

with the Commission recommendation (62 FR 26894, May 15, 1997). We received 82 comments and published results of the review in October 1998 (63 FR 56539, October 22, 1998).

- In July 2000, the FAA began the second round of regulatory review under the three-year program (65 FR 43265, July 13, 2000). We received 476 comments and published results of the review in January 2002 (67 FR 4680, January 31, 2002).

- In February 2004, the FAA began the third round of regulatory review under the three-year program (65 FR 8575, February 25, 2004). We received 97 comments from 30 different commenters and published results of the review in June 2007 (72 FR 34999, June 26, 2007).

In summary, since 1992 the FAA has completed five rounds of regulatory review and has received approximately 1,350 comments.

#### Request for Comments

As part of its ongoing plan for periodic regulatory reviews, the FAA is requesting the public identify three regulations, in priority order, that it believes we should amend or eliminate.

Our goal is to identify regulations that impose undue regulatory burden; are no longer necessary; or overlay, duplicate, or conflict with other Federal regulations. In order to focus on areas of greatest interest, and to effectively manage agency resources, the FAA asks that commenters responding to this notice limit their input to three issues they consider most urgent, and to list them in priority order.

The FAA will review the issues addressed by the commenters against its regulatory agenda and rulemaking program efforts and adjust its regulatory priorities consistent with its statutory responsibilities. At the end of this process, the FAA will publish a summary and general disposition of comments and indicate, where appropriate, how we will adjust our regulatory priorities.

Also, we request the public provide any specific suggestions where rules could be developed as performance-based rather than prescriptive, and any specific plain-language that might be used, and provide suggested language on how those rules should be written.

Issued in Washington, DC, on November 7, 2007.

**Nick Sabatini,**

*Associate Administrator for Aviation Safety.*  
[FR Doc. E7-22346 Filed 11-14-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-40-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 747 Series Airplanes Powered by General Electric (GE) CF6-45/50, Pratt & Whitney (P&W) JT9D-70, or JT9D-7 Series Engines**

**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 Boeing Model 747 series airplanes powered by GE CF6-45/50, P&W JT9D-70, or JT9D-7 series engines. That action would have required repetitive inspections to find cracks and broken fasteners of the inboard and outboard nacelle struts of the rear engine mount bulkhead, and repair, if necessary. For certain airplanes, that action would have provided for an optional terminating modification for the inspections of the outboard nacelle struts. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data of other issues related to the unsafe condition. The data include many new reports of additional web and frame cracks and sheared attachment fasteners, and reports of cracks on the outboard struts of airplanes not identified in the applicability of the NPRM, in addition to the comments received for the NPRM. We have determined from these data that the corrective actions required by the NPRM are inadequate for addressing the identified unsafe condition. Accordingly, the proposed rule is withdrawn.

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

Tamara Anderson, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6421; fax (425) 917-6590.

#### **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 Boeing Model 747 series airplanes powered by General Electric (GE) CF6-45/50, Pratt & Whitney (P&W) JT9D-70, or JT9D-7 series engines, was published as a notice of proposed rulemaking (NPRM)

in the **Federal Register** on January 9, 2002 (67 FR 1167). The proposed rule would have required repetitive inspections to find cracks and broken fasteners of the inboard and outboard nacelle struts of the rear engine mount bulkhead, and repair, if necessary. For certain airplanes, the proposed rule would have provided for an optional terminating modification for the inspections of the outboard nacelle struts. That action was prompted by reports indicating that fatigue cracking of the inboard and outboard nacelle struts of the rear engine mount bulkhead was found. The proposed actions were intended to find and fix cracks and broken fasteners of the inboard and outboard nacelle struts, which could result in possible loss of the bulkhead load path and consequent separation of the engine from the airplane.

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

Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data of other issues related to the unsafe condition. The data include many new reports of additional web and frame cracks and sheared attachment fasteners, and reports of cracks on the outboard struts of airplanes not identified in the applicability of the NPRM, in addition to the comments received for the NPRM. We have determined from these data that the corrective actions required by the NPRM are inadequate for addressing the identified unsafe condition. Therefore, we are issuing a new rulemaking to adequately address the identified unsafe condition.

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

Upon further consideration, the FAA has determined that the corrective actions required by the NPRM are inadequate for addressing the identified unsafe condition. Accordingly, the proposed rule 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 2001–NM–40–AD, published in the **Federal Register** on January 9, 2002 (67 FR 1167), is withdrawn.

Issued in Renton, Washington, on November 7, 2007.

**Ali Bahrami,**

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

[FR Doc. E7–22329 Filed 11–14–07; 8:45 am]

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

[Docket No. FAA–2007–0157; Directorate Identifier 2001–NE–23–AD]

RIN 2120–AA64

**Airworthiness Directives; Turbomeca Makila 1 A and 1 A1 Turboshaft Engines**

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

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

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) for Turbomeca Makila 1 A, 1 A1, and 1 A2 turboshaft engines. That AD currently requires replacing certain digital electronic control units (DECUs) and electronic control units (ECUs) with modified DECUs and ECUs. This proposed AD would apply only to Makila 1 A and 1 A1 turboshaft engines, and would require replacing the selector-comparator board in the ECU with a board incorporating Turbomeca modification TU 250. This proposed AD results from recent unexplained reversions of the ECU to the 65% N1 back-up mode. We are proposing this AD to prevent dual-engine reversion of the ECU to the 65% N1 back-up mode, which could lead to inability to continue safe flight, emergency autorotation landing, or an accident.

**DATES:** We must receive any comments on this proposed AD by January 14, 2008.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD.

• *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow

the instructions for sending your comments electronically.

• *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

• *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• *Fax:* (202) 493–2251.

Contact Turbomeca, 40220 Tarnos, France; telephone (33) 05 59 74 40 00; fax (33) 05 59 74 45 15 for the service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:**

Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [Christopher.spinney@faa.gov](mailto:Christopher.spinney@faa.gov); telephone (781) 238–7175; fax (781) 238–7199.

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

We invite you to send us any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA–2007–0157; Directorate Identifier 2001–NE–23–AD” in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office 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 Operations office (telephone (800) 647–5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**Discussion**

On July 23, 2002, we issued AD 2002–15–05, Amendment 39–12833 (67 FR 49859, August 1, 2002). That AD requires replacing certain DECUs and ECUs with modified DECUs and ECUs, on Turbomeca Makila 1 A, 1 A1, and 1 A2 turboshaft engines. The Direction Generale De L’Aviation Civile, which is the airworthiness authority for France, advised that incorporating Turbomeca Modification TU 203 to the ECUs that are used on the Makila 1 A and 1 A1 turboshaft engines, and incorporating Turbomeca Modification TU 205C to the DECUs used on the Makila 1 A2 turboshaft engines, improves failure detection of the ECU and simulates a fixed power turbine speed (Npt) if two of the three channels fail.

**Actions Since AD 2002–15–05 Was Issued**

Since AD 2002–15–05 was issued, The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, notified us that an unsafe condition may exist on Turbomeca Makila 1 A and 1 A1 turboshaft engines. EASA advises that recent unexplained reversions of the ECU to the 65% N1 back-up mode have occurred on these engines. Turbomeca postulates that these events can be caused by corruption of the engine N2 speed signals by short disturbances, such as electromagnetic interference, which can threaten both engines at the same time. The replacement of the selector-comparator board will allow recovery from the ECU 65% N1 back-up mode for temporary interruptions of the N2 signal.

**Relevant Service Information**

We have reviewed and approved the technical contents of Turbomeca Mandatory Service Bulletin (MSB) No. 298 73 0250, dated March 23, 2007, that describes procedures for replacing the selector-comparator board in the ECU with a board incorporating Turbomeca modification TU 250. The replacement board makes the ECU less sensitive to electromagnetic interference. EASA classified this service bulletin as mandatory and issued AD 2007–0144,