 2007.

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC.

Contact Fokker Services B.V., Technical Services Dept., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands, for service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Examining the Docket

You may examine the airworthiness directive (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 of the Nassif Building at the street address stated in the **ADDRESSES** section.

Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to all Fokker Model F.28 Mark 0070 and 0100 airplanes. That NPRM was published in the **Federal Register** on March 12, 2007 (72 FR 10951). That NPRM proposed to require a detailed inspection for wear of the attachment holes of the control levers of the braking system and applicable corrective actions.

Comments

We provided the public the opportunity to participate in the development of this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Clarification of Alternative Method of Compliance (AMOC) Paragraph

We have revised this action to clarify the appropriate procedure for notifying the principal inspector before using any approved AMOC on any airplane to which the AMOC applies.

Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD with the change described previously. We have determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Costs of Compliance

This AD affects about 9 airplanes of U.S. registry. The required inspection takes about 1 work hour per airplane, at an average labor rate of \$80 per work hour. Based on these figures, the estimated cost of this AD for U.S. operators is \$720, or \$80 per airplane, per inspection cycle.

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 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. 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, 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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

2007-11-10 Fokker Services B.V.:

Amendment 39-15067. Docket No.

FAA-2007-27509; Directorate Identifier 2006-NM-201-AD.

Effective Date

(a) This AD becomes effective June 29, 2007.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all Fokker Model F.28 Mark 0070 and 0100 airplanes, certificated in any category.

Unsafe Condition

(d) This AD results from a report that, after landing, the flightcrew of a Model F.28 Mark 0100 airplane noted that an extreme difference in pedal angle was required to achieve equal braking action. We are issuing this AD to prevent failure of one or more brake control levers, which could result in uncommanded braking and loss of control of the airplane during takeoff, landing, or taxiing.

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.

Inspection and Replacement

(f) Within 1,500 flight cycles or 12 months after the effective date of this AD, whichever occurs first: Perform a detailed inspection for excessive wear of the brake control levers and do the applicable corrective actions in accordance with and at the times specified in Section 3, "Accomplishment Instructions," of Fokker Service Bulletin SBF100-32-142, dated August 12, 2005. Repeat the requirements of this paragraph thereafter for any replacement control lever at intervals not to exceed 12,000 flight hours after the installation of such a control lever. Operators should note that, where the service bulletin specifies immediate replacement of the control lever if the applicable remaining material (dimension X2) of the attachment hole is less than 2.0 millimeters (0.08 inch), this AD requires replacing the control lever if dimension X2 is less than or equal to 2.0 millimeters.

Note 1: For the purposes of this AD, a detailed inspection is: "An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirror, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required."

Alternative Methods of Compliance (AMOCs)

(g)(1) The Manager, International Branch, ANM-116, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR

39.19. 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.

Related Information

(h) Dutch airworthiness directive NL-2005-011, dated August 31, 2005, also addresses the subject of this AD.

Material Incorporated by Reference

(i) You must use Fokker Service Bulletin SBF100-32-142, dated August 12, 2005, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Fokker Services B.V., Technical Services Dept., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands, for a copy of this service information. You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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>.

Issued in Renton, Washington, on May 15, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-10023 Filed 5-24-07; 8:45 am]

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COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 2

RIN 3038-AC42

Rules Relating to Permissible Uses of Official Seal

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission ("Commission" or "CFTC") hereby revises 17 CFR part 2, by adding a new section, 17 CFR 2.4, to allow its employee recreation association, the Commodity Futures Trading Commission Employee Recreation Association ("Association") to use the Commission seal for permissible, "non-official purposes," e.g., fundraising, social, sports, and similar activities such as selling sports apparel and novelty items imprinted with the Commission's seal.

The Commission finds that since the amendment to part 2 has no impact upon a member of the public, this amendment will become effective

immediately upon publication in the **Federal Register**. In addition, the Commission has determined that this amendment to part 2 relates solely to the Association's objectives which promote the welfare of Commission employees and does not in any way impinge on the Commission's core mission. Therefore, the provisions of the Administrative Procedure Act, 5 U.S.C. 553, which generally require notice of proposed rule making and provide other opportunities for public participation, are inapplicable. Similarly, the provisions of the Regulatory Flexibility Act, Public Law 96-354, 94 Stat. 1164, do not apply. See 5 U.S.C. 601(2). In addition, the amendment to 17 CFR part 2 does not impose a burden within the meaning and intent of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501, *et seq.* Provisions related to cost-benefit analysis, in section 15(a) of the Commodity Exchange Act, 7 U.S.C. 19, are also inapplicable.

EFFECTIVE DATE: May 25, 2007.

FOR FURTHER INFORMATION CONTACT:

Thuy Dinh, Office of the General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Telephone: (202) 418-5120.

SUPPLEMENTARY INFORMATION: Currently, Commission regulations in 17 CFR part 2 preclude the use of the seal except for official purposes such as affixing the seal to official documents. The seal also may be used in agency-sponsored programs paid for with appropriated funds. For example, novelty items bearing the Commission seal may be distributed in employee incentive programs, award programs, and similar activities. The current rules, however, prohibit and preclude the use of the seal for non-official purposes.

The proposed rule will allow the Commission seal to be used for legitimate, non-official purposes, i.e., on T-shirts and other sport apparels (i.e., hats, sweatshirts and pants, running shorts, wristbands, among others) and sport equipments (tennis rackets, golf clubs, etc.); and novelty items (bags, pens, pencils, lanyards, badge holders, mugs, cup holders, etc.) that can be sold by the Commission's employee recreation association to meet its fundraising goals, or distributed in conjunction with its sport and/or social events such as a golf tournament and/or other seasonal sport events.

List of Subjects in 17 CFR Part 2

Official Seal; Permissible Uses of Official Seal by CFTC Employee Recreation Association.