

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Parts 23, 25, 33, and 35**

[Docket No. FAA-2007-27310; Notice No. 07-04]

RIN 2120-AI95

**Airworthiness Standards; Propellers; Reopening of Comment Period****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking (NPRM); reopening of comment period.

**SUMMARY:** On April 11, 2007, the FAA published a Notice of Proposed Rulemaking (NPRM) regarding the revision of airworthiness standards for the issuance of original and amended type certificates for airplane propellers. The comment period closed on June 11, 2007. However, the FAA is reopening the comment period for an additional 45 days in response to requests from McCauley Propeller Systems, Hartzell Propeller, Inc., and the General Aviation Manufacturers Association. The reopening of the comment period is needed to permit these companies, and other affected parties, additional time to develop comments responsive to the NPRM.

**DATES:** The comment period for the NPRM published on April 11, 2007 (72 FR 18136) closed June 11, 2007, and is reopened until August 6, 2007.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2007-27310 using any of the following methods:

- *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:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
  - *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.
  - *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- For more information on the rulemaking process, see the

**SUPPLEMENTARY INFORMATION** section of this document.

*Privacy:* We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

*Docket:* To read background documents or comments received, go to <http://dms.dot.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jay Turnberg, Engine and Propeller Directorate Standards Staff, ANE-110, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7116; facsimile (781) 238-7199, e-mail: [jay.turnberg@faa.gov](mailto:jay.turnberg@faa.gov).

**SUPPLEMENTARY INFORMATION:****Comments Invited**

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, please send only one copy of written comments, or if you are filing comments electronically, please submit your comments only one time.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

**Proprietary or Confidential Business Information**

Do not file in the docket information that you consider to be proprietary or confidential business information. Send or deliver this information directly to the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this document. You must mark the information that you consider proprietary or confidential. If you send the information on a disk or CD-ROM, mark the outside of the disk or CD-ROM and also identify electronically within the disk or CD-ROM the specific information that is proprietary or confidential.

Under 14 CFR 11.35(b), when we are aware of proprietary information filed with a comment, we do not place it in the docket. We hold it in a separate file to which the public does not have access, and place a note in the docket that we have received it. If we receive a request to examine or copy this information, we treat it as any other request under the Freedom of Information Act (5 U.S.C. 552). We process such a request under the DOT procedures found in 49 CFR part 7.

**Availability of Rulemaking Documents**

You can get an electronic copy using the Internet by:

- (1) Searching the Department of Transportation's electronic Docket Management System (DMS) web page (<http://dms.dot.gov/search>);
- (2) Visiting the Office of Rulemaking's web page at <http://www.faa.gov/avr/arm/index.cfm>; or
- (3) Accessing the Government Printing Office's web page at <http://www.gpoaccess.gov/fr/index.html>.

You can also get a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the docket number, notice number, or amendment number of this rulemaking.

**Background**

On April 11, 2007, the FAA published in the **Federal Register** (72 FR 18136) Notice No. 07-05, Airworthiness Standards; Propellers. This proposed rule would revise the airworthiness standards for the issuance of original and amended type certificates for airplane propellers. The proposed standards would address the current advances in technology and harmonize FAA and European Aviation Safety Agency propeller certification requirements, thereby simplifying

airworthiness approvals for imports and exports. The comment period closed on June 11, 2007.

By requests dated May 3, May 31, and June 6, Hartzell Propeller, Inc. (Hartzell), McCauley Propeller Systems (McCauley), and the General Aviation Manufacturers Association (GAMA), respectively, asked that the comment period be extended by 60 days to permit a more careful review and consideration of the proposed rule.

The FAA has determined that reopening the comment period for 45 days will allow Hartzell, McCauley, GAMA, and others sufficient time for a more thorough review of applicable issues and questions raised by the NPRM, and for the drafting of responsive comments.

In order, therefore, to give all interested persons additional time to complete their comments, the FAA finds that it is in the public interest to reopen the comment period for forty-five (45) days.

Issued in Washington, DC, on June 14, 2007.

**Dorenda D. Baker,**

*Deputy Director, Aircraft Certification Service.*

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BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-NM-67-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and EMB-145 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain EMBRAER Model EMB-135 and EMB-145 series airplanes. That action would have required an inspection of the base and support surfaces of the glide slope antenna and of certain electrical connectors of the navigation system, and applicable corrective actions if necessary. Since the issuance of the NPRM, we have received new data showing that the proposed inspection and corrective actions will not eliminate the display of erroneous or misleading

information to the flightcrew in the cockpit. However, we have been informed that the navigation system manufacturer has developed effective corrective actions to address the unsafe condition identified in the NPRM. Since we issued the NPRM, we have issued other rulemaking, which provides corrective actions for the identified unsafe condition. Accordingly, the proposed rule is withdrawn.

#### **FOR FURTHER INFORMATION CONTACT:**

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to certain EMBRAER Model EMB-135 and EMB-145 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on March 11, 2004 (69 FR 11549). The proposed rule would have required an inspection of the base and support surfaces of the glide slope antenna and of certain electrical connectors of the navigation system, and applicable corrective actions if necessary. That action resulted from reports of degradation in the performance of the VOR/ILS/MB system due to the presence of moisture, dirt, and corrosion between the base and the support of the glide slope antenna and in the electrical connectors of the navigation system. The proposed actions were intended to prevent the display of erroneous or misleading information to the flightcrew in the cockpit due to degradation in the performance of the VOR/ILS/HM system.

#### **Actions That Occurred Since the NPRM Was Issued**

Since the issuance of that NPRM, we have received new data showing that the degradation in the performance of the VOR/ILS/MB system was not caused by dirt and corrosion affecting the glide slope antenna and certain navigation system connectors. The degraded performance was caused by a parasitic oscillation affecting an internal module of the navigation system, and the navigation system manufacturer has provided service information detailing proven corrective actions. Accordingly, we issued AD 2006-22-05 (71 FR 62907, October 27, 2006), which superseded AD 2003-04-06, amendment 39-13054 (68 FR 8539, February 24, 2003). AD 2006-22-05

provides terminating action for the unsafe condition described in AD 2003-04-06, which was also addressed by the previously mentioned NPRM, Docket No. 2003-NM-67-AD. Therefore, that NPRM is redundant.

#### **FAA's Conclusions**

Upon further consideration, we have determined that the proposed rule is not necessary. Accordingly, the NPRM is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action in the future, nor does it commit the agency to any course of action in the future.

#### **Regulatory Impact**

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

#### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Safety.

#### **The Withdrawal**

Accordingly, the notice of proposed rulemaking, Docket 2003-NM-67-AD, published in the **Federal Register** on March 11, 2004 (69 FR 11549), is withdrawn.

Issued in Renton, Washington, on June 13, 2007.

**Ali Bahrami,**

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

[FR Doc. E7-11928 Filed 6-19-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-28376; Directorate Identifier 2007-NM-108-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes**

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for